

TOT. DETENTION
1978

APRIL — 31 MAY

—

FIRED 'TO KILL'

329

11/4/78
Saskel News
JOHANNESBURG — A lieutenant attached to the riot police told an inquest magistrate here yesterday that in order to quell a riot: "I fired directly at the rioters in order to kill."

Lieutenant C. E. van Coller, was giving evidence at an inquest on Mr. William Mdladlambasa (15), who died in Soweto on September 21 last year.

Lieutenant van Coller said that on that day memorial services were being held in Soweto for Mr. Steve Biko.

Accompanied by Sgt. Miller, he went to an Anglican church in Soweto. There they found hundreds of Black youths in the street. The church was filled with Blacks.

"The condition was very dangerous in

that vicinity. My life and that of Sgt. Miller was in danger every moment," said Lieutenant van Coller.

"It doesn't take a big stone to kill someone."

After youths began throwing stones at them from the church, the two policemen entered and ordered the occupants to leave.

The stoning then became so intense that Lieut. van Coller telephoned for reinforcements and was forced to open fire.

The body of William Mdladlambasa was found on the premises later that day. He had a gunshot wound in the head.

The hearing was postponed till April 24. — (Sapa.)

10. Bestaan daar 'n formele of informele skakeldiens met (1) ander boere wat hul arbeiders se kinders na u skool toe stuur, (2) of ouers van u arbeiders se kinders.
11. Dink u dat plaaskole (1) bydra om meer produktiwiteit onder die werkers aan te bring. (2) veroorsaak dit dat hulle die plaas wil verlaat. (3) wil hulle liever ander soort werk op die plaas doen.
12. Hoe belangrik is dit vir u arbeiders dat hulle kinders onderwys kry.
13. Doen die onderwyser enige buitenuurse werk (b.v. onderrig in die godsdiens aan werkers). Indien ja, spesifiseer.
14. Dink u dat, met die ontwikkeling van u plaas, u geleidelik meer ervare en opgeleide werkers nodig sal hê vir tegniese administratiewe en soortgelyke werk. Indien ja, spesifiseer.

Employ Express 24/78 (329)

Biko 'confessions' — No charges against two detainees

By JENNIFER HYMAN

TWO friends of Steve Biko who, the Biko inquest was told, signed confessions incriminating themselves and the dead Black consciousness leader, will not be charged by the Security Police.

Mr Peter Jones and Mr Patrick Titi have been transferred from detention under Section 6 of the Terrorism Act to Section 10 of the Internal Security Act.

This is the "preventive detention" clause under which detainees are not charged or even interrogated.

Mr Jones and Mr Titi have been in detention since August last year. Mr Jones was arrested when the car he was driving was stopped at a roadblock in Grahamstown on August 19. Mr Steve Biko was his passenger.

Mr Titi was detained soon afterwards, with other members of the now banned Black Peoples' Convention and the Black Community Programme.

Both Mr Jones and Mr Titi emerged as vital links in the police case at the Biko inquest. Police witnesses claimed Mr Biko went "berserk" when confronted with statements allegedly made by Mr Jones and Mr Titi.

The Security Police interrogators claimed that when Mr Biko saw these statements on September 6, he became enraged and started the violent scuffle which, the inquest found, resulted in his death six days later.

The statements were not admitted as evidence after the Biko family's legal team pointed out that, according to their dates, they could not have been shown

to Mr Biko before his death.

Police witnesses at the inquest claimed Mr Biko, Mr Jones, and Mr Titi were involved in the preparation of inflammatory pamphlets which urged Blacks to show no mercy to "collaborators" and ended with the words "Long live the revolution".

But both Mr Jones and Mr Titi have been transferred to Grahamstown where they are being held under the preventive detention clause, along with other former members of the now banned Black consciousness organisations who were first detained under the Terrorism Act.

A third person named at the Biko inquest, Ms Xoliswa Ngabeni, has also been transferred from Terrorism Act detention to Internal Security Act detention. She was said by police witnesses to have typed the pamphlets.

And the Minister of Justice, Mr Kruger, confirmed in Parliament recently that Internal Security Act detainees would not be charged.

In reply to a question from Mrs Helen Suzman of the Progressive Federal Party, Mr Kruger said no

charges would be brought against Mr Jones, despite the "confession" he had made to Port Elizabeth Security Police.

The Sunday Express ascertained that former Terrorism Act detainees now being held under the Internal Security Act in Grahamstown are:

Mr Barney Pitanya, Mr Thami Zani, Mr Peter Jones, Mr Moki Cekisani, Mr Patrick Titi, Mr Ray Magida, Mrs Nohle Mohapi (the widow of Mr Mapetla Mohapi who died in detention), Mr Fikele Mhinda, Mr Mbuyiselo Madaka, Ms Asha Rambally, Ms Xoliswa Ngabeni, and Mr McGlory Spekman.

In Durban, five Terrorism Act detainees were released — and then redetained under the Internal Security Act. At least one Internal Security Act detainee, Mr Jacob Mamobolo, is now being held under Section Six of the Terrorism Act — which means interrogation and the possibility of charges.

Mr Gabriel Malaka, released from Internal Security Act detention with Mr Percy Qoboza and others last month, was redetained later under the Terrorism Act.

The total number of people in detention is unknown, but it is estimated at between 700 and 800.

2. (a) C
U
f
r

(b) l
h
e
t

(c) E
e

T
e

(d)

(e)

(f)

3. f
t
e

2

Other factors such as 'bright-lights' pull or population pressure push are relevant but not fundamental. No more than 2 or 3 marks should be allocated to these.

4 forces

One day he'll have to know all about his father

Sun. Tribune 2/14/78

329

HE'S a sturdy fellow with an unwavering stare, Big brown eyes.

When I was introduced to him this week, he practically ignored me and extended his left hand to shake my right.

Which isn't very surprising for a two-and-a-half year old boy.

I met him at his grandmother's house. By the time I left the house, the little chap had warmed to me considerably.

I know, because when his aunt and I went to the car to leave, tears in those little charmer eyes told us there was no way we were going to be allowed to drive off without his being taken for a spin first.

Inside the car he stood between the front seats. He insisted on finishing the hooter, and having found it wanted to press it. He did. Repeatedly.

We drove as far as his mother's house where his aunt jumped out of the car to hand him over.

No way. He insists I come inside. He's forgotten my name which he couldn't pronounce in the first place, so he calls me "Boetie" (little

By Rodney Haxton



brother) — which is funny because he barely reaches up to my knees.

We hand him over to Mum and then return to the car. As the doors shut, he is standing there again. The big brown eyes are doing their tricks again because he wants to get back inside. But now it's impossible because we are leaving King William's Town, heading for East London.

As we drive away my heart is full of this plump, plucky kid. And also with sadness.

I am sad because I know that when he is old enough to understand, somebody is going to have to tell him about his father.

And I thank God it won't have to be me who has to tell that to little Samora Biko.

★ ★ ★

THE LITTLE boy's aunt is Bandi Mvovo, attractive sister of Steve Biko. She's in the car

with me because I am driving up to Queenstown and her husband is there.

Understandably, she wants to see him. He's just been released from detention, though he's still a banned person with four years to go. He is also under house arrest from six in the evening to six in the morning — which may prove a little difficult on account of the fact that he and his family have to vacate their home back at Dimbaza and can't find another.

But for the moment, Mxolisi Mvovo, young father of two and "stop-father" to two more, has a roof over his head at Queenstown. At Komani Mental Hospital.

They took him there from jail in King William's Town for observation because, according to his wife, he was "acting strangely."

We visit Mxolisi. He's not allowed to come out for lunch so we have to drive to a roadhouse, his wife and I, to buy take-

aways. And we picnic in the shade of a tree in the vast grounds of the institution.

He's under sedation, but he's as sharp as a tack. I battle to keep up with his puns and cracks.

They're clever, these jokes from a man who has the world on his shoulders. I'd like to repeat some of them.

But I can't because he's not allowed to be quoted until 1982.

★ ★ ★

NOW WE'RE back in the car on our way to East London, quiet because Bandi Mvovo has left her husband behind.

At the tiny town of Stutterheim we stop for petrol. Whites stare at us strangely; blacks with interest. I go inside to speak with the owner because we went to school together. I return to the car pay and go — but not before I notice

the smirk on the face of the old black petrol attendant.

Bandi is giggling and I want to know why.

She tells me.

She's amused because the petrol attendant has told her he doesn't like this idea of people like herself going across the border to Transkei and marrying white men. He complains that it doesn't work the other way — what white woman, he wants to know, will look at a black man who hasn't any money?

We concede that he has a point there.

★ ★ ★

FIFTY kilometres on, a big shiny Mercedes flashes past us as if the two black occupants have never heard of speed limits.

They see an attractive black woman with a white man and they turn around to gawk and giggle; then they disappear into the distance.

But they slow down to let us catch up and gawk again to give us that "we-know you've been to the-Transkei" look.

Police probe case of the runaway doctor and girl's death

SECURITY police are investigating the activities of the runaway psychologist, Dr Peter Lambley, who ran a group-therapy commune at an abandoned Cape school.

They are also probing the death of his "research assistant", Miss Shirley Jenner, whose decomposing body was found in a Cape Town flat two hours after Dr Lambley fled South Africa for Britain in February.

Investigation

A senior officer from security police headquarters in Pretoria has visited Cape Town to investigate the case.

It is understood that the Bureau for State Security is also taking an interest in Dr Lambley and Miss Jenner's death.

The police investigation in Cape Town is being carried out by a brigadier.

Although Cape Town pathologists have not found

evidence of foul play, parts of Miss Jenner's body have been sent to the police forensic laboratory in Pretoria for further investigation.

Four of Dr Lambley's former patients have died. A fifth was seriously injured in a shooting incident after the psychologist left South Africa.

Dr Lambley's therapy commune in Constantia became noted for his patients' dependence on him and his influence on them. He was described as their "father and protector".

When he arrived in Britain after fleeing South Africa,

he claimed that Miss Jenner, 22, had been killed because of their research into "psychological terrorism", which he said the security police used against anti-apartheid activists.

He said that for three years he had been bombarded with threatening phone calls, but he had not reported these to the police, nor told his wife because he did not want to upset her. Nor did he tell her of his plans to flee to Britain.

After his arrival in Britain, Dr Lambley told the Sunday Times that he had no proof that he and Miss Jenner had been investigating "psychological terrorism" by the security police.

By NEIL HOOPER

2. Wat doen u gewoonlik om die probleme op te los?

Bevrees u die pro-
ander fase?

Het u al ooit ge-
span om iets te

kan toevallige en kort-

1. Gaan u probeer op-
waaron/waarom nie?

Ex-detainees in hospital

Sun Tribune 2/1/78

(327)

By Rodney Haxton

STEPHEN BIKO'S brother-in-law, who is ban-
ned and was detained in
the October 19 security
police swoop, is being
treated at Komani mental
hospital outside
Queensdown.

Mxolisi Mvovo, husband
of Biko's sister Banti, is
the former vice-president
of the Black People's Con-
vention, one of the
organisations that went on
to the October 19 banning
list.

He was moved from the
King Williams Town
prison at the end of
February.

It is also known that
former detainee, Moses
Lwabe, who was serving a
six-month jail sentence for

refusing to give evidence
at an ANC trial in East
London last November, is
being treated at the
hospital.

Mr Tweed's wife, Mabel,
found the first
time that her husband had
been taken to the hospital
when she went to visit him
at East London's Fort
Glamorgan jail earlier this
month.

Mr Mvovo was told last
week that he had been
released from detention
and had subsequently
been moved from the hos-
pital to an "open"
ward.

Release

His wife said this week
that a doctor at the hos-

STEVE BIKO

BROTHER-IN-LAW

MOVED FROM

JAIL TO WARD

pital had told her he
would be released when
hospital authorities were
satisfied he was ready to
go — and that that may be
within the next month.

She said she became
worried about her husband
while he was being held at
King Williams Town
prison. He was acting

Breakdown

In the middle of
February she was
telephoned by the prison
authorities and asked to
visit her husband as soon
as possible. She was told
that he "appears to have
had a nervous breakdown."

strangely — like a person
who is drunk."

Two days later she was
told by a district surgeon
that there was nothing
wrong with her husband.

The next day, prison
authorities told her she
could not visit him
because he was under hea-
vy sedation.

"The prison authorities
later told me that my hus-
band was being
troublesome. They said he
was playacting; that when
the district surgeon was
called in he acted nor-
mally; and that they are
getting tired of it," said
Mrs Mvovo.

"I told them I was going
to call in a private
psychiatrist. When I went
the next day I was told that my
husband had been taken to
Komani Hospital."

There's still hope for SA—Motlana

The Star Bureau

NEW YORK — Dr Nthato Motlana, one of the Soweto leaders released from detention recently, still believes whites and blacks in South Africa can reach a political accommodation without apocalyptic violence that many have forecast.

In an interview published in the New York

Times, Dr Motlana is quoted as saying that he believes that external pressures, including an economic squeeze, would eventually bring to power "an Afrikaner De Gaulle" who would lead a reluctant white community into granting full political rights to blacks.

"I don't believe that Masada business for one

moment," Dr Motlana said, referring to conservative Afrikaners who insist that they would rather die, like the Jewish zealots besieged by Romans at Masada, rather than submit to Roman rule.

"You can't convince me that people would prefer to commit suicide rather than to share this rich land, when sharing it has

become inevitable."

Dr Motlana is quoted as saying that "I am not bitter at all against whites" but that "I am certainly bitter against the Security Police, who are leading the whole country to perdition."

The interview, with the New York Times's staff correspondent in South Africa, was given in Johannesburg.

DR MOTLANA

2. Het u dit al ooit oorweeg om in 'n stad te gaan werk? Indien wel, waarom gaan u nie?
3. Watter werk wil u graag hê u kinders moet doen? Waarom?
4. Watter soort werk (indien enige) sou u liever doen of op 'n plaas of òrens anders?
5. As werker nie skoolgegaan het nie, hoekom het u nie skoolgegaan nie?

As werker skoolgegaan het maar nie klaargemaak het nie, waarom het u nie op skool klaargemaak nie?

Probleme.

1. Wat wil u graag hê moet verander in u werksomstandighede? (loon, ander soort betaling, werkure, vakansies)

In u lewensomstandighede? (behuising, ontspanningsgeriewe)

2. Het u al om veranderinge gevra sonder sukses? Indien wel, gee besonderhede.
3. Watter probleme ondervind u met u werk?

Ship held in port over Biko

behalf of the Transkei

The income of migrant the total G.N.I. of the income generated within urban residents in which a better reflection of G.D.P. as a proportion 26% in 1973 and this on workers outside of

SYDNEY — Australian tug crews are refusing to allow a South African cargo ship to leave here until they are informed about the welfare of the family of Mr Steve Biko.

The general secretary of the Firemen and Deckhands Union, Mr Don Henderson, said the union had received only sketchy replies to requests for information about Mr Biko's family.

The ship, the 10 448 t Safocan Auckland, arrived here last Saturday from Durban. — SAPA-RNS.

283,8m) contributed 69,6% of N.I. reflects not only the but also the migrants and Transkei The G.D.P. therefore affords health of the Transkei itself. declined from 44% in 1960 to increasing dependence for revenue duties.

The fact that over 77% Matanzima himself received P. Laurence, 1976). A Transkeian citizenship that many Africans now find themselves towards a country with which they have the most tenuous of ties, is recognised by the Transkei authorities as being a valuable aid for their financial predicament.

budget derives from South Africa 'booming fact' (pg 125, however, the extension of living outside the Transkei, so compelled to contribute taxes

Having established that the Transkei is at present becoming increasingly financially dependent on South Africa, it is instructive to examine the possibility of this trend being reversed either through possibly increasing domestic revenue or by finding alternative sources of foreign aid. It is generally considered that the international community is reluctant to overtly give financial assistance to the Transkei. Mr F. Maritz, Chairman of the Transkei Development Corp., contends however that offers of aid are 'pouring into the Transkei from all over the world' (Natal Mercury 2.2.77). Those were said to range from R5m to R100m with interest rates ranging from 5% to 6% p.a. In fact, it seems that to date the Transkei has secured foreign loans totalling over R14m from British and American banking consortiums. Although Chief Matanzima apparently is prepared to accept 'friendly assistance' from Red China or Soviet China (Natal Mercury 25.10.76), the likelihood of this occurring is extremely remote, especially as the South African Minister of Foreign Affairs has the final say as to what financial aid is to be accepted by the Transkei (The Star 16.6.76).

Apart from increases in foreign aid the Transkei may further be able to finance its development through exploration of its mineral resources. Initial investigation has shown that well over R1 000m in total value or R27m a year worth of minerals could possibly be mined in the Transkei (Sunday Tribune 7.3.76). The development of a domestic mining industry would, of course, also provide much needed avenues for employment.

The agricultural and industrial sectors of the Transkei economy will now be examined in order that the economic consequences of the homeland policy may be examined. The agricultural sector which contributes 35,2% of the Transkeian G.D.P. (pg 38, Benbo 1975) and employs the majority of the Transkei inhabitants will be examined first.

The Transkei depends on imports for over one half of its food requirements and this is indicative of the critical situation of its agriculture. Furthermore, as noted above, agriculture contributes a very significant proportion of the Transkei's income and substantial gains in production could therefore markedly ease the Transkei's dependence on South Africa. The history of the agricultural sector in the Transkei over the past thirty years is rather dismal and, as will be discussed, only drastic structural change could make for real long run change.

TRANS 3 588 April 1978
Question 13 Colo. SBQ a50

329

known as Fisheries Science, which embraces the skills necessary for the development and management of fish as a natural resource, such as aqua-

c - X Mr. Mxolisi Mvovo

a *13. Mrs. H. SUZMAN asked the Minister of Police:

T (1) Whether Mr. Mxolisi Mvovo was
tl detained by the Security Police in
f October 1977; if so, (a) on what date
es and (b) in terms of what statutory
de provision;

pa (2) whether he was admitted to hospital
en while in detention; if so, (a) to what
hospital, (b) on what date and (c) for
what reason;

(3) whether he is still in hospital; if not,
on what date was he discharged;

(4) whether he is still in detention.

In †The MINISTER OF POLICE:

Un (1)(a) and (b) No, but he was restricted to
me the King William's Town Prison on
Fi 19 October 1977 in terms of section
10(1)(a)bis of the Internal Security
Act, No. 44 of 1950.

(2) Yes.

(a) The Komani Hospital,
Queenstown.

(b) 22 February 1978.

(c) Because he was certified by two
doctors as mentally deranged.

(3) Yes.

(4) No, he was on 24 February 1978
relieved from the provisions of the
notice issued in terms of section
10(1)(a)bis.

5 APRIL 1978

Mr. Speaker, because I can fashion the
unholy thoughts of the hon. member who put
the question . . .

†Mr. SPEAKER: Order! [Interjections.]

†The MINISTER: Mr. Speaker, then I
withdraw it. Because I know what is going on
in her mind, I should just like to add the
following. The person to whom she is refer-
ring was detained together with four others.
They were locked up in the same place of
detention. During the period mentioned, he
received 21 visits and a total of 24 visitors
visited him. One of the visitors was a White
minister and another was a person connected
with a firm of attorneys.

For written reply:

South

Woods uses TV² to make a point

Own Correspondent

LONDON. — The former South African editor, Mr Donald Woods, this week discussed the freedom of the Press in South Africa in a popular television programme, Meet the Editors.

Mr Woods quoted from editorials in the Rand Daily Mail, Cape Times, Star and Sunday Times to show that South African newspapers were still speaking their minds.

But Mr Woods quoted

other examples to show that Press freedom in South Africa was diminishing. A Star report on the television debate between Mr Woods and Mr Louis Luyt was shown on the screen — with blank spaces where Mr Woods' remarks should have appeared.

Mr Woods also illustrated his talk by showing how his own newspaper, the Daily Dispatch in East London, had reported the death in Security Police detention of Mr Steve Biko.

it

A SURVEY OF FISH FARMING

IN SOUTHERN AFRICA

Giles Hobson

Saldru Working Paper No. 18

In co-operation with the

Environmental and Development Agency (EDA)

NM 6/4/78 (327)

Mvovo mentally deranged

Parliamentary Correspondent

CAPE TOWN — The brother-in-law of the late Mr. Steve Biko was admitted to hospital in February this year because he had been certified as being mentally deranged while being held under preventive detention.

Former Black Consciousness leader Mr. Mxolisi Mvovo was held under the preventive detention provisions of the Internal Security Act in King William's Town prison on October 19 last year and was admitted to Komani Hospital in Queenstown on February 22, 1978.

Replying to a question from Mrs. Helen

Suzman (PFP, Houghton) in the House of Assembly, Minister of Justice Mr. Jimmy Kruger said yesterday the preventive detention notice on Mr. Mvovo was lifted two days after he had been admitted to hospital.

Asked whether Mr. Mvovo had been detained in October last year Mr. Kruger replied: "No, but he was restricted to King William's Town prison on October 19, 1977, in terms of Section 10 (1) (A) of the International Security Act, No. 44 of 1950."

The minister said Mr. Mvovo was admitted to hospital "because he was certified by two doctors as mentally deranged."

olgaan? Sal
naby was vir u
iseer.

- 1.
- 2.
3. Bespreek u ooit die skool met u werkgewer?
4. Is die skool wat u kinders bywoon op 'n plaas of nie? Indien
nee, spesifiseer waar.

Aan werkers wie se kinders nie skole bywoon nie

1. Waarom gaan u kinders nie skool toe nie?
2. Dink u dat die onderwys belangrik vir u kinders is? Indien
ja of nee, spesifiseer hoekom?

Handred. 11 18 April 1978.

Question 16. Col. 661 & 662.

Mr. Kitso Makume

The MINISTER OF POLICE replied to
Question *13, by Mrs. H. Suzman:

Question:

- (1) Whether Mr. Kitso Makume of Soweto was arrested and detained by the police in 1977; if so,
- (2) (a) when and (b) for what offence or in terms of what legal provision was he arrested, and (c) for what period was he detained;
- (3) whether he was at any time held in solitary confinement; if so, for what period;
- (4) whether he was (a) charged with and (b) convicted of any offence; if so, what offence.

Reply:

- (1) Yes.
- (2) (a) 20 April 1977.
- (b) and (c) From 20 April 1977 to 21 November 1977 in terms of section 6(1) of the Terrorism Act, 1967, and from 22 November 1977 to 13 February 1978 in terms of section 12B of the Internal Security Act, 1950.

19 APRIL 1978

662

- (3) No, not during his periods of detention in police cells. During the period 12 August till 21 November 1977 when he was detained in the Johannesburg Fort he was not kept in solitary confinement but in segregation.

(4)(a) and (b) No.

For written reply:

No one appointed to check on detainees

THE ASSEMBLY — The Minister of Justice, Mr. Kruger, has not yet appointed anyone to visit security detainees.

"The matter is still receiving attention," the Minister said yesterday in reply to a question by Mrs Helen Suzman (PFP, Houghton).

Earlier this year, Mr Kruger said he would appoint a group of senior lawyers to investigate the conditions under which people being detained in terms of the security laws

were being held.

The Minister said the move was being taken to ensure there were no irregularities in the detentions and the committee would be able to undertake spot checks on the places of detention.

In reply to another question from Mrs Suzman, the Minister said there were 36 people serving life sentences on Robben Island. Altogether there were 265 people serving life sentences in South Africa. — PC.

fatty fish if you use mealies?

Biko
relative
SUN TIMES
flees 16/4
32°
mental
hospital

By NEIL HOOPER
and JILL McILRAITH

STEVE Biko's brother-in-law, Mr Mxolisi Mvovo, last week escaped from the Komani Mental Hospital, near Queenstown, where he was being treated for a nervous breakdown after his detention last year in terms of the Internal Security Act. He was handed back to the hospital the next day.

Mr Mvoto — a vice-president of the banned Black People's Convention — was detained during the nationwide security clamp-down on October 19 last year. At the time he was also restricted in terms of a banning order.

The head of the security police for the Eastern Cape, Colonel A. van der Merwe, this week confirmed that Mr. Mvovo had escaped from the mental hospital last Sunday, and that he had been handed back the next day.

On Good Friday he told his family that he had been released from detention and was looking forward to going home to his wife and two children.

Feared

Doctors told his family that he would be discharged when he was fit — probably after a month. But the family were unable to obtain official confirmation that the detention order against him had been lifted, and feared that his release might have been only his imagination.

This week, however, a senior official of the Department of Justice confirmed that the detention order had been lifted.

Colonel van der Merwe this week confirmed that Mr Mvovo was still at the Komani Mental Hospital after his escape and recapture last week. He also confirmed that Mr Mvovo's release now depended on doctors at the hospital.

With the fish with the idea that the ducks
water. This wasn't successful for a number
being theft. Another problem was civet cats,
the right number of ducks to keep. We had
area of 8 acres, and we tried to keep about 900
55. Well, they just about cleared the water of
now because they graze the grass.

production ponds right through the year. We had good growth rate in winter. The recommended right. During winter we cut it right down to am alive. We've stopped using pellets for can't get them at an economical price

have a lot of plankton in your water just right it's a water out. So it's best to get the fish out

Mr Mvovo's mother-in-law, Mrs Alice Biko, told the Sunday Times that Mr Mvovo had not complained about his treatment in hospital, but wanted to return to his home in Dimbaza as soon as possible.

Before he was moved to the hospital at the end of February, his wife, Bandi, was phoned from the prison and asked to visit her husband, as soon as possible. She was told that he had apparently had a nervous breakdown.

After visiting him in prison, his wife said that her husband was "acting strangely — like a person who is drunk."

Two days later, a district surgeon said that there was nothing wrong with Ler husband, but the following day Mrs. Mvovo was told she could not see him because he had been a "troublesome man" and was under heavy sedation.

at Marble Hall came up with the idea of

SUN Times
Biko 16/4/78

relative flees mental hospital

By NEIL HOOPER
and JILL McILRAITH

STEVE Biko's brother-in-law, Mr Mxolisi Mvovo, last week escaped from the Komani Mental Hospital, near Queenstown, where he was being treated for a nervous breakdown after his detention last year in terms of the Internal Security Act. He was handed back to the hospital the next day.

Mr Mvovo — a vice-president of the banned Black People's Convention — was detained during the nationwide security clamp-down on October 19 last year. At the time he was also restricted in terms of a banning order.

The head of the security police for the Eastern Cape, Colonel A. van der Merwe, this week confirmed that Mr Mvovo had escaped from the mental hospital last Sunday, and that he had been handed back the next day.

On Good Friday he told his family that he had been released from detention and was looking forward to going home to his wife and two children.

Feared

Doctors told his family that he would be discharged when he was fit — probably after a month. But the family were unable to obtain official confirmation that the detention order against him had been lifted, and feared that his release might have been only his imagination.

This week, however, a senior official of the Department of Justice confirmed that the detention order had been lifted.

Colonel van der Merwe this week confirmed that Mr Mvovo was still at the Komani Mental Hospital after his escape and recapture last week. He also confirmed that Mr Mvovo's release now depended on doctors at the hospital.

Mr Mvovo's mother-in-law, Mrs Alice Biko, told the Sunday Times that Mr Mvovo had not complained about his treatment in hospital, but wanted to return to his home in Dimbaza as soon as possible.

Before he was moved to the hospital at the end of February, his wife, Bandi, was phoned from the prison and asked to visit her husband as soon as possible. She was told that he had apparently had a nervous breakdown.

After visiting him in prison his wife said that her husband was "acting strangely — like a person who is drunk".

Two days later a district surgeon said that there was nothing wrong with her husband, but the following day Mrs Mvovo was told she could not see him because he had been "troublesome" and was under heavy sedation.

SUN TIMES

16/4/78

329

Police arrest Soweto student leader

By NEIL HOOPER

MR TROFOMO Sono, 20, the Soweto student leader who replaced Tsietshi Mashinini (as chairman of the Soweto Students' Representative Council) — and then fled to Botswana in August last year — has been arrested by the security police, I learnt reliably this week.

I understand the police have made at least one other major arrest. The detainee, thought to be white, is believed to have helped either Sono or Mashinini escape from South Africa.

Yesterday a senior officer of the security police confirmed that "a very important arrest" had been made during the week, but refused to disclose details as further arrests were likely this weekend.

One of the people they may be hoping to arrest is Mashinini, who fled South Africa in August, 1976, and later told reporters overseas that he would return to the Republic to help achieve majority rule. After he left South Africa he was replaced by Mr Khotso Seatlholo and then Mr Sono as leader of the Soweto SRC. Both student leaders later fled the country.

Price on head

At the time of his disappearance, Mashinini had a R500 price on his head for the murder of Dr Melville Edelstein, the first white man killed during the Soweto riots in June, 1976.

While in hiding in South Africa, Mashinini gave an interview to the BBC for the programme, "This Week", televised in Britain. The South African Embassy in London slammed the interview, as "selective reporting at its ugliest".

Mr Sono was elected Soweto SRC leader in June last year. Within weeks of his appointment, he claimed

responsibility for a march on police headquarters at John Vorster Square in Johannesburg. Nearly 150 black students were arrested during the march, and two months later Sono followed Mashinini out of the country.

Five weeks earlier, according to friends, he received a bullet wound during a police raid on a house in Soweto. During the raid several other members of the Soweto SRC were arrested, and Mr Sono went into hiding.

Cape Times
11/4/78
329

Woods describes friendship with Biko

From Stanley Uys

LONDON. — In a 284-page book on Steve Biko, to be published today, the former South African editor, Mr Donald Woods, gives a detailed account of his friendship with the young black leader and describes the origins and character of the black consciousness movement in South Africa.

Mr Woods names 10 policemen who allegedly formed two teams which interrogated Mr Biko just before his death on September 12 last year, and then narrows responsibility for Mr Biko's death to three members of the night team.

Mr Woods gives four main reasons why he fled South Africa, but discloses no further details of his escape for fear of incriminating his helpers.

His wife, Wendy, who left

South Africa at the same time with their five children, contributes two passages to the book, which is called simply "Biko". One describes a visit to Mr Biko in jail after he had been arrested on a charge of defeating the ends of justice, and the other is her impressions of the inquest into Mr Biko's death, held in Pretoria.

She writes about the inquest: "The inquest provided a new experience for South Africans. We got a chance to get a good long look at security policemen... We at the inquest could see their faces, could watch their demeanour under cross-examination and could hear their words — their version of the story."

The book contains 41 photographs — of Mr Biko alive and dead, his funeral, other African leaders, security policemen, the police vehicle which took Mr Biko from Port Elizabeth to Pretoria when he was dying, the Minister of Police, Mr J T Kruger and the Prime Minister, Mr Vorster.

The book consists of six chapters: The historical background of South Africa, Mr Biko as a person and political theoretician, black consciousness as Mr Biko advocated it, the circumstances of his death, the inquest, and an "indictment" of the men responsible for his death.

Much of the book contains lengthy extracts of statements made by Mr Biko, explaining the nature of black

consciousness. The statement by the former ANC leader, Nelson Mandela, when he was sentenced to life imprisonment, is also quoted in full.

Woods described his own conversion to Mr Biko's philosophy and his recognition that the white liberalism which he had espoused was not always supportable.

Mr Woods began writing the book on November 1, 1977 — 10 days after he had been banned and in defiance of the banning order. He wrote it in secret, smuggled it out of the country and completed it in London.

In a 284-page book on Steve Biko to be published today, the former Daily Dispatch editor, Mr Donald Woods, gives a detailed account of his friendship with the young black leader, and also describes the origins and character of the black consciousness movement in South Africa.

Mr Woods names 10 policemen who allegedly formed two teams which interrogated Mr Biko just before his death on September 12 last year, and then narrows responsibility for the death down to three members of the night team.

Mr Woods also gives four main reasons why he fled South Africa, but disclosed no further details of his escape for fear of incriminating his helpers.

His wife, Wendy — who left South Africa at the same time with their five children — contributes two passages to the book. One described a visit she paid to Biko in jail after he had been arrested on a charge of defeating the ends of justice. The other is her impressions of the inquest into Biko's death, held in Pretoria.

She writes about the inquest: "The inquest provided a new experience for South Africans. We got a chance to get a good long look at security policemen. We at the inquest could see their faces, could watch their demeanour under cross-examination and could

Biko by Woods



Steve Biko

hear their words — their version of the story. For the first time, these men, products of inheritors of the Afrikaner Nationalist tradition, were flushed out of their police stations and their little interrogating rooms. For once they were in a position of having to account for themselves."

The book contains 41 photographs — of Mr Biko alive and dead, his funeral, other African leaders, security policemen, the police vehicle which took Mr Biko from Port Elizabeth to Pretoria when he was dying, Mr Kruger and Mr Vorster.

The book consists of six chapters: the historical background in South Africa, Mr Biko as a person and political theoretician, black consciousness as Mr Biko advocated it, the circumstances of his death, the inquest, and finally an "indictment" of the men responsible for his death.

Much of the book is given over to lengthy extracts of statements and articles by Biko, explaining the nature of black consciousness. The statement made by former ANC leader, Nelson Mandela, when he was sentenced to life imprisonment, is also quoted in full.

Mr Woods describes his own conversion to Mr Biko's philosophy and his recognition that the white

liberalism which he had espoused was not always supportable. None of Mr Woods' comments may be quoted, however, since he is a banned person.

Mr Woods began writing the book on November 1, 1977 — 10 days after he had been banned and in defiance of the banning order. He wrote the book in secret, smuggled it out of the country, and put the finishing touches to it when he arrived in London in January after his escape from South Africa.

The publishers, Paddington Press, say on the dust cover: "Woods vividly recaptures the life and death of Steve Biko, the brilliant and charismatic man who became South Africa's leading black consciousness spokesman. Here is a portrait of the private as well as public Biko; personal and political dialogues; details of the gruesome torture and killing of Biko."

"Biko is a personal testimony to a truly remarkable man; a moving portrait of a uniquely gifted leader destroyed in his prime and the story of a deep friendship which transcended race, class and politics under a system determined to keep them separate and unequal."

Biko, by Donald Woods, Paddington Press Limited, New York and London. £5.95)

— Stanley Uys

'Silly writer', but Biko book lauded

ROM 12/4/78

329

Own Correspondent

LONDON. — Donald Woods, the banned East London editor, was yesterday described as "a silly writer" in a review of his book "Biko" in the Sunday Telegraph.

But the reviewer, Patrick Cosgrave, also said the book made "invaluable, terrifying and brilliant reading."

"Donald Woods, for all his journalistic experience is a woolly, slipshod and even silly writer," Cosgrave wrote.

Although he purported to be merely a mirror held up to Mr. Steve Biko his story was as much about himself as about the black consciousness leader who died in detention, he said.

And Mr. Woods from all that he too suffered in a

little way and fought hard for what he believes in, is a trivial and shallow figure compared to Biko.

"Almost as though, deep down, he realised his inadequacies, Mr. Woods has given us long chunks of Biko's own words — early writings, interviews with a variety of visitors, snatches of recorded conversation.

"These made his 'Biko' invaluable, terrifying and painfully brilliant reading.

"For it was the achievement of this young man to make articulate in words the nature and pride of the black African."

And yesterday The Observer began its first extract from the book which they described on their front page alongside a picture of Mr. Biko, as "this moving testament to a remarkable friendship."

Kruger pledges safety of detainees

Own Correspondent

CAPE TOWN — The Minister of Justice, Mr Kruger, gave an assurance last night that he was taking steps to ensure the safety of detainees under interrogation.

Addressing the South African Law Conference, he said he was deeply aware of the problems surrounding security detainees, particularly their interrogation and the circumstances of their detention.

He said the security branch was involved in arduous and dangerous work in the country's first line of defence.

"FRIGHTENING"

"Because we are appreciative of all their work it is not only necessary for the protection of prisoners but also essential for the reputation of the police that safeguards be set up for the proper protection of those who are being interrogated.

"I give you my assurance that these matters weigh very heavily with me, and I am giving my full attention to departmental measures to en-

sure that these highly sensitive issues are dealt with satisfactorily."

Mr Kruger said recent decades had seen a "completely novel and frightening" ethical approach by people who planned the violent substitution of governments and political systems.

He agreed that administrative powers to interfere with the freedom of the individual and other measures seemed to cry out against the fundamental principles of South Africa's legal tradition.

"Yet what is to be done? We just do not know of other legal means to deal with the situation. Our own stringent laws which we have to use to deal with this problem are a great worry to our lawyers and, indeed to myself."

He said his door would always be open to lawyers seeking to make security legislation more effective or compatible with the ordinary law of the land.

O Disappearing legal rights — the background — Page 11.

Vigilant

Biko book instant hit

ARGUS 18/4/78 329

The Argus Bureau

LONDON. — Biko, Donald Woods's account of the life and death of black consciousness leader Stephen Biko, went on sale here yesterday and was an instant success.

The publishers, Paddington Press, ordered a second print run of 20,000 within hours of the book appearing on shelves throughout Britain.

Coinciding with the publication of Biko came news of another book, this time about the death in detention in 1969 of a leading South African Muslim, Imam Abdullah Haron.

This book, written by banned South Africans Barney Desai and Cardiff Marney, is due to go on sale on May 15.

In a foreword to this book, Sir Dingle Foot, QC says: 'He (Haron) died as a result of manifold injuries. It is difficult, indeed almost impossible, to believe that this was all the result of an accidental fall.'

Biko is being serialised in the Observer in London and throughout the United States by the New York Times. The New York Review of Books is to serialise a section of the book — the indictment.

Foreign language rights, which include the right to serialise the book, have been sold to Denmark, Holland, Finland, France, Germany, Japan and Norway. And another deal allows for its translation into Hebrew.

Film rights have already been sold, but no details of plans to make a film have been announced.

A sm
Part:
as ti
activ
parti
The s
femal
emply
as a
job o
regan
That
activ
and n

Table

Table 5

The dif
signifi
the cons
percenta
23.8%;
and earl
particip
relative

Pledge by *Cape Times 18/4/78 MRCAS* Kruger on *(329)* detainees

The Argus Political Staff

JOHANNESBURG. — The Minister of Justice, Mr J T Kruger, gave an assurance last night that he is taking steps to ensure the safety of detainees under interrogation.

Addressing the South African Law Conference, he said he was deeply aware of the problems surrounding security detainees, particularly interrogation and the circumstances of their detention.

He said the Security Branch was involved in arduous and dangerous work in the country's first line of defence.

'Because we are appreciative of all their work, it is not only necessary for the protection of prisoners but also essential for the reputation of the police that safeguards be set up for the proper protection of those who are being interrogated.'

'FRIGHTENING'

'I give you my assurance that these matters weigh very heavily with me and I am giving my full attention to departmental measures to ensure that these highly sensitive issues are dealt with satisfactorily.'

Mr Kruger said recent decades had seen a 'completely novel and frightening' ethical approach by people who planned the violent substitution of governments and political systems.

'Lawyers the world over have been scurrying about over the years trying to contain, within and by means of the law, this phenomenon that has as its primary objective the destruction of the law.'

FREEDOM

He agreed that administrative powers to interfere with the freedom of the individual and other measures seemed to cry out against the fundamental principles of South Africa's legal tradition.

'Yet, what is to be done? We just do not know of other legal means to deal with the situation.'

orce
is defined
omically
gher
nales.
ad Rural
ty of
well
fewer
vourable
erparts.
ally
PR's

not
erefore
higher
l males:
e to
much lower
this

Hansard 11 18 April 1978
Question 527 Col. 662-664.

329

Armed robbery

473. Mr. N. B. WOOD asked the Minister of Justice:

(a) How many prosecutions for armed robbery were instituted during each month of 1976 and (b) in how many such cases did the court impose (i) suspended sentences of imprisonment and (ii) sentences of imprisonment.

The MINISTER OF JUSTICE:

The required statistics are not readily available. The hon. member is referred to the Department of Statistics.

Detainees in terms of Criminal Procedure Act.

527. Mrs. H. SUZMAN asked the Minister of Justice:

Whether any persons were detained in terms of section 215bis of the Criminal Procedure Act during 1977; if so, (a) how many, (b) for what period was each of them detained and (c) in respect of what crime in each case.

The MINISTER OF JUSTICE:

Yes.

(a) 54.

(b) and (c)

663

WEDNESDAY, 19 APRIL 1978

Number of persons	Period of detention	Crimes
5	14.1.77—16.6.77	Robbery with aggravating circumstances
1	16.2.77—30.3.77	Murder
2	16.2.77—13.5.77	Robbery with aggravating circumstances
4	4.3.77—16.6.77	Robbery with aggravating circumstances
14	11.3.77—24.3.77	Arson
1	23.3.77—3.6.77	Murder and Robbery
1	23.3.77—15.6.77	Murder
1	23.3.77—13.9.77	Murder and Robbery
3	2.5.77—24.6.77	Arson
2	2.5.77—29.6.77	Arson
4	2.5.77—4.7.77	Arson
2	2.5.77—6.7.77	Arson
7	2.5.77—11.7.77	Arson
2	2.5.77—13.7.77	Arson
2	13.5.77—15.6.77	Robbery with aggravating circumstances
3	14.7.77—28.7.77	Arson

Mixed British views on Biko book

AKERS
19/4/78
329

The Argus Bureau

LONDON. — Donald Woods's book on Stephen Biko's death in detention has won unqualified support from only one British reviewer, but it continues to draw attention throughout the British Press.

Woods is currently on a tour to promote Biko, the book he drafted while restricted to East London and completed in London.

He is much in demand as a speaker at literary club dinners and similar gatherings.

Anticipating his address to the Annual Bristol Literary Society Dinner, the Western Daily Press reported: . . . This book is a bad one. It is too rushed.

It is poorly-constructed. And in overstating his case, Woods only detracts from his subject and his importance in the black struggle in South Africa.

THIS ISN'T IT

'There is a good book to be written about Steve Biko, but sadly, this isn't it.'

But the article adds: 'He has every justification. The death of his friend Steve Biko in the gory hands of the South African Security Police and the subsequent white-wash that passed for an inquest outrages the sensibilities of any right-thinking person.'

The Yorkshire Post has announced that Woods will address its literary lunch this month.

Avoiding direct comment on the book, the newspaper reports that he is already planning a second — about editing a newspaper in the sort of society which banned him from living and working in the normal way.

'HORROR STORY'

It was the Sunday Mirror's Mark Kahn who wrote so enthusiastically about the book.

'I defy you to read this true horror story calmly,' he begins.

And he concludes his review: 'His (Biko's) life and death make me proud to share most of his beliefs — and ashamed of the white Amins.'

'Mr Woods makes me proud of my profession.'

(329)
1911/2 R. M.
'Detainees
given PAC
lectures'

BETHAL. — Detainees at Robben Island in the early 1960s had received lectures from members of the banned Pan-Africanist Congress, the Circuit Court was told in Bethal yesterday.

A State witness said the lectures explained the aims of the PAC.

The way in which the lectures were held was to have detainees change cells. There were a lot of detainees at the time. The whites could not tell all of them apart.

When the police found out about the lectures they put two coloureds in every cell — to see that no lectures were given and that nobody changed cells. The hearing continues.

— Sapa.

Biko book criticised

11665
20/4/78

The Argus Bureau

229

LONDON. — A reviewer in the London Times today adds his voice to those who have been rather less than enthusiastic about Donald Woods's book on Steve Biko.

In a brief notice headed 'Melancholy course', Tony Samstag says that the book's account of the events surrounding Mr Biko's death 'suffers from an indignation so excessive as to verge on the naive.'

The reviewer suggests that Mr Woods would have been better advised to delay writing the book so that he could 'recollect in tranquillity the circumstances of his undoubtedly sincere distress.'

Peter Younghusband prefixes his review for the London Daily Mail by pointing out that he did not like Mr Biko.

He adds, however, that he is prepared to accept 'a great deal of Donald Woods's assessment of Biko, because I have always had the highest regard for him as a journalist.'

The Natal Mercury

THURSDAY, APRIL 20, 1978

FIRM BUT FAIR

329

THE NEW security measures to curb political violence and intimidation in South West Africa seem to be fully justified. They also invite comparison with South Africa's security laws and procedures.

The Administrator - General for the territory, Mr. Justice Steyn, has served clear notice on Swapo and others that they will not be allowed to disrupt the peaceful political processes, including a one-man-one-vote election, that are about to take place in the territory.

In terms of the proclamation the authorities can indefinitely detain anyone who threatens this process. The measures are designed to protect the Western proposals for the territory and have been made in response to public outrage at recent political assassinations and repeated requests for tougher action.

They are also a clear sign to the Western negotiators that South West Africa's progress towards independence — internationally recognised or not — is inexorably under way.

It is significant that Mr. Justice Steyn chose not to invoke the Republic's Terrorism Act, which is still applicable to the territory. Instead he has drafted new legislation

containing many of the checks and safeguards that have long been urged by those seeking to reform South Africa's security system.

Detainees in SWA are now entitled on request to written reasons for their detention, and to have their families informed of their arrest. There is also provision for a district surgeon or other doctor to visit the detainee at intervals of not more than three days, and for a visit by a magistrate at least once a fortnight.

Detainees can write to the Administrator-General and ask for their cases to be reviewed by a special committee of three, including a judge or magistrate. The committee is entitled to all the information that led to the arrest of the detainee.

In South Africa the Minister of Justice and Police, Mr. Kruger, is belatedly considering safeguards for the protection of detainees under interrogation. "I give you my assurance that these matters weigh very heavily with me," he told the Law Conference in Cape Town this week.

If Mr. Kruger had shown the same degree of concern before the death of Steve Biko and a score of others in detention over the years, South Africa might have been spared the biggest single blow to its image that it has ever suffered.

Woman claims R4 200 after 2011/78 police (329) 'assault'

(Microcopy Reporter)

PIETERMARITZBURG - A summons claiming R4 200 from the Minister of Police has been issued on behalf of Mrs. Mavis Magubane, wife of a Robben Island prisoner.

The summons is expected to be served today on Mr. Jimmy Kruger.

Mrs. Magubane (33) is demanding compensation for a head injury received in September last year when she was allegedly "severely assaulted" by members of the Security Police at the Loop Street Police Station.

She claims she was struck repeatedly on the head with a wet towel and with fists.

As a result she suffered various injuries including an ulcer in the centre of her skull.

She was treated for the wound by a private doctor, summoned by the Security Police, on September 18 and October 5.

As a result of the alleged assault she suffered shock, pain, discomfort, disability, disfigurement and loss of amenities of life.

She is consequently claiming R4 200 from the Minister of Police.

Mrs. Magubane was detained on September 13, 1976 as she arrived at the Supreme Court in College road where her husband and nine others were standing trial on charges under the Terrorism and Suppression of Communism Acts.

Her husband, Mr. Truman Magubane, was subsequently sentenced to 15 years' jail.

Mrs. Magubane was treated at Edendale Hospital for an ulcer in the centre of the skull six days after being detained under Section 6.

She was released on November 3 last year.

Her attorney, Mr. Norman Abraham, confirmed yesterday that a summons had been issued.

In terms of the summons the Minister of Police has a month in which to settle the claim or legal action will be started, he said.

Hansard. 11 21 April 1978.
 Question 6 cols. 673-674.

X Mr. N. M. Matobako of Welkom X

*6. Mrs. H. SUZMAN asked the Minister of Police:

- (1) Whether Mr. N. M. Matobako of Welkom was arrested and detained by

APRIL 1978

673

police in March 1978; if so, on (a) what date and (b) what charge;

- (2) whether he died in custody; if so, (a) on what date and (b) what was the cause of death.

The MINISTER OF POLICE:

- (1) Yes.

(a) 11 March 1978.

(b) Housebreaking.

- (2) Yes.

(a) 19 March 1978.

(b) Since the case is still under investigation no further information can be furnished at this stage.

I wish to add that as soon as the investigation is concluded, the case will be referred to the Attorney-General for his decision.

22/9/78 M
Mvovo
329
out of
hospital

EAST LONDON. — The banned former vice-president of the Black People's Convention, Mr. Mxolisi Mvovo, has been released from Komani hospital.

He was detained in the October 19 crackdown last year. After more than four months in detention without trial, he was sent to Komani for observation and treatment. On Wednesday the head of the Special Branch in King William's Town, Maj. R. Hansen, fetched him from the hospital and drove him to King William's Town.

Later he was taken by W/O G. Hattingh to Dimbaza, to which he is confined in terms of a banning order. He is also under house arrest from 7 pm to 6 am every day and at weekends.

Mr. Mvovo, the father of two young children, is married to Steve Biko's sister, Bandi. — DDR

Sun. Tribune 23/4/78

Injured guard's death in (329) detention horrifies Buthelezi

Tribune Reporter

CHIEF Gatsha Buthelezi and the KwaZulu Cabinet have been informed of the death in custody of a Zulu security guard after the man allegedly had been assaulted.

Mr Jankie Mahlomola Matobako died of kidney collapse, and in a magistrate's report it was noted that he had sustained multiple injuries.

His death in Bloemfontein's Pelonomi Hospital on March 19 came eight days after he and four other blacks were ar-

rested by Welkom police in connection with an alleged housebreaking incident.

Chief Buthelezi said this week he was shocked and horrified at the death and confirmed that a report on the circumstances leading to it had been submitted to the KwaZulu Cabinet.

The dead man's wife, Mrs Nolwandle Matobako, is a cousin of the chief and is employed by Inkatha.

The four other men arrested with the man who died were also injured, and a major inquiry by

Welkom police into the matter is underway.

Col H. A. du Plessis, divisional criminal investigation officer for the northern Free State, said the inquiry was to be completed shortly and a report would be sent to the Attorney-General.

A Welkom magistrate, Mr F. C. Marais, saw Mr Matobako in hospital before his death and recorded descriptions of various injuries on his body.

Among the injuries he noted: Both feet swollen, private parts swollen, 20

weals over the kidney area and four grazes apparently caused by the instrument which caused the weals, top lip swollen and cut inside the mouth and both upper legs bore blue marks.

Mrs Matobako has consulted a Welkom attorney, Mr Jac Kloppers. It is understood that the leading Johannesburg senior counsel, Mr Sidney Kentridge, may have been briefed on the matter, but both he and Mr Kloppers refused to comment.

It is not known when the inquest will be held.

Woods hits the jackpot with book on Biko

SUN. TIMES 23/4/78 (329)

By Stanley Uys
LONDON

Despite some highly unfavourable reviews, Mr Donald Woods's book, "Biko", has achieved a first English-language printing of 45 000 in Britain, America and Australia.

And it is in its second printing in Britain and America.

The book will be translated eventually into Dutch, German, Danish, Swedish, Finnish, Norwegian,

French and Japanese.

And next January it will be brought out in paperback for Britain and America.

London publishers Paddington Press are cagey about the money the book is likely to earn for Mr Woods, but R82,500 has been mentioned.

Sale of film rights could earn him more than that.

"Biko" is being serialised by the London Observer and the New York Times.

Reviewers in the Daily Telegraph and The Times have made waspish comments about Mr Woods's writing, but other reviewers have been complimentary about the book.

In the magazine, New Society, Mr R. Johnson, author of "How Long Will South Africa Survive?", forecasts that "Biko" will be a best-seller.

Some booksellers, though, claim that sales have been slow.



Mr Jimmy Kruger

Steyn shows the way

TWO themes which affect the basic administration of justice in this country were raised by the Minister of Justice, Mr Jimmy Kruger, at the recent South African law conference.

He said, first, that our stringent security laws were 'a great worry' to him. He was referring of course to detention without trial.

Let there be no doubt what the position now is. Any person can be taken into custody without a reason given to him; he can be detained indefinitely,

thus must also stand before the law — and before that which implements the law, an independent judiciary. Ultimately, the LAW must be the decisive factor, not HUMANITY.

Mr Kruger's second theme was less dramatic but of great practical importance. Consideration, he said, was being given to the establishment of

a shipping contract) which has to be administered in civil courts.

Again, the Minister gave no indication what he has in mind in regard to the staffing of these intermediary courts-to-be. A reasonable compromise would be not to lay down a hard and fast rule, and to appoint not only from the ranks of magistrates

South Africa's draconian detention without trial laws could be modified on the lines of the detention powers assumed by the Administrator-General of South West Africa, writes BRIAN BAMFORD, MP, SC.

No firm answer was given, but it can at the very least be hoped that a line will be taken through the detention powers recently assumed by the Administrator-General of South West Africa, Mr Justice M T Steyn.

VISITS

In that territory, a detainee's next of kin must immediately be informed, he is entitled as of right to regular visits by a doctor and a magistrate, and there will be no interrogation or solitary confinement.

Even these minimal concessions would reduce public mistrust of the present system. In the final analysis, however, nothing but the total repeal of detention without trial laws will ever restore our erstwhile and justified pride in South African criminal justice. Cosmetic changes are inadequate.

As Professor Jan van Rooyen, Professor of Criminology at UCT, said recently:

'In fact, here we have to do with absolute power granted to human princes; they act, as it were, in a legal vacuum. . . . On one hand, detainees are people who have been interrogated for hours on end, for the purpose of self-incrimination, have been manacled by hand and foot and have received tardy medical treatment. In a word, a detainee is literally fallen and dilly at the mercy of his captors. We believe that the law is one of God's general means of grace, controlling humanity, furthering the cause of justice and for fighting evil. What, asked the Minister

nately, without any charge or appearance in court; he cannot appeal; he can be put in solitary confinement; he is not entitled to ordinary prisoners' rights to exercise and books; he has no right to be visited by his spouse, or priest or doctor, or lawyer — indeed, his next of kin need not even be informed of his detention; the courts of law are expressly prohibited by statute from any inquiry — even, for example, if a relative could prove that the wrong man has been detained.

BIKO

These facts indicate that, in a very real sense, the rule of law has ceased to exist in South Africa. But the number of deaths in detention and the gruesome evidence given by the security police themselves during the Biko inquest reveal an entirely new dimension. Detainees have been interrogated for hours on end, for the purpose of self-incrimination, have been manacled by hand and foot and have received tardy medical treatment. In a word, a detainee is literally fallen and dilly at the mercy of his captors. We believe that the law is one of God's general means of grace, controlling humanity, furthering the cause of justice and for fighting evil. What, asked the Minister

'intermediary courts'. What did he mean?

At present, we have a two-and-a-half tier of courts. At the top is the Supreme Court. It has unlimited criminal and civil jurisdiction — it may adjudicate upon any issue, provided naturally that its powers have not been affected by an Act of Parliament. At the lowest level is the magistrate's court, which also handles both criminal and civil cases.

In between there was established some years ago a 'regional' court, presided over by a senior magistrate. He has wide criminal powers and can impose sentences up to 10 years and R10 000. But there has been felt to be a defect in these regional courts — they have no civil jurisdiction.

As a result, the Supreme Court, has had to deal annually with thousands of civil cases, time consuming, but of little complexity, of fact or law. The obvious answer has been to grant civil jurisdiction to regional courts — in matters involving up to, say, R10 000.

But there has been a stumbling block. With the best will in the world, the magistrates serving in our regional (criminal) courts have inevitably had little experience of the complicated commercial or mercantile law (for example,

but also from the side-bar and bar — that is, from practising attorneys and advocates who have attained certain seniority.

Apart perhaps from basic freedoms, there can be no more important aspect of society than the quality of its administration of justice. South Africa has reason to be proud — apart from the draconian detention laws.



Dr Motlana

MR JIMMY KRUGER, the Minister of Police, came to see me in my prison cell and asked what I'd do if he let me out the next day, Dr Nthato Motlana said.

'I told him that since I didn't know why he'd detained me in the fir

24/4/78
329

24/4/78

Extract from an interview by the American-based UPI news agency with Dr Nthato Motlana, chairman of Soweto's erstwhile Committee of Ten, after his recent release from five months' detention.

APR 24/4/78

329

'WHAT DID I DO WRONG?'

place, I would carry on just as before,' Dr Motlana said.

Dr Motlana impatiently brushed aside the concessions (made by the South African Government since the June 1976 township riots). 'I shall not believe the Government is serious

about making changes until the pass laws are removed. Now that will be a genuine thing, a wholehearted gesture.

'It'll create so much goodwill among blacks that there won't be any trouble for 10 years,' he said.

'What good is having freehold occupation of one's house if in terms of the pass laws I may be deported to the Transkei at any moment?' he asked.

'I once watched with shock how Prime Minister Mr John Vorster said on television there had been meaningful changes in this country because blacks could now become police lieutenants. Before, they could only rise to chief sergeant,' Dr Motlana said.

'Surely if a man is capable of being promoted he should be made a major, or higher, if he's good enough.

'That wasn't meaningful change at all, it means nothing,' the doctor said.

After the detention of Dr Motlana and other black leaders, the unrest and violence (in the country's townships) had noticeably fallen off.

Why?

'At one point I believed Mr Jimmy Kruger's detentions had their desired effect, that by locking up the leaders there was no one left to guide black aspirations.

'But now I believe that perhaps there's a period of reflection among the youth. Now let's see what will happen. There's a sense of hope that there will be some real changes.'

Former BPC boss out of hospital

Own Correspondent

EAST LONDON. — The banned former vice president of the banned Black People's Convention, Mr Mxolisi Mvovo, has been released from Komani Hospital.

He was detained on October 19 last year. After more than four months in detention he was sent to Komani for observation and treatment.

The head of the Security Police in King William's Town, Major R. Hansen, fetched him from the hospital last week.

He was later taken to Dimbaza, near King William's Town, where he is confined in terms of a banning order. He is also under house arrest from 7 pm to 6 am every day.

Harvard 12 24 April 1978.
Question 526 Col. 685 & 686.

329

✓ Persons who died in 1977

526. Mr. H. SUZMAN asked the Minister of Police:

Whether any persons other than persons detained under security laws died during 1977 while in detention, if so, (a) how many, (b) what were their names, (c) when and (d) on what charge was each of them arrested, (e) on what date did each of them die and (f) what was the cause of death in each case.

The MINISTER OF POLICE:

(a) Yes, 128.

(b)

	(i)	(c)	(ii)	(d)	(e)
Joseph Schia	1977.01.01	Serious assault		1977.01.01	Suicide
Petrus Nhlape	1977.01.07	Mental patient		1977.01.09	Cerebral haemorrhage—sustained before arrest
John Ndlozi	1977.01.01	Housebreaking and theft		1977.01.02	Wounded during arrest
Marcom Mkhonza	1977.01.19	Mental patient		1977.01.19	Natural causes
Nomtha Zondo	1977.01.09	Mental patient		1977.01.16	Cerebral haemorrhage—self-inflicted
Johnstone Sibanda	1977.01.17	Attempted housebreaking		1977.01.18	Wounded during attempt to escape
Arthur Xhakaza	1977.01.12	Murder		1977.01.25	Suicide
Ranso A. Kotola	1977.01.19	Stock theft		1977.01.29	Suicide
Jerry Nhombeni	1977.01.25	Housebreaking and theft		1977.01.27	Natural causes
George Abrahams	1977.02.03	Attempted theft		1977.02.04	Suicide

	(i)	(ii)	(d)	(e)
Harry Whitehead	1977.02.03	Possession of drugs and photographic literature	1977.02.04	Melting in no.
Elias Zachariah Manane	1977.01.30	Possession of dagga	1977.02.10	Catchment area of members of the group of city of 200
Mandla Dlamini	1977.01.29	Housebreaking and theft	1977.01.29	Multiple injuries—multiple fractures of pelvis
David Peters	1977.02.05	Housebreaking and theft	1977.02.06	Natural causes
Richard Chomoso	1977.01.28	Failing to vacate home—Proclamation R293 of 1962	1977.01.31	Natural causes
Mzekhaya Ralarala	1977.02.18	Mental patient	1977.02.20	Head injuries sustained in
William Sampson	1977.02.23	Theft	1977.02.23	tussle with other police
Benjamin Baloyi	1977.02.13	Possession of unlicensed fire-arm	1977.02.15	Suicide
Shumugan Moodley	1977.01.07	Robbery	1977.01.28	Assaulted before arrest
Ivan L. Barber	1977.02.15	Non-support	1977.02.15	Wounded during arrest
Ishmael Marhubi	1977.03.05	Drunkenness	1977.02.15	Head injuries—multiple
Geethooi Mnyaka	1977.03.10	Dealing in dagga	1977.03.05	Natural causes
Joseph Chondron	1977.03.05	Drunkenness	1977.03.11	Suicide
Gert J. J. Benale	1977.03.10	Mental patient	1977.03.10	Multiple injuries—assaulted by fellow prisoner
Petrus M. Tshabalala	1977.02.12	Obstructing the police in the execution of their duties	1977.02.14	Suicide
Sanson Mado	1977.03.12	No reference book	1977.03.12	Wounded during arrest
Johannes Mavudala	1977.03.16	Trespassing, dealing in dagga and possession of unlicensed fire-arm	1977.03.12	Natural causes
Muthlang Tokonye	1977.02.13	Detainee in terms of section 13 of Act no. 41 of 1971	1977.03.19	Suicide
Reggie Mtembu	1977.03.25	Theft	1977.02.14	Natural causes
Johnson Martin	1977.03.31	Housebreaking and theft	1977.03.25	Suicide
Jeanett Nyembe	1977.03.31	Mental patient	1977.03.31	Internal injuries sustained before arrest
Dudu Mavuka	1977.03.29	Rape and robbery	1977.03.31	Natural causes
Bernard Maghulane	1977.04.04	Stock theft	1977.03.29	Suicide
Aigweke Irazius	1977.03.22	Serious assault	1977.04.05	Natural causes
Paul Pieterse	1977.02.28	Drunkenness	1977.02.25	Suicide
Benjamin Malatsi	1977.04.05	Housebreaking	1977.02.29	Brain injuries—sustained before arrest
Elliot Prence	1977.04.11	Rape	1977.04.08	Subdural haemorrhage and bruises. Case not yet concluded
Nkitheni Kumalo	1977.03.31	Mental patient	1977.04.12	Suicide
Hadlestone Moloi	1977.04.11	Theft of motor vehicle	1977.04.02	Natural causes
John P. Sibuyi	1977.03.15	Serious assault	1977.04.15	Wounded during arrest
Sello Mashimuni	1977.03.19	Attempted robbery	1977.04.14	Natural causes
Christopher Walase	1977.04.23	Serious assault—Robbery and attempted murder	1977.03.30	Wounded during arrest
Roy Hartze	1977.02.24	Armed robbery	1977.04.27	Wounded during arrest
Thabo E. Mafuang	1977.04.20	Bantu (Urban Areas) Consolidation Act	1977.02.27	Wounded during attempt to escape
Cecil Glosop	1977.04.07	Assault on police and possession of dangerous weapon	1977.04.30	Natural causes
Lukas Ngwenya	1977.04.08	Housebreaking and theft	1977.04.23	Wounded during arrest
F. J. Egger	1977.05.03	Drunkenness	1977.04.09	Wounded during arrest
Nabutana Makeleni	1977.04.29	Drunkenness	1977.05.03	Suicide
Andries Mononde	1977.04.25	Theft	1977.04.30	Head injuries—assaulted by fellow prisoners
Frederik Nuwoseb	1977.05.06	Housebreaking	1977.05.01	Injuries. Assaulted by fellow prisoners
Dennis Gordon	1977.05.14	Drunkenness	1977.05.06	Suicide
Claxton Jacobs	1977.05.11	Housebreaking	1977.05.15	Natural causes
Sam Nkosi	1977.05.22	Bantu (Urban Areas) Consolidation Act	1977.05.12	Wounded during arrest
Charles Vincent	1977.05.25	Mental patient	1977.05.30	Natural causes
Rudolph J. van	1977.06.09	Deserting from reformatory	1977.05.27	Natural causes
			1977.06.09	Suicide

	(i)	(c)	(ii)	(d)	(e)
Nieuwenhuizen					
Jacobina Ntombela	1977.06.06	Mental patient		1977.09.07	Injuries—suicide
Johannes Louw	1977.05.17	Drunkness		1977.05.18	Natural causes
Christina Khumalo	1977.06.07	Mental patient		1977.05.14	Natural causes
Willem van der Westhuizen	1977.06.10	Absence of Defence— pending substances and Rehabilitation Centres Act		1977.06.13	Natural causes
Goodman M. Siboyiya	1977.06.22	Armed robbery and escape from custody		1977.06.22	Suicide
Piet Mokone	1977.06.05	Tie-passing		1977.06.07	Injuries sustained before arrest
David Nkwanne	1977.06.17	Stock theft		1977.06.17	Shot dead before arrest. The student not guilty of culpable homicide
John Ngani	1977.03.12	Alcohol		1977.06.24	Natural causes
David Nkwanzi	1977.05.21	Housebreaking and theft		1977.05.21	Suicide
Benhuil Bobbington	1977.06.20	Stock theft		1977.06.21	Cervical haemorrhage. A member of the House not guilty of culpable homicide
Indizwe Mbhele	1977.06.30	Malicious injury to property		1977.06.30	Suicide
Joseph Doncube	1977.07.08	Drunkness		1977.07.09	Intentional injuries sustained in motor accident before arrest
Sello Khobane	1977.07.16	Mental patient		1977.07.19	Natural causes
Lawrence Nhlapo	1977.07.22	Robbery		1977.07.23	Fractured skull—old injury—sustained before arrest
Shadrack Mabola	1977.08.02	Serious assault		1977.08.03	Assaulted by fellow prisoners
Elias Ledwaba	1977.07.26	Mental patient		1977.07.26	Natural causes
John Crowley	1977.07.27	Drunkness		1977.07.28	Natural causes
Jacob Letsoho	1977.07.29	Housebreaking		1977.07.29	Subdural haemorrhage. Injuries sustained when resisting arrest
Mzimkulu Makinana	1977.07.27	Malicious injury to property		1977.07.28	Injuries sustained in motor accident before arrest
Robby Austin	1977.06.26	Drunkness		1977.06.27	Wounded during arrest
John Molahlegi	1977.07.13	Theft of motor vehicle		1977.07.14	Natural causes
Difiza Dastser	1977.08.19	Mental patient		1977.08.19	Natural causes
Sarason Mlatsoe	1977.07.24	Housebreaking		1977.07.27	Wounded during attempt to escape
Harry T. Rayiso	1977.08.28	Drunkness		1977.08.29	Head injuries sustained before arrest
Johnson Mokadi	1977.08.26	Mental patient		1977.08.27	Suicide
Edwin Moshwani	1977.08.20	Rape		1977.08.25	Wounded during arrest
Patrick Shabalala	1977.09.06	Possession of dangerous weapon		1977.09.07	Internal injuries. Inquest not yet concluded
Jabulani Khumalo	1977.09.10	Theft		1977.09.10	Injuries sustained before arrest
Gugu Xaba	1977.07.29	Robbery		1977.09.01	Natural causes
Leopold Koch	1977.09.09	Enfranchisement of parole conditions of Rehabilitation centre		1977.09.09	Multiple injuries sustained before arrest
Roddis Maqolo	1977.09.06	Drunkness		1977.09.07	Head injuries. Assaulted by fellow workers before arrest
Vincent J. P. Fisher	1977.09.23	Dealing in habit forming drugs		1977.09.29	Inquest not yet concluded
Majalimani Mponshane	1977.09.14	Serious assault		1977.09.15	Result of inquest—"No finding"
Pheliso Hute	1977.09.08	Stock theft		1977.09.15	Fractured skull. Assaulted by fellow prisoners
Fred Williams	1977.09.30	Drunkness		1977.09.30	Murdered by fellow prisoner
David Sefako	1977.10.15	Mental patient		1977.10.15	Suicide
Jan Jacobus Beukes	1977.10.07	Drunkness		1977.10.08	Alcohol poisoning
Lali Moriane	1977.10.02	Public violence		1977.10.04	Wounded during public violence before arrest
Samuel Ras	1977.10.16	Housebreaking and theft		1977.10.21	Wounded during arrest
Sam Hoffman	1977.10.28	Drunkness		1977.10.29	Natural causes
Ndoda A. Zita	1977.11.04	Housebreaking		1977.11.04	Suicide
Roy Bhengu	1977.11.05	Housebreaking and theft		1977.11.06	Head injuries sustained before arrest
Pogiso I. Mabotsa	1977.11.11	Housebreaking and theft		1977.11.11	Inquest finding—"Cause of death indeterminable"
Lucas Ngomane	1977.11.12	Housebreaking		1977.11.13	Wounded during arrest
Elliot Salinga	1977.11.12	Possession of suspected stolen stock and produce		1977.11.13	Head injuries. Inquest not yet concluded
Frans Mubaheni	1977.11.08	Theft		1977.11.09	Inquest not yet concluded

	(i)	(c) fii)	(d)	(e)
Shimungu	1977.11.04	Theft	1977.11.04	Beats 100
Viktor Sakaia	1977.11.17	Mental patient		escape from custody
Samuel Mlungu	1977.11.14	Hunter	1977.11.18	Suicide
Iesey Mshali	1977.11.24	Possession of cocaine	1977.11.15	Multiple injuries to feet by police
Mamunisi Mfekaye	1977.11.19	Murder	1977.11.23	Head injuries, leg injured
Abhengeba E. Chubiza	1977.12.02	Housebreaking and theft	1977.11.20	Injuries to head and chest
Ernest Kotula	1977.11.23	Housebreaking	1977.12.03	Suicide
Johnnie's Thete	1977.12.06	Housebreaking	1977.11.27	Wounded by police during arrest
Sipuroi Cek	1977.11.24	Serious assault	1977.12.09	Injuries to head and feet
Khaas Withoon	1977.11.30	Murder	1977.11.27	Neck laceration
William A. Botha	1977.12.05	Theft and forgery	1977.12.01	Suicide
			1977.12.07	Injuries to head and neck, laceration to arm
Zebion Ntlovi	1977.11.26	Drunkness	1977.11.26	Suicide during arrest
John Molosi	1977.11.15	Convicted prisoner		death
Solomon Sandy	1977.12.07	Housebreaking and theft	1977.11.19	Kidnapping
William Mbayindayi	1977.12.06	Serious assault	1977.12.07	Jeopardy of life
Vusi Ndaba	1977.12.04	Mental patient	1977.12.05	Murder
			1977.12.07	Laceration to head
Maspet Nkomo	1977.12.18	Non-licence book		
Ganay Nkomo	1977.12.04	Drunk driving	1977.12.19	Isolated cases
Peter Mshetula	1977.12.10	Housebreaking and theft	1977.12.08	Suicide
Okel Nkandimeng	1977.12.14	Alcohol dependence - producing substances and Rehabilitation Centres Act	1977.12.19	Faced injuries, lacerations to head
			1977.12.22	Suicide
Moomany Pillay	1977.12.25	Assault on police	1977.12.25	Multiple injuries, lacerations investigated
Paulus Ngobese	1977.12.11	Theft	1977.12.23	Injuries not yet examined
Mzukisi Nohmadula	1977.12.14	Peppery	1977.12.20	Isolated cases
Jones Nwaizwa	1977.12.26	Mental patient	1977.12.20	Isolated cases
Fanie Diamo	1977.08.13	Housebreaking and theft	1977.08.15	Wounded during escape
Hoosen Mia Haffey	1977.08.03	Suspect—detained in terms of Criminal Procedure Act	1977.08.03	Suicide
Timothius Jahunda	1977.09.26	Suspect—detained in terms of Criminal Procedure Act	1977.10.04	Suicide

b. D. 25/9/76

128 died in detention

(329)

THE ASSEMBLY — A total of 128 people, other than those detained under the Security Laws, died in detention in South Africa last year, the Minister of Police, Mr Kruger, said yesterday.

Replying to a question which had been tabled by

Mrs Helen Suzman (PFP, Houghton), the Minister said 28 of these died from suicide, 15 died from wounds during arrest and six had been killed during an attempt to escape.

In a further seven cases, the inquests had not yet been completed. The

Minister said that in several cases members of the police force had been tried on charges of culpable homicide and found not guilty and in two other cases a verdict of "no finding" and "cause of death indeterminable" had been returned. — PC.

Buthelezi²⁹ attacks^{25/4/78} Woods³²

ULUNDI — Chief Gatsha Buthelezi told the Legislative Assembly here yesterday that Mr Donald Woods, the former Editor of the Daily Dispatch, had "joined the international offensive" against him.

Mourning the death of Steve Biko, Chief Gatsha said Mr Woods had used his book on Mr Biko to belittle the chief's role in the liberation struggle.

He said the book related how Mr Woods was introduced to Mr Biko by Dr Ramphele, a woman doctor.

"She took the trouble to visit the Dispatch office where she accused him (Mr Woods) of publishing sell-outs like me and not the real leader like Steven Biko."

Dr S. Ngubane told the House he had been educated with Mr Biko and had known him well. He called on Mr Woods to "stop trading on Biko's name. Woods has only known him since yesterday." — DDC.

R. DA 26/4/78

Ex-detainee keeps job, gets paid (329)

By MIKE LOUW

A WOMAN who was employed by the Transvaal Hospital Services before she was detained for 18 months without trial has been reinstated and paid for the period she was in detention.

Mrs Udbania Mothopeng, 58, of Soweto resumed her duties at Baragwanath Hospital on Monday.

The deputy superintendent of the hospital, Dr C van den Heever, said yesterday that Mrs Mothopeng was suspended from her duties while in detention and her salary was withheld.

Dr Van den Heever said an inquiry was held by the

Transvaal Hospital Services at which it was decided that Mrs Mothopeng should be re-instated.

It was also agreed that she should be paid for the 18 months she spent in detention.

Mrs Mothopeng said she appreciated the manner in which she had been treated by the authorities.

"I never thought I would keep my job," she said.

Mrs Mothopeng was detained under Section 6 of the Terrorism Act from November 15, 1976 to March 7 this year. Her husband, Mr Zeph Mothopeng, is appearing with 17 others at the PAC trial in the Bethal Circuit Court.

27/1/78 D-2

Terrorists detained

PRETORIA — A number of communist-trained terrorists were detained over the past few days after they infiltrated into South Africa. Brig C. F. Zietsman, chief of the Security Police, said here yesterday.

Brig Zietsman said the police were engaged in intensified activity aimed at preventing large numbers of terrorists infiltrating into South Africa across the northern borders.

Brig Zietsman said the Security Police had great success recently in their fight against terrorism. Terrorists had been arrested in several parts of the country over the past two weeks and quantities of communist arms and ammunition had been seized.

— SAPA.

329

27/4/78
R.D.M.

the Attorney-General of
the Transvaal.

"Important witnesses in cases like these are frequently the target of influencing or intimidation by friends or sympathisers of the accused."

"In addition, the danger exists that witnesses will flee rather than give evidence against the accused, which is understandable if one considers the possible consequences for them."

For this reason Attorneys-General were quite often obliged to detain State witnesses under the

Internal Security Act.

Mr Coetzer said contraventions of the Foreign Exchange Control Regulations were receiving the dedicated attention of the Attorneys-General. "The Press has made a contribution to the good by giving wide publicity to posecurtions of this kind," he said.

Attorneys - General had taken decisions with traditional impartiality and circumspection on a wide variety of contentious matters during 1977, Mr Coetzer said.

Attorneys-General regularly had to take decisions on a wide variety of matters with economic, social and political implications.

"Because of the nature of my task, details of these cases often come to my knowledge. Without hesitation I can report that in each case it was clear to me that the Attorney-General concerned had taken his decision with traditional impartiality and circumspection."

... ..

That's fine as far as it goes, but what if you are reviewing — for a South African newspaper — a book that is banned in South Africa? That is the position I have found myself in twice in recent years: the book I was reviewing was *The Killing of the Jomo* by Ramsey Dessal and Captain Marley. Messrs Woods, Desal and Marley are all South Africans, they are all living in exile in England, and they are all

And here's the rub. The problem, crissply, is this: How do you review a book from which you are not allowed to quote directly or indirectly a single word?

The Woods' book on Biko, Woods escaped from South Africa under somewhat dramatic circumstances, and ever since then he has been travelling around Britain, the United States, Western Europe, Australia and so forth, campaigning against a system that, he believes, inexorably caused the death of his friend and hero, Steve Biko.

There is, I presume, still a great deal of interest, even if it is hostile or sceptical interest, in what Woods has to say about Biko and the situation in

Put yourself in my position. Here in London Eiko and The Killing of the Imam are freely available. They can be bought at any bookseller, and there is no law which implies that if they are quoted, even briefly, the safety of the State will be endangered.

Put back at the ranch — it is another story. That can I write about; the book! I can seal myself at my typewriter, strum the keys, and wonder where to begin. I can convey to readers the breathtaking

news that Woods' book has 284 pages and the Deen-Marney book 140 pages; that Woods' book has a lot of photographs, including a king of roques, including a gallery of security policemen, but that the Deen-Marney book has none; that both books have dramatic il-

What else? Well, I can give the chapter headings and I can quote what the publishers say about the books on the dust-covers, but I can even guess what the books will mean for their respective authors.

And that's about it. Reviewing a book while actually reviewing it, without becoming a specialist in African art, but there are limits even to the reviewer's ingenuity. There is a point at which we have to stop and admit there is nothing further we can tell the reader about the book.

At that point of course we have told the reader

about nothing about the book's contents, although I say this with due modesty — we have succeeded possibly in making readers feel that they are quite knowledgeable about the book.

This problem of how to produce a book written by a black South African is one that is more burdensome for opposition newspapers in South Africa than it is for newspapers which support the Government.

I have before me for example, a copy of an English-language newspaper which supports the Government and which quotes liberally from Mkhondo's book. The newspaper, in fact, publishes a two-page report about the book, and in each re-

quotes that only Mr. Woods (the is a deal of talk) has been talking. Mr. Woods says, "I have not the same thing — they have quoted Mr. Woods with seeming impunity — and immunity. It is, of course possible that the Minister of Justice gave them permission to quote the particular extracts — provisions are made for this in the law — but the Minister seems to do this only when it suits him to have the extracts quoted — In other words, when the extracts show up Mr. Woods in a bad light."

Also — and this is my complaint — newspapermen who support me are more successful when they appeal to the minister for permission to quote Mr. Woods than newspapermen who oppose the Government. There seem to be two rules here — one is that Mr. Woods

Call for Biko inquiry

LONDON — South Africa must ensure that "a monstrous action" like the death of Steve Biko does not happen again, the Archbishop of Canterbury, Dr Donald Coggan, said here.

Dr Coggan told the House of Lords the rest of the world must not stop asking questions about the death of the 30-year-old black consciousness leader.

He called on the South African Government to hold an inquiry into Mr Biko's death and bring in legislation to see that "this monstrous action" was not repeated.

The Anglican church leader questioned how South Africa could reconcile the post-mortem findings that Mr Biko died from brain and kidney damage with the absolution of the police from all responsibility. — SAPA: RNS.

Police hold many terrorists in border swoops

Sun. Times 30/4/78 (329)

POLICE have arrested a large number of urban terrorist infiltrators during a major operation on all South Africa's northern borders during the past week.

Most of them were armed with communist weapons and explosives, Colonel H. O. Eksteen, who is attached to police headquarters dealing with counter-insurgency and riot control, said.

"They were dressed in civilian clothes and heading

By **RENNIE BOTHA**
Military Correspondent

for target areas in South Africa," he said.

The most common weapon found was the Czechoslovakian Scorpion machine-pistol — a weapon most commonly used by urban

terrorists rather than by those fighting a bush war.

Many terrorists now crossing into South Africa are students and others who left after the June, 1976, riots.

The arrests were made along South Africa's borders with Mozambique, Botswana and Swaziland.

"Until now most of the people we have caught infiltrating into South Africa have come from Mozambique via Swaziland," Col Eksteen said.

"Their training takes about seven months, but those chosen as leaders go for longer courses."

The explosives which police have found on infiltrating terrorists include Russian TNT blocks and plastic explosives.

Geneeskundige Raad

Diffant 30/4/78

(329)

BIKO: N

Drie dokters in gedrang

Deur EDDIE BOTHA

N KOMITEE van die Suid-Afrikaanse Geneeskundige en Tandheelkundige Raad ondersoek op die oomblik moontlike optrede teen drie dokters van Port Elizabeth wat betrokke was by die behandeling van Steve Biko, die swart aktivis wat verlede jaar in aanhouding gesterf het.

Toe adv. S. Kentridge, wat namens die Biko-familie in die geregtelike ondersoek na sy dood opgetree het, gister hiervan hoor het hy gesê: „Dit is vir my nuus en 'n interessante ontwikkeling. Ek het gewonder wanneer die raad sal optree.

SA wil gou VV toe

SUID-AFRIKA het aan die vyf Westerse moondhede laat blyk dat hy die reg soek om die Algemene Vergadering van die VVO voor Suidwes toe te spreek. As dit kan gebeur, vertrek min. Botha dié week na New York, verneem Johan Vosloo uit Westerse diplomatieke bronne. Min. Botha kon tot gisteraand laat nie vir kommentaar opgespoor word nie.

Suid-Afrika se reg om in die Algemene Vergadering te praat, is in 1974 opgeskort. Die week kon mnr. Sam Nujoma van Swapo wel daar praat. Nou vra SA die versekering dat hy ook so 'n kans kry. (Lees ook berig op bl. 5.)

„Mnr. Prins het ná die ondersoek in die omgeskepte bevind dat Biko se dood volgens die beskikbare getuiskennis nie toegeskryf kan word aan die optrede van enige betroubare mens nie. Die Prokuratuur-generaal van Transvaal en Bos-Kaapland, adv. J. E. Nottling en adv. C. J. van der Walt het albei besluit dat geen vervolging ingestel sal word nie.

„Mnr. Prins se verslag aan die raad is gestuur ingevolge die aanbeveling van die hof indien hy nie van die raad se besluite is onbehoefte of skandale is onbehoefte of skandale.

• VERVOLG OP BL. 10 •

Biko: Drie dokters in gedrang

• VERVOLG VAN BL. EEN •

'n geneesheer te vermoed. Betroubaar is ook verneem dat sommige medici ná die ondersoek gevoel het dat die raad die saak verder behoort te voer.

Oor die moontlike stappe wat teen hom beoog word, wou dr. Tucker gister niks sê nie. „Ek wil liever nie kommentaar lewer nie. Die hele saak is vir my en ander nog baie ontstellend,” het hy gesê.

Dr. Ivor Lang wou glad niks oor die saak sê nie, en dr. Hersch was nie tuis nie.

Dr. Schalk van der Merwe, Minister van Gesondheid, het by navraag gesê hy weet dat sekere inligtinge oor die Biko-ondersoek na die Geneeskundige en Tandheelkundige Raad gestuur is.

Die raad is 'n statutêre liggaam en kan sonder sy innemenging fungeer, het hy gesê.

Na verneem word, sprake is van 'n ondersoek na die optrede van meer uit verskeie klage wat van medici ontvang is.

Die drie geneesheer, C. Hersch, 'n internis van Port Elizabeth, Benjamin Tucker, hoof-distriksgeneesheer, en Ivor Lang, sy stent, was almal in die ander stadium gemeet met die behandeling van terwyl hy deur die Veiligheidspolisie aangehou was.

Na verneem word, word hul professionele gedrag rondom die Biko-gebeure ondersoek.

Gister het prof. Hennie Snyman, voorsitter van die Geneeskundige en Tandheelkundige Raad, gesê dat die ondersoek na aanleiding van Biko se dood in 'n „oorwegingstadium” is. Oor wie die betrokke geneesheer is, het prof. Snyman gesê: „Ek kan nie daardie inligting bekend maak nie.”

Prof. Snyman het gesê dat die Geneeskundige en Tandheelkundige Raad op elke skriftelike klage oor die gedrag van enige dokter reageer. 'n Komitee bestaande uit medici en 'n lekelid ondersoek die saak en op grond van hul bevindings word besluit of daar teen die betrokke geneesheer opgetree word.

„My eie departement het homself reeds van die hoogste gebringe van wat binne die departement gedoen moet word en nie hoef gedoen te word nie.”

Dr. Van der Merwe sê al teenlik in geval van groe klages binne sy departement sal 'n departementele beslissing bekend gemaak word.

Vroeër vanjaar is berig dat die hooflanddros van Pretoria, mnr. M. J. Prins, wat die voorsittende landdros in die geregtelike ondersoek was, dele van die verslag na die Geneeskundige en Tandheelkundige Raad gestuur het.

Die verslag word nie as 'n amptelike klage ingedien nie, maar die raad kan na aanleiding daarvan besluit of verdere optrede geregverdig is.

Medical probe into Biko case

The Medical and Dental Council is considering submissions relating to the actions of the three doctors who dealt with Steve Biko, the black consciousness leader who died in police custody.

But the council's investigation is a preliminary one and will not be completed before possible civil actions have been dealt with, says Professor H W Snyman, president of the council.

He confirmed that the council had received submissions from the Chief Magistrate of Pretoria, Mr M J Prins, who presided at the Biko inquest.

Whenever a written complaint was received from any person or institution, the doctor in question was given an opportunity to put his case.

Then the procedure provided for deliberation by a standing committee of the council. If the committee found reason for further steps, it could decide, among other things, to call for a disciplinary inquiry.

The submissions concerning the doctors who were involved in the Biko case had not yet gone before the standing committee, Professor Snyman said.

Biko doctors probe A second

Pretoria Bureau
A SOUTH African Medical and Dental Council Committee is at present considering whether any action should be taken against the doctors involv-

ed in the treatment of Mr Steve Biko who died while in Security Police detention last year.

The investigation stems from the inquest into Mr Biko's death.

UK book on Biko

Own Correspondent.
LONDON. A second book on Mr Steve Biko has been published in London. "No 46-Steve Biko" is written by Hilda Bernstein, a South African who has been living in exile for the past 14 years. The reference to No 46 in the title is to Biko's being the 46th person to die in Security Police detention in South Africa.

Mrs Bernstein's book is published as a paperback by the International Defence and Aid Fund, London — a banned organisation in South Africa. It has chapters on Mr Biko's life, black consciousness, and then Mr Biko's death, the funeral, the inquest, the police, the pathologists and the doctors. It also has a chapter on "unanswered questions," and one on the courts in South Africa.

Included among the appendices are a list of people who have died in detention in South Africa, and the report on the Biko inquest by the British lawyer, Sir David Napley.

Cape Times 11/5/78

329

Red-armed terror suspects held on border — police

Pretoria Bureau

LARGE numbers of suspected terrorists carrying sophisticated Russian weapons have been captured in the past few months on South Africa's border areas, according to Brigadier C F Zietsman, chief of the security branch.

He said in an interview the terrorists were attempting to make their way to the cities.

The weapons captured included AK 47 assault rifles, Scorpion machine pistols and Ceszka and Tokaref pistols. Most of the weapons came from Iron Curtain countries.

Large quantities of explosives, also destined for terror attacks in the South African urban areas, had also been found. The explosives were also manufactured in Iron Curtain countries.

Special police units protecting South Africa's vast border areas with Botswana, Rhodesia, Swaziland and Mozambique were still battling with the concentrated infiltration operation by the terrorists.

The police units, he said, were operating on foot and had set up special roadblocks along the border. Many of the arrests had resulted from information volunteered by the local black population.

The infiltration operation was spearheaded by the African National Congress's military wing, Umkhonto We Sizwe.

But in spite of the large number of arrests, only three policemen had been wounded and one murdered, Brigadier Zietsman said. One witness was wounded, one witness killed, and the houses of two witnesses attacked.

CAPE TIMES 5/5/78

3 detained
by police

JOHANNESBURG. — Two executive members of the newly-formed Azanian Peoples Organization (AZAPO) and a member of the Soweto Action Committee (SAC) were detained by the security police early yesterday, their families said here.

Detained were the chairman, Mr Ishmael Mkhabela, Mr Lybon Mabasa, secretary, and SAC member, Mr Letsatsi Mosala.

Mr Mkhabela is also SAC chairman. The SAC was established after the banning last year of black consciousness organizations.

— Sapa

Swazi police detain 8 ^{Cape Times 5/5/78} PAC, ANC members ^{① 329}

Own Correspondent

JOHANNESBURG. — Eight more members of the banned Pan-Africanist Congress and the African National Congress have been arrested by Swaziland police in the Hlatikulu region, allegedly in possession of arms and ammunition of Russian origin.

At least four of them are members of PAC. They are Mr Joseph Mngomezulu, Mr Richard Malinga, Mr John Moelatshe and Mr Enoch Zulu. The ANC members have not been identified.

Earlier this week Mr Ja Hasinali, the Swaziland Director of Prosecutions, said he was aware of the arrests, but said the matter was in the hands of the Prime Minister, Colonel Maphevu.

It was reliably learnt last night that the men will stand trial on May 31. But it is not yet known precisely what charges they will face.

The men are alleged to have been found in possession of Russian arms such as Scorpion sub-machine guns. They are held at the Ezidwashini prison in Mbabane.

The arrest of exiles in Swaziland on allegations relating to arms and ammunition is the second in a month.

Early last month a number of PAC exiles were arrested and have since been in detention. Their arrest was said to have been due to a violation of the International Law of Refugees.

They were alleged to have violated the law in that:

- They trained guerrillas inside the country without having obtained the express permission of the host

country.

- They were directly involved in the tribal faction fighting in the Ngwavuma district.

- And they provided training and personnel in the use of sophisticated modern weaponry.

It is not known whether the three former members of the banned Soweto Students' Representative Council, who were released from detention this week and immediately served with deportation orders, have already left the country.

The Deputy Prime Minister, Dr Zonke Khumalo, indicated on their release that they would leave on the second day. That should have been yesterday.

The three are Issy Xuluwe, Sipho Malinga and Bongani Makwa.

Dr Khumalo could not be contacted for comment last night.

Star 5/5/78
Three detained
in Soweto (329)

Johannesburg Security Police Chief, Colonel Henrie Muller, today confirmed the detention of three Soweto men, among them two executive members of the newly formed Azanian Peoples Organisation.

They are Mr. Ishmael Mkhabela, Azapo chairman; and also chairman of the Soweto Action Committee, Mr. Lybon Mabaso, Azapo's secretary and Mr. Letsatsi Mosala, a member of the Soweto Action Committee.

1978-05-05 10:00:00

List of four
banned RDM
gazetted 6/5/78
(329)

THE names of four people prohibited from attending gatherings in terms of the Internal Security Act, were published in yesterday's Government Gazette.

They are Mr Frank Anthony, of 266 Voortrekker Road, Kraaifontein, Cape; Mrs Mary Moodley of 117 Second Street, Actonville, Benoni; Mr Surinarayan Kala Venkatrathnam of 15 Jakaranda Road, Mobeni Heights, Durban; and Mr Robert Cedric Wilcox of 7 Alberta Street, Diep Rivier, Cape. Sapa.

Own Correspondent

JOHANNESBURG. — The assistant manager of the weekly newspaper, the Voice, Mr Zakes Mofokeng, was detained by security police at the offices of the newspaper yesterday morning.

Mr Mofokeng's detention is thought to be connected to the detentions of two executive members of the Azanian Peoples Organization (Azapo) and that of an executive member of the Soweto Action Committee on Thursday morning.

The chairman of Azapo, Mr Ishmael Mkhabela, and

Police *Cape Times*
detain *6/8/78*
329
newspaper
manager

Mr Lybon Mabasa were detained at their homes early on Thursday morning. Mr Letsatsi Mosala of the SAC was also detained at the same time.

It is understood the security police searched the home of Mr Mabasa in

Mofokeng on Thursday morning, but he was not at home.

All four men are being held at Protea police station under Section Six of the Terrorism Act.

Relatives and friends of the detained men yesterday said that they were told by Protea police that they could bring the men a change of clothing and food on Monday, but could not see them.

A friend of Mr Lybon Mabasa said police took a photograph of him and a photograph of his wife and children.

SP detain
RDM 615178
newspaper
manager (329)

Staff Reporter

THE assistant manager of the weekly newspaper, The Voice, Mr Zakes Mofokeng, was detained by Security Police yesterday.

On Thursday two executive members of the Azanian People's Organisation (Azapo), Mr Ishmael Mkhabela and Mr Lybon Mabasa, and an executive member of the Soweto Action Committee (SAC), Mr Letsatsi Mosala, were detained.

The four men are being held at Protea police station under Section 6 of the Terrorism Act.

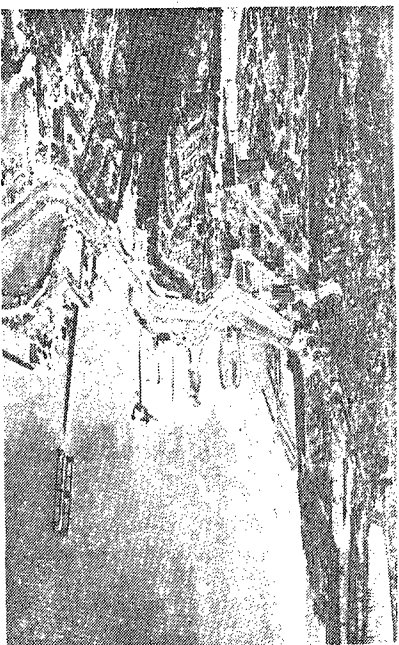
It is understood that two Internal Security Act detainees, Mr Vusi Khanyile and Mr Sejanamane Tani-mani were released this week.

ast Saturday KEVIN STOCKS
f. The Star's Insight Team
looked at the administration of
justice by a court set-up within
the Algoa Park Police Station
in Port Elizabeth. This week
he looks at the political and
security situation in the town.

6/5/78

The cradle of black consciousness

INSIDE BIKO COUNTRY



The heart of Biko country — Port Elizabeth.

In Port Elizabeth the Security Police have their own free parking throughout by reserved for them on a pavement near their offices.

Although the signs say "SAP Vehicles Only" the locals point to the lot and say tersely "security" before raising their eyes to the Saram Building which houses the offices.

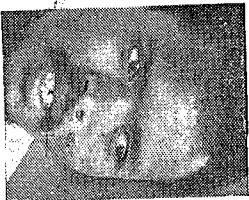
This public manifestation of the unlawful cover force (usually bulging with uniformed Chevrolets) is in some ways a spoils of the police state of play in Port Elizabeth — the city where rioting and unrest continued longer than anywhere else.

Different

But then the Eastern Cape always has been somewhat different from the rest of the country.

A black journalist who moved to Port Elizabeth from Cape Town says he was startled at the extent of race prejudice in the town.

Unrest continued



STEVE BIKO

longer in the Eastern Cape because blacks have a tougher time here than anywhere else," he claimed.

Neither the old English or the newer Afrikaans residents seemed to have any conception that blacks had feelings or ambitions to be treated better, he said.

"But then," he added with a cynical grin, "what can you expect. They don't like each other much either."

Blacks, however, were themselves useful runners in the prejudice stakes, and their performance was improving all the time.

"As a coloured I used to be welcome and have friends in

the big black township of New Brighton," the journalist said. "Not now. Now I don't go there unless I have to and when I do I run into resentment and dislike."

A white journalist who grew weary covering unrest put the areas record down to a combination of a long political tradition among local blacks, a series of strong black leaders and a certain amount of organisation that originated in the Transvaal.

"The Biko affair was obviously a strong factor. This, remember, is Biko country and it is also Mandela country."

Insofar as unrest was organised, he said, the Biko funeral played a part.

Wary

It gave organisers from the Transvaal a chance to travel to the area and make contact with local radicals. That stretched the period of unrest.

Blacks themselves have become wary and suspicious of anyone with a white skin.

They feel the authorities' answer to unrest was an iron list

completely shorn of any semblance of the velvet glove.

They point to heavy sentences imposed on those arrested during the riots, to the saturation police presence during the unrest, the activities and to the fact that the same politician's names resounded again and again in court allegations of torture.

Unease

A group of blacks wordlessly studying a photograph of the local magistrates' courts (it was announced that on April 13, Jabavu Mateh of Port Elizabeth was hanged for murder) reacted with unease when approached by a white journalist.

"Are you from the police?" one asked in response to a question of whether they were attending the trial of Alfred Mtshwa who that day was sentenced to eight years in jail on charges of public violence.

Production of Press credentials did not satisfy them, though one woman said the courts were "very hard and that her own son was in jail. While she was

speaking most of the group moved away and the woman abruptly refused to answer a question on what her son was supposed to have done and said she had to go.

Port Elizabeth, of course, and the entire Eastern Cape, is one of the cradles of the Black Consciousness movement.

The strength of the movement showed shortly after the first riots when a special parents/students fund was started in which parents agreed to help pay for the defence of those arrested.

According to local legal sources, however, defence assistance was only made available on condition that black attorneys were used.

Funds

This proved a less than satisfactory arrangement because of the difficulty in collecting funds and because of the low number of black attorneys in relation to the number of cases being heard.

On one occasion the local Bar Council showed some unease and asked both advocates and attorneys to nominate the records of about 700 cases with

the idea of presenting some of them for judicial review.

In a statement the council said there were allegations of children of less than 14 being sentenced to canings.

The question of whether such children were legally responsible for their actions was a question which was not have been fully considered.

There were also allegations of children being sentenced without their parents or guardians being present.

Briefing

The exclusive briefing of black attorneys soon fell away (possibly because of the low success rate of their defences and because some defendants felt the attorneys were at a disadvantage in cross-examining white policemen).

But trials continued and so, for a long time, did the unrest. The area is now reasonably quiet, but few fool themselves into believing that peace has returned. Some of the unease and concern regarding the large politically aware black population as the biggest time bomb of them all.

8/5/78 R.O.M.
229

Seychelles — 21 detained

VICTORIA, Seychelles. — The Seychelles Government assumed emergency powers on Friday. Twenty-one people, were detained in connection with a suspected coup plot and are being held under the new legislation.

The Emergency Act gives the president power to detain without trial anyone thought to be acting in a way "prejudicial to public safety".

The Act also enables him to order Press censorship and ban Press criticism of censorship.

Police announced that they had arrested 21 people who they said planned to launch a coup against the Leftwing government of President Albert Rene during his current visit to China and North Korea.

The former Seychelles president, Mr James Mancham, has denied involvement in the alleged coup.

Mr Mancham was ousted 11 months ago in a coup led by Mr Rene.

In a letter to The Times newspaper, Mr Mancham said it was "quite probable" that people had used his name "... in their difficult endeavour to rid them-

selves of a system which has been undemocratically forced upon them."

Since the "Coup of 80 Rifles" as it became known members of the Seychelles Government have repeatedly spoken about the possibility of a counter-coup engineered by Mr Mancham.

A number of people have been deported from the islands for anti-government activities and just before the police swoop last week end rumours of a counter-coup reached their height.

Since the coup, the president and his Seychelles People's United Party (SPUP) have begun building an army. Previously, there was no army in the Seychelles.

RC youth
worker ^{ARGUS} 9/5/78
detained ⁽³²⁹⁾

The Argus Correspondent
JOHANNESBURG. — The president of the Roman Catholic organisation, the Young Christian Workers, has been detained under the Terrorism Act in the third move of its kind against Catholic youth workers recently.

Mr Simon Pelelo Magane, 25, was detained by eight security branch policemen at the regional office of the YCW organisation at a Springs Catholic Church parish.

Father Emil Blaser of the Springs church said today Mr Magane was involved in helping needy black workers to help themselves.

'Everything the YCW does is above board; there's nothing underhand about it,' he said.

329 Tutu condemns new detentions

JOHANNESBURG — The general-secretary of the South African Council of Churches, Bishop Desmond Tutu, has expressed "shock and dismay" at the detention of the executive of the recently-formed Azanian People's Organisation and their associates.

In a statement yesterday he said: "I am equally appalled at the banning orders served on Mr David Adler and Mr Clive Nettleton of the South African Council for Higher Education and Turret College.

"The authorities have not even given the new organisation the chance to draw up a constitution before acting against its officials in this harsh manner. Why are the authorities unwilling to listen to the voices of those who are authentic spokesmen of the blacks?

"It is more difficult to understand the action taken against the Sached officials. They have to my knowledge no political involvement. They have

carried on their work as educationists quietly and conscientiously and have assisted even a homeland education department.

"If their activities have been subversive or illegal in any way, why are they not charged in a court of law? Or must reasonable people assume there is little evidence that could stand the searching scrutiny of a court of law and so the authorities, conveniently for them choose to act administratively?

"What price then all those ministerial assurances that the security legislation was aimed at terrorists and other subversive elements, and is South Africa a democracy of what?

"Those of us who are committed to reconciliation and reasonable peaceful change are beginning to wonder seriously whether all this is not just a pipedream, that we are totally unrealistic. Oh God, help our beloved country before it is too late." — S.A.P.A.

'Watchdogs' appointed to visit Cape Times 12/15/78 Terror Act detainees 1,329

Political Staff

HOUSE OF ASSEMBLY. — Two top jurists have been appointed as "watchdogs" to monitor the detention of Terrorism Act detainees — with full powers of surprise visits to jails.

This was announced last night by Mr Jimmy Kruger, the Minister of Justice, who said:

- A start is to be made into investigations to "legalize" shebeens;
- The liquor licensing laws were to be changed to allow black barmen and waiters in white hotels and ladies' bars;
- That the country's new divorce laws would not be introduced in Parliament this year.

Mrs Helen Suzman, chief Opposition spokesman on justice, welcomed the minister's action on detainees, but said she was "disappointed" about the divorce legislation, which was a "decided step in a modern direction".

She was surprised, however, that it took Mr Kruger so long to carry out his promises on the detainees, particularly after the death of Mr Steve Biko "under appalling conditions".

Mr Jimmy Kruger told the House earlier that as a result of the unrest in black areas, the investigation aimed at legalizing the liquor trade in black metropolitan areas had been delayed.

But now, because of the implementation of the community council system, the advice of these bodies would be taken into account.

"There will have to be negotiations with them (the community councils) to help them place the distribution of drink on a normal footing, to the advantage of those who are granted licences, and for the community as a whole."

On the appointment of blacks as barmen, the minister said: "I trust this step will not lead to the summary replacement of white employees with blacks. I also want to warn that if this step leads to irregularities on licensed premises, strong action will be taken against the licensees."

He said there were in existence in the Republic, only a "handful" of liquor-licensed clubs for "non-whites".

Biko sales soar

Firm says ointment on the market for years

1257R
329
140

EAST LONDON
— Sales of a Biko ointment in black and yellow tins — the colours of the banned Black People's Convention — are soaring here.

But the managing director of the firm making it, Mr Peter Gale, said the ointment had been on the market for years, and had nothing to do with Steve Biko.

I paid 30 cents for a 12-gram tin of the green, vaseline-like ointment with a faint smell of wintergreen.

The assistant at the chemists shop where I bought it in Braeside, East London, said the ointment was introduced to them in April by a representative of Kowie Medicine — Mr Gale's firm.

Since then they had sold more than 50 of the 12-gram tins and people were switching to the Biko ointment from other

preparations.

Mr Gale said Kowie Medicines had been started at Port Alfred in 1932 by Mr Von Ginkel and was taken over by Baker King and, subsequently, by the Frame Group.

He, in association with two other partners, took over the firm two and a half years ago.

They took over many lines — they had 202 in all — including the Biko ointment.

Mr Gale said he had catalogued proof that the ointment was being made in 1976 and could probably produce samples of the substance and tin from 1974.

He was not aware that black and yellow were the colours of the Black People's Convention and they were not making capital out of Biko's name.

The firm had no intention of phasing out the product as it was an established one; the name Biko and the colours of the tin were coincidental.

"We have other products marketed in black and yellow containers," he said.



329 12/5/78

Legal watch to see detainees

RDM 12/5/78

329

HOUSE OF ASSEMBLY

THE Minister of Justice, Mr Jimmy Kruger, said yesterday he has appointed two retired jurists to visit and report direct to him on detainees held under the Terrorism Act.

He announced at the start of debate on the Justice vote of the Budget that the procedure would begin on June 1.

The appointees, Mr W M van den Bergh SC, former Cape Attorney-General and Mr A J Mouton, former Chief Magistrate of Pretoria, will have free access to the detainees.

Mr Van den Bergh would visit detainees in the Cape and Natal and Mr Mouton would visit detainees in the Transvaal and Free State, Mr Kruger said.

"These gentlemen will be empowered at any time to visit unannounced and unhindered persons detained in terms of the Act.

"It will be their full-time task and they will report regularly to me."

"This step is in addition to existing measures designed to protect detainees and the police, such as the visits of magistrates as prescribed by the Act, the visits of district surgeons, and other measures already in force."

Mr Kruger said he had the fullest faith in the integrity and methods of the Security Police.

He hoped that the steps he had now taken would allay fears the public might have for the safety of any detainees and further protect the Security Police who were doing a magnificent job of protecting South Africa's peoples."

Mr Kruger said that if it was later considered necessary, further appointments would be made.

Sapa.

hdogs nees

prise visits detainees

12/5/78
329 00



MR KRUGER ... no loss of faith in Security Police.

THE ASSEMBLY — Two top jurists have been appointed as "watchdogs" to monitor the detention of Terrorism Act detainees — with full powers of surprise visits to jails, Mr Kruger, Minister of Justice, said last night.

Mrs Helen Suzman, the Opposition spokesman on Justice, welcomed the Minister's announcement.

She said she was surprised, however, that it had taken Mr Kruger so long to carry out his promises, particularly after the death of Mr Steve Biko "under appalling conditions."

Nationalist interjection: "You are a Biko addict."

Mrs Suzman: "No I am not. But honourable members will not be allowed to forget Biko, not by us nor by the world."

Mr Kruger said earlier that the two retired jurists who had been appointed by him as from June 1 were Mr W. M. van den Berg, SC, a former Attorney-General of the Cape, and Mr A. J. Mouton, former chief magistrate of Pretoria.

Mr Van den Berg would

visit detainees in the Cape and Natal and Mr Mouton would be responsible for the Transvaal and Free State.

"If it is necessary later further appointments will be made," he said.

"These gentlemen will be empowered at any time to visit, unannounced and unhindered, persons detained in terms of the Terrorism Act. It will be their fulltime task and they will report regularly to me."

Mr Kruger said the step was in addition to existing measures designed to protect detainees and police, such as visits by magistrates and district surgeons, and other measures.

"I feel constrained to stress again that I have the fullest faith in the integrity of, and methods employed by, the Security Police," he said.

"But, because the Act provides for incarceration without recourse to the courts, I believe that the appointment of these two men of high repute — who will have access to the detainees — will allay any fears which the public may have for their safety."

It will act as a protection for the detainees and, also, I hope, stop unfair criticism of the Security Police, who are doing a magnificent job for the protection of the lives and property of all our people." — PC.

1976 - not
1977 -

LEGAL PURPOSE

Balance in hand 1.1.1977.

PROPOSAL PURPOSES

Amount in hand 1.1.
Lent saving
Sikiti Pe
Receipts 1977-Siki
Sick
U.S.
Cath
Lent

Sur for

119-02
103-40

222-42
129-08
9-81
18-48
2-56
102-88

15

Detainees' visitors appointed

Political Staff

THE ASSEMBLY — The Minister of Justice, Mr Kruger, said yesterday he hoped the appointment of two retired jurists to visit detainees held under the Terrorism Act would put an end to "unfair criticism of security police."

Announcing the appointments at the start of the debate on the Justice Vote, Mr Kruger said the two men would be empowered to visit, unannounced and unhindered, persons detained under the provisions of the Act.

"It will be their full-time task and they will report regularly to me," he said.

The men are Mr W M van den Berg, SC, former Attorney-General of the Cape, who will be responsible for detainees in the Cape and Natal, and Mr A J Mouton, former Chief Magistrate of Pretoria, who will be responsible for the Transvaal and Free State.

The appointments come into effect from June 1.

"I feel constrained to stress again that I have the fullest faith in the integrity of the security police and the methods



Mr Kruger... "an end to unfair criticism."

employed by them," he said.

"But because the Act makes provision for incarceration without recourse to the courts, I believe the appointment of these two gentlemen of high repute will allay any fears which the public may have for their safety and also act as a protection for the detainees.

"But also I hope it will stop unfair criticism of security police, who are doing a magnificent job for the protection of the lives and property of all our people," Mr Kruger said.

'Watchdog' for detainees says post is surprise

Pretoria's former Chief Magistrate, Mr A. J. Mouton, was today surprised to learn he had been appointed a "watchdog" for Terrorism Act detainees.

Mr Mouton, one of two men who will have the power to make surprise jail visits, told The Star's Pretoria Bureau he was asked at the end of March if he was interested in a Justice Department posting.

"I said I was interested and would like to hear the offer. There was talk about what I might be doing but I have not been briefed and have no particulars whatsoever," he said.

The other appointment, former Attorney-General of the Cape, Mr Willem Martin van den Berg, is a highly-regarded lawyer. The Star's Cape Town correspondent reports that he is recognised as a most suitable choice.

Professor John Dugard, of the faculty of law at the University of the Witwatersrand, said today the

appointment of watchdogs was "totally inadequate protection."

"While I have respect for the two gentlemen concerned, they will presumably be accountable to the Minister and not the public," he said.

Mr Kruger's announcement in February of his intention drew a cool response.

Lawyers and black community leaders said judicial control would be a better step and reforms did not go to the root of the basic objections to detention without trial.

"There's no substitute for visits by the detainees' own lawyers and doctors," said Professor Dugard today. Public disquiet would continue until these visits were allowed.

Mr Mouton retired in 1971 after 45 years with the Department of Justice. He has since worked with the Rent Control Board.

Mr van den Berg was Attorney-General in the Cape for 13 years before he retired in January 1974.

ay 12 1978

3

Nat uproar at Suzman remark on Biko case

Political Staff

12/5/88
325

THE ASSEMBLY. — There was uproar in the assembly today when Mrs. Helen Suzman (PFP, Houghton) said it was her view that the Chief Magistrate of Pretoria had deliberately made an incorrect finding in the inquest on Mr Steve Biko.

Mrs Suzman was replying to a question put to her by Mr A J Vlok (NP, Verwoerdburg), during the Justice vote debate.

Mr Vlok: Are you saying the chief magistrate of Pretoria deliberately made an incorrect finding on the evidence before him in the Biko inquest?

Mrs Suzman: Yes.

There was a roar of outrage from the National Party benches and a member asked if Mrs Suzman had not infringed the parliamentary rule which protects the judiciary from insult.

The deputy chairman of committees, Mr J P du Toit, said the rule did not apply to magistrates.

Re-entering the debate, Mrs Suzman said the Biko magistrate had made "a bad judgment" but she refused to be drawn by Government interjectors to add the word "deliberate."

Copy 111111 13/5/78

Nat uproar over Suzman's remarks

(329)

HOUSE OF ASSEMBLY — There was uproar yesterday when Mrs Helen Suzman (DP) (Houghton) agreed with a contention by Mr Adriaan Vlok (NP, Verwoerdburg) that she felt there was something wrong with the finding by the Biko inquest magistrate, Mr M J Prins.

Mr Vlok continued: The honourable Member for Houghton says "yes". In other words she says that the Chief Magistrate of Pretoria on the evidence deliberately and knowingly handed down a wrong decision.

Mrs Suzman: Yes.

Mr Vlok: That is a scandalous statement to make. I think she owes South Africa and its judiciary an apology.

The National Party benches cried out in anger.

Mr John Malcomess (NRP East London North) said that the former South African newspaper editor, Mr Donald Woods, was guilty of having made traitorous remarks in his speech before the United Nations General Assembly earlier this year. He had advocated sanctions against South Africa, that would harm both whites and blacks.

"But was a small town editor raised to the position of international celebrity. I believe he was placed in that position by the minister."

Sapa



The Justice vote

Cape Times 13/5/78 329

Monitor move 'about 35 deaths too late'

HOUSE OF ASSEMBLY.— Mr Kruger's appointment of two jurists to monitor Terrorism Act detainees was "about 35 deaths too late", Mrs Helen Suzman (PFP (Houghton)) said yesterday.

She said the appointment of the jurists was "especially too late as far as Steve Biko's death is concerned.

"I think the Biko case has done inestimable harm to South Africa. We are never going to recover from it".

Earlier, she reiterated her statement during a previous debate that she entirely disagreed with the findings of the magistrate in the Biko inquest.

Turning to the preventive detention of the Internal Security Act, Mrs Suzman said that during 1976 no less than 135 people had been detained in terms of this section. The minister had appointed a review committee as required by the act, but had furnished no names.

"The minister scored an all-time legal record, because in every single one of the 135 cases, the review committee agreed with the minister — a hundred percent endorsement, which in legal circles must be an all-time record."

The minister had also introduced a new principle into the South African legal system. When asked previously how long he intended detaining people under Section 10 of the act, he had said it would depend on the restoration of peaceful conditions within black society generally.

"Here is a new principle in our law system: The period of a man's detention is not determined by the severity of the actions which caused him to be deprived of his liberty, but by the subsequent actions of other members of society over whom he has no control.

"I think this is scandalous and just goes to show what happens in a society which deviates from all the normal standards demanded by the rule of law," Mrs Suzman said. — Sapa

Suzman clashes with Kruger over Biko

*Cape
Times
13/5/78
329*

HOUSE OF ASSEMBLY. — Mrs Helen Suzman, chief Opposition spokesman on Justice, was involved in another heated clash with the Minister of Justice, Mr Jimmy Kruger, yesterday.

Mrs Suzman refused to retract a statement that she "disagreed entirely with the findings of the magistrate" at the Stephen Biko inquest.

Nationalist members were highly incensed, and later Mr Kruger called on Mr Kowie Marais, a former judge and now MP for Johannesburg, North, to repudiate his PFP colleague.

In reply to Nationalist questions whether he agreed with Mrs Suzman, Mr Marais said he had not read the court record.

In reply to Mr Adrian Vlok, the Nationalist MP for Verwoerdburg who said Mrs Suzman had said that the magistrate had "deliberately" made an incorrect finding, she said: "I want to say unequivocally that I disagree with the findings of the magistrate on the Biko inquest."

Interjection: "You said it was deliberate." (Willens en wetens)

Mrs Suzman: "No, I am not talking about 'willens' or 'wetens'. It is the finding that I disagree with. The man made a bad judgment."

Objected

Later, Mr Kruger, while releasing information of a large number of weapons and explosives which had been captured and the number of "terrorism trials" being conducted, accused Mrs Suzman of being a "front" in Parliament for "her leftist friends".

Mrs Suzman, who had earlier moved a cut in Mr Kruger's salary, objected to Mr Kruger's remarks.

Mrs Suzman objected and asked whether the minister was allowed to say "that I am a front and say that I am acting against the interests of the country".

Mr Kruger was allowed to continue.

**Reports on the Justice
vote — page 4**

PARLIAMENT

THE JUSTICE VOTE

Kruger is 35 deaths too late says Suzman

THE ASSEMBLY — The Minister of Justice Mr Kruger's appointment of two jurists to monitor Terrorism Act detainees was "about 35 deaths too late," Mrs Helen Suzman, the Opposition spokesman for Justice, said yesterday.

Mrs Suzman said the appointment of the jurists was "especially too late as far as Steve Biko's death is concerned."

Turning to the preventive detention section of the Internal Security Act, Mrs Suzman said that during 1976, 135 people had been held in preventive detention. The Minister appointed a review committee as required by the Internal Security Act, but had furnished no names.

"The Minister scored an all-time legal record because in every single one of the 135 cases, the review committee agreed with the Minister — a 100 per cent endorsement, which in legal circles must

be an all-time record."

When asked previously how long he intended detaining people under Section 10 of the Act, he had said it would depend on the restoration of peaceful conditions within black society generally.

"Here is a new principle in our law system. The period of a man's detention is not determined by the severity of the actions which caused him to be deprived of his liberty, but the subsequent actions of other members of society over whom he has no control.

Earlier, Mrs Suzman refused to detract a statement that she "disagreed entirely with the findings of the magistrate" at the Biko inquest.

"The man made a bad judgment," she said.

Mr Kruger called on the former Supreme Court judge, Mr Kowie Marais (PFP, Johannesburg North), to repudiate Mrs

Suzman's remarks.

"I appeared before Mr Marais for many years while he was on the Bench, but I wish to say to him today — and I will understand if he does not want to say it outside of this House — that he should repudiate what Mrs Suzman has said, otherwise I will have no respect for him.

"South Africa's judiciary has always been held up as one of high standing, but when the courts give a judgment with which Mrs Suzman does not agree, then it is not good enough."

The only time Mrs Suzman was satisfied was when a policeman was convicted of murder and sentenced to hang, Mr Kruger said.

He said he could not be expected to listen to essays on human rights while terrorist bombs were exploding in South African cities.

When it came to the question of human rights, the Government did not have to stand back for anyone. It also did not have to stand back for anyone regarding its determination to protect South Africa.

He said 168 people were being detained in terms of Section Six of the Terrorist Act and five in terms of Section Five. A further 111 prospective State witnesses in terrorism cases were being held in protective custody. These people would vanish, be intimidated or murdered if they were released.

They were not being detained because he had no regard for human rights, but because he could not throw them to the wolves, Mr Kruger said.

He was releasing these figures because leftists would say he was detaining thousands of people. — PC-SAPA.

Suzman NM 13/5/78 clashes (329) on Biko finding

ORMANDE POLLOK
Political Correspondent

CAPE TOWN — Mrs. Helen Suzman, Opposition chief spokesman on Justice, was involved in another heated clash with the Minister of Justice, Mr. Jimmy Kruger in Parliament yesterday.

Mrs. Suzman refused to retract a statement that she "disagreed entirely with the findings of the Magistrate" at the Biko inquest.

Nationalist members were highly incensed.

In reply to Mr. Adrian Volk, the Nationalist MP for Verwoerdburg who said Mrs. Suzman had said that the Magistrate had "deliberately" made an incorrect finding, she said:

"I want to say unequivocally that I disagree with the findings of the Magistrate on the Biko inquest."

Interjection: "You said it was deliberate (willens en wetens)."

Mrs. Suzman: "No, I am not talking about 'willens, or wetens'. It is the finding that I disagree with. The man made a bad judgment."

Later Mr. Kruger accused Mrs. Suzman of being a "front" in Parliament for "her Leftist friends."

Front

Mrs. Suzman objected and questioned if the minister was allowed to say "that I am a front and say that I am acting against the interests of the country."

Mr. Kruger was allowed to continue.

Mrs. Suzman wondered why it had taken the minister so long to take steps to protect detainees in custody.

"He is about 35 deaths too late of course," she said.

"He is especially too late as far as the Steve Biko

SUZMAN

■ FROM PAGE 1

death is concerned."

Mrs. Suzman also wanted to know what had happened to Mr. Peter Jones who had been arrested with Mr. Biko.

Sapa reports Mr. Kruger as saying that he could not be expected to listen to essays on human rights while terrorist bombs were exploding in South African cities.

Mr. Kruger said that:

There had been 31 cases of sabotage in which six people had died and 41 had been injured;

Ninety-one trained terrorists had been arrested.

A further 594 untrained terrorists had also been arrested; and

At present there were 66 terrorist cases before the courts.

He said 168 people were being detained in terms of Section 6 of the Terrorist Act and five in terms of Section 5.

A further 111 prospective State witnesses in terrorism cases were being held in protective custody.

■ TURN TO PAGE 2

14/5/78

South

The fluctuating relations between the United States and South Africa are in the news as are the growing indications that the issue of South Africa is fast becoming the galvanising factor between a motley collection of disparate forces, particularly within the academic establishment.

Almost every South African minister, general politician, businessman and journalist returning nowadays from a visit to America has some opinion on the question of the deteriorating official relations between the countries.

I also recently returned from a visit to the United States but it was a visit vastly different from the kind made by probably most of these "experts".

My visit was unsponsored by any agency or institution but dictated merely by the interest of individual American academic institutions to hear the views of a dissident South African lawyer on the South African scene and especially on topics relating to civil rights here.

Biko

My visit took me to the heart of American academe — 20 American law schools, apart from a number of other academic or related institutions.

My visit could also not have come at a more topical time with the Biko affair coming at its beginning and Mr Kruger's display of Caesarian kragdadigheid towards the end. At that time a day hardly passed without South Africa being mentioned in the news media.

Wherever I went I found that the local band of "South Africanists" were in by audience. My audiences, far from being representative of so-called mainstream America, was representative of all the forces in American academe now taking a hard and informed look at South Africa.

My views against violence, both the type of institutionalised violence which leads to prison deaths, bannings, hunger and despair, as well as limited or sporadic violence geared to political ends, were strongly put as regards those hardy souls who, in America and elsewhere, direct other people by way of remote control to their doom in the African bush.

So also were my views about the inacceptability

Africa-watchers look for the answers

Why the Americans won't let us be

within the framework of Western values of the racial policies of people like Mr Vorster and Mr Kruger. I lambasted also in no uncertain terms the simplistic shortsightedness and basic inefficacy of a policy of economic disengagement from South Africa instead of opting for a much more involved but potentially more rewarding policy of creative engagement in South African affairs.

I made no bones also of my deep rejection of those hundreds of policies and practices in South Africa that fly in the face of basic Western values and simple decency and which clearly justify a critical interest in our affairs. I did not, however, fail to point out that on the scales of evil South Africa has not even nearly reached the bottom rung, not even among countries with which America has more or less cordial relations.

In short, I was an altogether uncomfortable visitor, a fact which perhaps explains the concern of one law dean who after hearing one of my lectures, asked the campus police to be alerted to standby for the duration of my following address.

It was clear that South Africa was fast becoming an American issue, particularly as a consequence of the activities of the very kind of activist student groups who were so

prominently represented in my audiences.

But in most of these academic circles there was an inherent willingness to concede a measure of moral and political leeway to South Africa that would make allowance for the incredibly involved human and political problems of this country, including a willingness at times to judge the South African situation on the premises of the South African Government.

System

Why on earth, even within the framework of its policies, so the question then goes, must the South African Government tolerate a situation that it theoretically spurns and whose existence it strenuously denies: a situation or a system that makes the deaths of a significant number of political detainees inevitable?

The way in which Mr Kruger told his jubilant followers about his "coldness" vis-a-vis the death of Biko, and the way also in which he spoke at the time of that death — the hunger strike, the doctors' diligent care, the mercy flight to Pretoria — was ultimately glossed over by the political establishment, tie in with the belief, and very correctly so, in the existence of such a system.

And so, because we are still essentially tied to the West, and because we are (unlike Uganda and Cambodia or Equatorial Guinea) still readily accessible to newsmen and the media, and because somehow Americans continue to regard us as a not entirely hopeless cause, they will not leave us alone.

A second overall impression gained from those public encounters and from long conversations with academics is that violence and violent "solutions" are not yet regarded as being inevitable. Excepting a small and largely ineffective band of romantics who consciously propound violence as a "solution," I had no difficulty ever to strike a very responsive chord among my audiences when I assailed those supine masterminds and peddlers of violence at the UN, the universities and, of late, the churches.

Thirdly I had to establish time and again that at the core of the group of professional "South Africa watchers" you often find a man with deep emotional ties to our cruel but exciting land.

Speaking to one of the foremost South Africa specialists on one of the most prestigious newspapers in the world I simply had to ask him the question that I had carried around with me as I looked for the



By BAREND VAN NIEKERK, professor of law at the University of Natal, Durban

dramatic rapprochement. The rapprochement am thinking of here is the fact that over the last decade or so there has probably been a 10-fold increase in the number and scope of relations, visits and contacts between the two countries. Particularly in the United States, there has been a concern with the destiny of South Africa far outstripping at least the immediate importance of our country to America, and it is particularly and perhaps primarily the universities that have once again been involved in this process of intensification of contacts with and knowledge about South Africa.

Hope

If there is one abiding impression I brought back it is that the further decline of good will is not as it were pre-ordained. Not once on my circuit was I exposed to an unwillingness to listen and to consider, and the despair that so deeply characterises the thoughts of those professional South African watchers has still not become entirely impervious to hope that South Africans will yet succeed to give them reason to hold out some hope for peace in our country.

Of course, in the meanwhile something has also changed here in South Africa. Being away from this country for 11 months I found no significant changes in the political attitudes of South Africans, barring one exception.

Collision

For the first time I have noticed in almost every circle a flowering of anti-Americanism, aided and abetted largely by subtle and not so subtle remarks and jibes of Government spokesmen. The growth of this sentiment, together with a further defiant flouting of the susceptibilities of informed American public opinion will surely not fail, sooner rather than later, to put our countries on a political, economic and social collision course which will augur no good to the economic and other interests of most South Africans.

The fanning of these sentiments of anti-Americanism may perhaps constitute a measure of emotional balm to a few aggrieved souls in this country but far from alleviating the problems of communication, it will immeasurably aggravate them.

Neither we in South Africa nor the Americans will have anything to gain.

Relations

It is repeatedly said South Africa and the United States have now irrevocably turned their backs on one another. This might well be true at the political level. On yet another level of analysis, however, and a level which in the not so long run may be of inordinate relevance to the shape of political relations between our two countries, there has in effect been a process of

'OMBUDSMAN' PROMISES INVESTIGATION IF DETAINEE'S FAMILY REQUEST IT 'I'll call frequently and unannounced'

By JENNIFER HYMAN

FAMILIES of Terrorism Act detainees who have particular reasons to fear that their relative is being maltreated, may now have a course of action open to them — for the first time since the Terrorism Act was introduced in 1967.

One of the two ombudsmen appointed this week by the Minister of Justice to monitor political detentions, promised to investigate a particular detention immediately if relatives or legal representatives of the detainee had strong reasons for believing he was being maltreated.

Mr W M van den Berg, SC, former Attorney-General of the Cape Province, told the Sunday Express that his prime function would be to ensure that detainees were properly treated and that "no irregularities take place".

Mr Van Den Berg, who will regularly visit detainees in the Cape and Natal, stressed that his visits would be unannounced.



● Mr Van den Berg SC

Interviews with detainees would be conducted in the strictest privacy.

The Sunday Express put to Mr Van Den Berg some examples of rumours and reports that in the past have frightened the families of detainees.

These included a father who heard that his son, detained for several months, had been suddenly rushed to hospital where he was seriously ill, and a mother who received a parcel of dirty clothes — and found blood-

stains on her detainee son's shirts.

If anyone reported a case such as these to him, it would be immediately investigated, Mr Van Den Berg said.

Efforts to obtain interdicts restraining the Security Police from allegedly assaulting detainees have almost always failed in the past.

The Terrorism Act specifically abolishes the principle of habeas corpus.

Under the Terrorism Act, no one, not even a Supreme Court judge, has the power to question the detention of any person.

While Mr Van Den Berg is prepared to be approached by relatives of detainees, the second ombudsman appointed, former Pretoria Chief Magistrate Mr A J Mouton, was doubtful whether his powers would include the right to investigate detentions at the instigation of relatives or legal representatives.

Mr Mouton, who will visit detainees in the Transvaal and Orange Free State, estimated that he would probably see each detainee at least once a fortnight.

"The main idea is to see them, have a chat and win their confidence," he said.

"This is essential and means that interviews will be conducted privately."

In the past, detainees have stated in court that they were afraid to complain about their treatment to visiting magistrates as members of the Security Police were present during these interviews.

Both Mr Van Den Berg and Mr Mouton insisted that they would act entirely independently of the Security Police, and that any allegations of assault would be conveyed only to the Minister for investigation.

Mrs Helen Suzman, PFP Member of Parliament for Houghton, commented in the Assembly on Friday that the appointment of the two ombudsmen was "about 35 deaths too late".

Rb 77 15/5/75 (329)

Biko row: Prins silent

Staff Reporter

THE presiding magistrate at the Steve Biko inquest, Mr. Martinus Prins, has refused to comment on the statement by Mrs. Helen Suzman, MP, in Parliament last week that she disagreed entirely with his findings.

Mr. Prins, the chief magistrate of Pretoria, said: "I have no comment to make, no comment at all."

In December last year, in a three minute judgment, Mr. Prins found that on the evidence at the inquest no one could be held criminally responsible for Mr. Biko's death.

Mrs. Suzman, chief Opposition spokesman on Justice, refused to retract her statement during the Justice Debate after a heated clash with the Minister of Justice, Mr. J. T. Kruger, on Friday.

GENERAL FUND:

DONATIONS:

to Stipend Ap

to Langa

to Angmenting Special Collections

Cathedral Bldg Fund))
U.S.P.G./S.P.C.K.))

276-00

100-00

483-47

8-96

868-43

SUNDRIES:

Hare of buses

Officials & Picnic

Manyani

Synod Expenses

Bank Charges

247-00

155-56

100-00

23-60

2-17

528 - 33

145/78-1A (328) 331

Detainee was mentally ill court told

GRAHAMSTOWN — After examining an 18-year-old woman detained in solitary confinement at the Mdantsane police station, a doctor recommended she see a psychiatrist, the Supreme Court heard here yesterday.

Dr N. Jekwa, part-time district surgeon, was giving evidence at the trial of 13 teenagers charged with murdering Sgt Msebenzi Mtintsi and Const Lionel Mrazi, alternatively public violence, at an Mdantsane bus terminus on September 25 last year.

All have pleaded not guilty before Mr Justice Cloete.

Dr Jekwa was called to give evidence at a special hearing within a hearing to determine the validity of statements made by the accused to the police.

Dr Jekwa said he treated Miss Lumka Nyamza twice last October.

The first time was when Miss Nyamza was taken to

Frere Hospital by Security Police. She complained of general body pains.

Dr Jekwa said he did not remember Miss Nyamza alleging she had been beaten up by the Security Police, but he might have noted it in his records.

Miss Nyamza complained of mental disturbances, blackouts, fits, bewitchment and problems with her menses when Dr Jekwa next saw her in the Mdantsane police cells. He said he did not find any physical cause of the complaints.

"It is possible that her mental condition could have been produced by her solitary confinement.

"I felt that she definitely should see a psychiatrist and recommended that she should see one. I gave the recommendation to the station commander of Mdantsane," Dr Jekwa said.

Mr Justice Cloete ordered that the record of Miss Nyamza's visit to Frere Hospital be brought before the court.

Eight of the 11 young men and two young woman accused are under 18 and their names may not be published. The others are Ntsekelelo Vellum, Andile Jele, Mzuphela Ngwane, Xoliswa Zeppe, all 19, and Lumka Nyamza, 18.

The special hearing continues today. — DDC.

Siyo challenge on detainee

EAST LONDON — A call to Ciskei Chief Minister Lennox Sebe to have the detained leading opposition alliance candidate in the election, Mr N. R. Mankayi, charged and brought before a court of law was made by the leader of the National Labour Party of South Africa, Mr L. F. Siyo, yesterday.

"The Chief Minister says Mr Mankayi is to be charged," Mr Siyo said.

"I want to remind him that when detainees were released the Matakane brothers were not released. We were told they were to be charged. They were never charged and were only released on Thursday last week," Mr Siyo said.

"It is strange that Mr Mankayi had seven successful meetings last week and early on Monday morning he was detained.

"Under what law is he detained or is he going to be charged and what is the charge?" Mr Siyo asked.

"If the charge is still unknown to the Chief Minister why detain a candidate if he is not afraid of the opposition?"

He said it was clear the Chief Minister was losing his followers and to save face he had to detain some people. If Mr Mankayi was to be charged he had to appear in court for formal remand.

Mr Siyo said the Chief Minister had said he would give the opposition a chance to contest the election so that they should not have excuses when they lost.

"We demand that the Chief Minister tells the public the truth or we will assume all this is intimidation," Mr Siyo said.

(News by Gordon Qumza, 33 Caxton Street, East London.)

Chief George: detainees under investigation

UMTATA — Transkei's Minister of Police, Chief George Matanzima, said 33 people had been detained under the Transkei Public Security Act of whom 27 had since been released.

Tabling his policy speech yesterday, he said: "It is pleasing to note there have been no complaints involving manhandling of detainees by the Security Police."

He said three of the six people in detention had been charged and were awaiting trial. The police were investigating the other three.

"It must be remembered subversive elements invariably have wide international connections and their activities are always properly planned and are of a complex nature. It takes time to solve such cases," Chief George said.

He said there had been no large-scale unrest during the year. There had been agitation among the leftist elements with outside connections although not on an organised country-wide basis.

"Certain individuals and leftist organisations

were tracked down because of their activities," Chief George said. "A number of ring-leaders were arrested and detained for interrogation in terms of our Public Security Act."

He said members of the Security Branch were aware detainees were not to be treated as criminals.

Chief George said stock theft along the borders of Transkei and Lesotho continued to be a sore point between people in both countries living on the borders.

"It became necessary for the Transkei Commissioner of Police, Brig E. Cwele, and his senior officers to hold talks with senior officers of the Lesotho police to try to solve this problem," Chief George said. "Although it is still too early to assess the results of these talks, both countries are determined to bring the situation under control."

A number of police stock theft units had been created. They were stationed at various points between the borders of Lesotho and Transkei and also at Driver's Drift near

Queenstown.

Chief George said there had been 1 223 motor vehicle accidents on the roads and 88 people had died. "Stray stock on public roads continues to be a menace," he said.

Chief George said there had been a general increase in crime. The number of serious criminal cases reported was 24 580 which represented an increase of 3 236 compared with last year's figures.

Minor criminal cases reported were 33 133 representing an increase of 7 173 cases compared with last year. — DDR.

17/5/78 80
329
102

New detention Bill gets mixed reception

THE ASSEMBLY — New legislation making it possible for witnesses in security and serious crime cases to be detained for longer than the present six-month maximum, raised mixed Opposition feelings today.

The provision is contained in the Criminal Procedures Matters Amendment Bill published in Parliament yesterday.

Proposed by the Minister of Justice, Mr Kruger, the measure is aimed at ensuring that witnesses can be detained until the cases they are needed for have been completed, even if it is longer than the present six-month maximum.

Mrs Helen Suzman, P.P.P. spokesman on justice, said at first glance it appeared to be another of those objectionable detention-without-trial bills which, in this case, widens the power of the state to hold witnesses.

On the other hand, she said it was possible that the Bill could have the effect of speeding up court cases.

The New Republic Party's spokesman on Justice, Mr J. Malcomess, said the amendments contained in the measure seemed to be necessary.

He believed it would be irresponsible to release a witness held as a material witness in a terrorism trial while such a trial was still in progress. It would be in the interest of witness himself and of the people of South Africa for such a witness to be held.



MR KRUGER . . . 'no further action.

Kruger: police en

THE ASSEMBLY — Security Police holding Mr Steve Biko before his death in detention had made errors of judgment but no further action was planned, Mr Kruger, Minister of Police, said yesterday.

However, he announced that Regulations governing the treatment of detainees were being tightened up.

In reply to demands by Mrs Helen Suzman for a departmental inquiry into the action of the police in the Biko affair, Mr Kruger revealed that one had been held already.

He described as "scandalous" insinuations that people who died in detention had been murdered by the police.

Mr Kruger said he had ordered the investigation into Mr Biko's death because he was dissatisfied with the handling of three matters.

He wanted to know why there had been a lack of reports to the Commissioner, and therefore himself, about Mr Biko; why he had not been taken to hospital the day before he died; and why he had been moved to Pretoria in the circumstances he was

in. This was a reference to Mr Biko being transferred from Port Elizabeth to Pretoria naked in the back of a police vehicle.

Mr Kruger said that if he had been informed earlier, he would have ordered Mr Biko's transfer to a provincial hospital under guard.

A senior officer had been ordered to investigate and he had reported that while there may have been errors of judgment, they were not of the type that an administrative charge by a

red with Biko

16/5/78 04
329

police board could be instituted.

The police had acted on "favourable" medical reports and had not had the advantage of the detailed pathology report at the time.

Mr Kruger said there had been a full inquest into the matter and the reports had been sent to the attorney general in the Transvaal and the Eastern Cape. Neither had recommended action against the police.

Among the tightened-up regulations announced by Mr Kruger were that surgeons had to be summoned

when necessary, nobody who was sick could be removed without consulting headquarters, sick people had to receive special consideration concerning food and other matters, families had to be informed, stronger surveillance had to be exercised to prevent suicides, and there should be no interrogations above ground floor unless the room had been "secured."

Later, Mrs Suzman replied that she was glad Mr Kruger had received such a full report.

"However, I cannot understand that no blame is

attached to anybody. It seems the doctors are taking the blame. Their behaviour appears to have been reprehensible."

She thought, however, they had been misled.

Both Mrs Suzman and Mr Kruger corrected themselves on statistics of deaths in detention under the Terrorism Act since Mr Biko's death.

On Tuesday Mrs Suzman said there had been four, while Mr Kruger said that there had been none. Both said yesterday there had been one. — PC.

Dream island, page 7.

329 18/5/78
Alliance
members
329
on bail

KING WILLIAM'S TOWN

— Four men detained by police after disturbances at a political meeting at Dimbaza on Sunday appeared at a special regional court at Zwelitsha before Mr S. A. Du Preez.

The accused, including Mr N. L. Mankayi, a candidate in the Zwelitsha constituency, are all opposition alliance members.

Mr Mankayi, who was remanded to July 17, faced charges under the Ciskei's emergency Proclamation R252 for allegedly holding a meeting at Dimbaza without a permit from a magistrate.

The other men, Mr Daniel Molayi, Mr Solomon Manyela and Mr Mongameli Mahayiya, were charged with assault with intent to do grievous bodily harm. They were all not asked to plead and no evidence was led.

All were allowed out on bail of R50 each.

The four men were detained after an alliance meeting at Dimbaza where fighting broke out between alliance men and Sefu supporters. — DPR

(Report by Charles Ngakula, Alexander Road, King William's Town).

Police erred over Biko : Kruger

329
18/5/78
RJM

Political Staff

THE ASSEMBLY. — Security Police holding Mr Steve Biko before his death in detention had made errors of judgment but no further action was planned, Mr J T Kruger, Minister of Police, said yesterday.

However, he announced that regulations governing the treatment of detainees were being tightened up.

In reply to demands by Mrs Helen Suzman, chief Opposition spokesman on police, for a departmental inquiry into the action of the police in the Biko affair, Mr Kruger revealed that one had already been held.

He described as "scandalous" insinuations that people who died in detention had been murdered by the police.

Mr Kruger said he had ordered the investigation into Mr Biko's death because he was dissatisfied with the handling of three matters.

Mr Kruger said he wanted to know:

- Why there had been a lack of reports to the Commissioner, and therefore himself, about Mr Biko.
- Why Mr Biko had not been taken to hospital the day before he died.
- Why he had been moved to Pretoria, in the circumstances he was. This was a reference to Mr Biko being transferred from Port Elizabeth to Pretoria naked in the back of a police vehicle.

Mr Kruger said if he had been "informed" earlier, he would have ordered Mr Biko's transfer to a provincial hospital under guard.

A senior officer had been ordered to investigate and he had reported that while there may have been "errors of judgment" they were not of

the type that an administrative charge by a police board could be instituted.

The police had acted on "favourable" medical reports and had not had the advantage, at the time, of the detailed pathology report.

Mr Kruger said there had been a full inquest and the reports had been sent to the Attorneys-General in the Transvaal and Eastern Cape. Neither had recommended action against the police.

Among the tightened-up regulations announced by Mr Kruger were that surgeons had to be summoned when necessary, nobody who was sick could be removed without consulting headquarters, sick people had to receive special consideration concerning food and other matters, and stronger surveillance had to be exercised to prevent suicides.

The Biko aftermath

1978 5/29

If Mr Jimmy Kruger's "categorical denial" in the House of Assembly yesterday means that he believes the police never physically abuse prisoners and detainees during questioning, it is a wide-ranging and naive generalisation, to say the least. To give but one example: Joseph Mdluli died on March 19 1976 while in detention and four security policemen were charged with culpable homicide in the Natal Supreme Court as a result. There was evidence of extensive injuries to Mr Mdluli's body and the cause of death was given as the "application of force to his neck." Mr Justice James acquitted the four policemen because of evidence that they were not present when Mr Mdluli received his fatal injuries. He spoke of "certain improbabilities" in the police evidence and the fact that this evidence did not explain satisfactorily all of Mr Mdluli's injuries. The judge called for a full investigation saying this important matter could not be left in this "highly unsatisfactory condition." Despite this, Mr Kruger has not yet told the

country whether such an inquiry is being or has been made.

In respect of the Biko case, Mr Kruger said that, while security policemen holding Mr Biko had made certain errors of judgment no further action would be taken against the policemen involved. This may be Mr Kruger's view — but the evidence given by policemen at the inquest into Mr Biko's death revealed a callousness which we believe called out for disciplinary action. Think only of Mr Biko, an obviously ill man, being taken naked in the back of a Land-Rover to hospital in Pretoria.

Having said this, we welcome Mr Kruger's disclosure of the additional precautions that will be taken to protect detainees. These are long overdue and we trust they will be applied extensively and effectively. Apart from anything else, the effective application of these additional safeguards will mean that, if a detainee now dies from anything other than natural causes, it will be that much more difficult for his custodians to escape culpability.

Defending counsel 'not playing the game'

Cape Times 12/5/78

21 331

Staff Reporter

HERMANUS — Defence advocate Mr R McDougall said in the Regional Court here yesterday that his case was hampered because the Minister of Justice sees fit to promulgate laws which make it possible to hold such trials miles away from anywhere.

Mr McDougall said this after the magistrate, Mr P J Le Roux, said that Mr McDougall was "not playing the game by asking to adjourn every two minutes" to consult his four clients — Lawrence Mvula, 18, Boy Makana, 18, and two youths.

The four are all charged with public violence. The charge arises from stone-throwing incidents in Guguletu in October 31 last year. Three motor vehicles, three houses and a bicycle were damaged during the incidents.

"With all due respect to you, your worship, the Minister of Justice sees fit to promulgate laws which make it possible to hold such trials miles away from anywhere. On top of this, Mvula has been in trial for the past few weeks. Because of these factors I haven't had a chance to see the man properly. My attorney and I tried to see him on Sunday, only to find that he was held in Caledon," Mr McDougall said.

The magistrate said he appreciated Mr McDougall's difficulties but he would no longer allow so many adjournments for consultation.

At the start of yesterday's proceedings a detained State witness, who may not be named, told the court he attended a students' meeting at which Mr Mvula, one of the youths and four others were present. "Seeing the children out of school," was discussed, he said.

Cross-examined by Mr McDougall, the witness said he was forced to make statements by detectives. "They promised me I would go free if I made statements." The witness said that Warrant Officer J. Lombser of the security police forced him to make his first statement.

After he gave unsatisfactory evidence in a previous trial, he was "scolded" for an hour by a detective. "The police said they would charge me again."

The witness said he had been in solitary confinement for over two months. He denied that this affected him mentally. He said the contents of statements made by others were explained to him by the police.

Asked by Mr McDougall what had happened about the police promise that he would be released if he gave evidence in the trials, the witness said "the police promised to release me

— magistrate

last Friday."

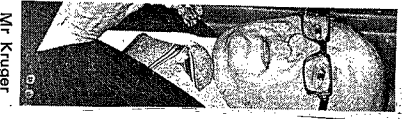
Mr McDougall: But they haven't. So what have you done? — I keep on asking, and the detective keeps on telling me lies, saying I will be released on Friday.

Mr McDougall: So for you in your solitary cell life is a never ending Friday? — Yes.

Mr J Vermaak closed the State's case after asking that a statement made by Mr Makana to the chief magistrate of Cape Town be considered a confession.

Mr McDougall said that, in terms of the Criminal Procedure Act, the statement was inadmissible. He also asked that the court discharge one of the youths on trial because of insufficient evidence.

Mr Le Roux ruled that the statement was inadmissible. He refused to discharge the youth. The case continues today.



Mr. Kruger

Kruger admits police erred

Cape Times 18/5/78 (329)

Political Staff

SECURITY police holding Mr Steve Biko before his death in detention had made errors of judgment but no further action was planned, the Minister of Police, Mr Jimmy Kruger, said yesterday.

However, he announced that regulations governing the treatment of detainees were being tightened up.

In reply to demands by Mrs Helen Suzman, chief Opposition spokesman on police, for a departmental inquiry into the action of the police in the Biko affair, Mr Kruger disclosed that one had already been held.

He described as "scandalous" insinuations that people who died in detention had been murdered by the police.

Mr Kruger said he had ordered the investigation into Mr Biko's death because he was dissatisfied with the handling of three matters.

He wanted to know why there had been a lack of reports to the commissioner, and therefore himself, about Mr Biko, why he had not been taken to hospital the day before he died and why he had been moved to Pretoria in the circumstances he was.

This was a reference to Mr Biko being transferred from Port Elizabeth to Pretoria in the back of a police vehicle.

Mr Kruger said that if he had been "informed" earlier, he would have ordered Mr Biko's transfer to a provincial hospital under guard.

A senior officer had been ordered to investigate and he had reported that while there may have been "errors of judgment" they were not of the type that an administrative charge by a police board could be instituted.

Directives had been issued following the report of the senior officer's investigation. "I decided to bring to the attention of the police some errors which had been made," Mr Kruger said.

The police board had formulated a set of rules which had been issued to the police force, Mr Kruger said that:

- All interrogations would in future be conducted in strengthened (versterkte) rooms unless the rooms were on the ground floor.
- In future, doctors would be called as soon as detainees showed signs of illness or complained. If sending them to hospitals involved security risks, police headquarters had to be consulted.

● If detainees or prisoners were admitted to hospitals, the Minister of Police had to be informed by telex.

● No ill detainee was to be moved from one town or city to another, and ill detainees had to receive more attention and visits, Mr Kruger said.

● In the case of people being seriously ill, and if the situation warranted, the patient's closest relatives had to be informed.

● In order to combat suicides, police had been instructed not to allow prisoners or detainees any object which could be used to kill themselves, and to keep these people under strict supervision.

Handcuffs and leg-irons (voetboeie) should not be used if it could be prevented, because these could be used to commit suicide.

Prisoners or detainees were not to be allowed to take any potentially dangerous objects into their cells, and people who became morbid or showed signs of contemplating suicide had to be visited regularly.

● Detainees always had to be accompanied by two armed officials and special precautions had to be taken that they did not jump from buildings. If interrogation rooms were not situated at ground level, they had to be strengthened.

However, should suicides occur, or should detainees be assaulted, impartial investigations by the police board should be held, Mr Kruger said.

Later Mrs Suzman replied and said that she was pleased that Mr Kruger had received such a full report.

"However, I cannot understand that no blame is attached to anybody because of the unfortunate death of Mr Biko," said Mrs Suzman.

"It seems that it is the doctors who are taking the blame. Their behaviour appears to have been reprehensible."

She thought that they had been misled.

Both Mrs Suzman and Mr Kruger corrected themselves on statistics of people who had died in detention under the Terrorism Act since Mr Biko's death.

On Tuesday Mrs Suzman said there had been four deaths while Mr Kruger said that there had been none. Both said yesterday there had been one.

● **Kruger has final word on Biko — page 4**

BUSINESS BRIEF

Gold (as) \$177.50 up \$2.25
 RDM Index 223.0 up 0.2
 FT Index 480.3 down 1.3

18/5/78 25 629

Detentions

The continued detention without trial of two Border men causes me concern:

1. Mr Thami Zani, a leader in the now banned Black Peoples Convention, has been detained for about a year with no charges being levelled against him. Readers of the Daily Dispatch might

recall the two articles he wrote before his detention in his capacity as a Black Consciousness Leader. Judging by these expostulations of Black Consciousness policy one can only assume the government fears not that Mr Zani is a dangerous revolutionary, but his non-racialism is a fair answer

LETTERS TO THE EDITOR

to white nationalism.

2. Mr Mzukisi Skweyiya, the 22-year-old South African bantam-weight boxing champion, is currently undergoing a second period of detention under Chief Sebe's stand against opponents of the homelands policy

One can only pray that God will forgive the people responsible for the treatment meted out to these and other individuals.

C. K. Bentley.

27 Lotus Ave, Beacon Bay.

Funerals

The Housewives' League of South Africa is conducting a nation-wide sur-

World won't forget Biko — Suzman

ARGUS 18/5/78 (329)

The Argus Political Correspondent

THE world and thousands of disgusted South Africans were not going to forget the Biko affair so easily, Mrs Helen Suzman, PFP MP for Houghton, said today.

Mrs Suzman, who is the Opposition's main spokesman on justice and police matters, was reacting to a speech by the Minister of Justice and Police, Mr J T Kruger, in the Assembly yesterday.

Speaking about the Biko case he indicated that he regarded this as his last word on the subject. He also announced the tightening-up of regu-



Mrs Helen Suzman

lations governing the detention of detainees.

Time for the debate on the police vote had nearly run out after Mr Kruger had spoken and Mrs Suzman could speak only for a few minutes after the Minister.

CASE CLOSED

The Minister may say this is his last word on the Biko affair and that his file on the case is

I am afraid the world is certainly not going to allow him or South Africa to forget the Biko case so easily.

Nor are the thousands of people in South Africa who were disgusted by the whole thing.

Perhaps if Mr Kruger had taken steps against the policemen whom he admits had erred in the treatment of Mr Biko, not to mention the district surgeons involved in the case, something could have been retrieved from the damaging situation in which this whole case had landed South Africa.

'NO HEAD ROLLED'

"Heads will roll," said Mr Kruger at one stage. No head has rolled.

Perhaps the head most due for rolling is the head of Mr Kruger himself.

The new rules are an improvement as far as they go but they do not go far enough because in fact it is the law itself which is at fault — the law that gives powers to the police to detain people in solitary confinement for purposes of interrogation.

Until this law is removed from our statute book, I do not believe that detainees can be adequately protected.

What we need is a return to habeas corpus," Mrs Suzman said.

329

Kruger: His final word on

HOUSE OF ASSEMBLY. — The Minister of Police, Mr Jimmy Kruger, yesterday categorically denied that South African policemen tortured prisoners and said such scandalous allegations should stop.

He appealed to members of the opposition to help set the record straight, saying: "These things are absolutely scandalous and you should raise your voices against it."

"I want to deny categorically that the South African Police, and particularly the security police, torture prisoners. We have laws and regulations and I will see to it that these laws and regulations are obeyed."

"The scandalous insinuation is that they are being murdered by the security police, and that everything that follows is just eye-wash," he said.

The State had furthermore put all the policemen involved in the Biko case at the disposal of those conducting the inquest, and extensive cross-examination of witnesses had been

allowed.

"Cross-examination has been proved over the ages as the most effective method to get at the truth."

"Should someone therefore suggest that the police had lied, he would by implication also have to accept that the Biko family's attorney had been incapable of getting at the truth, and I do not think anybody could say that he had not prepared for or done his work badly."

In addition, the dockets on the inquest had been sent to the attorney-generals of the Transvaal and the Eastern Cape.

They had analysed them and had reached the same conclusion as the Chief Magistrate of Pretoria at the inquest, who had found that nobody could be held criminally responsible for Mr Biko's death.

Turning to the Biko case, Mr Kruger said he intended referring to it for the last time.

"Wherever I come in South Africa, people say to me that when they hear the word Biko they nearly become physically ill. They are sick and tired of it, but it is still being dished up repeatedly overseas — in books, on television and in the newspapers, and it is not allowed to rest."

"I want to refresh the memories of honourable members as to what the government did in this case. In the first place, we ordered a proper post-mortem by the most capable State pathologists in the country, in the presence of a renowned private pathologist who acted on behalf of the Biko family."

"They found he had suffered brain injuries of a contracoup type, but with absence of contracoup injuries."

After quoting from the medical report, Mr Kruger said: "In lay language, Mr Biko received a knock on his forehead which flowed to the opposite direction of the brain, where it disrupted the

the Biko case

brain impulses, thereby hampering certain bodily functions, which then caused his death."

"It seems as if a contracoup is a very rare phenomenon. Maybe so rare — I am now guessing, because I am not a doctor — that it occurs perhaps once in a thousand cases."

"In other words, nobody can just presume such a thing. This is the point I want to make, because it concerns the police's actions. Nobody could have presumed that a contracoup was happening."

"Another important point I want to make is that the knock on the forehead was not visible to the naked eye during four doctors' examinations. Nothing was visible and it only became clear after intensive pathological examinations," Mr Kruger said.

Turning to the attendance of Western diplomats at the funeral of Mr Biko, Mr Kruger said he appreciated their interest, but found it surprising no one had attended Chief Clemens Kapuuo's funeral. — Sapa

Mr J T Kruger

Health Dept won't act against Biko doctors

RDM 20/5/78

(329)

HOUSE OF ASSEMBLY.

— The Department of Health had investigated the actions of the district surgeons involved in the Biko case and decided to take no action departmentally, the Minister of Health, Dr Schalk van der Merwe, said yesterday.

"The department held an investigation and, taking all the circumstances into account, decided to take no action departmentally," Dr Van der Merwe said in the debate on the Health Department's vote.

"If there is any doubt, however, on ethical grounds, they will be reviewed by the statutory body, the Medical Council, and I am sure the council will do its duty."

Earlier, Mrs Helen Suzman (FFP, Houghton) said there was much to deplore in the behaviour of the district surgeons involved in the Biko case.

"We can be less than proud of the manner in which these men conducted themselves while Mr Biko was in custody.

"I don't entirely blame

the district surgeons," Mrs Suzman said. "I believe they were misled by the police in whose custody Mr Biko suffered the injuries which caused his death."

Earlier, Dr Nak van der Merwe (NP, Fauresmith), said he resented the onslaught against the medical profession in South Africa.

He quoted from an Amnesty International letter to Dr Isadore Gordon — a pathologist who acted as an assessor at the Biko inquest — holding Dr Gordon responsible for the inquest finding: — Sapa.

929
20/8/82

MRV RADIO
124-1281
ASK ANYONE
WE'RE NICER
-AND CHEAPER TOO!

OPEN SATURDAY
TILL 11 PM FOR
BOOK BARGAINS
48 Piccadilly St. (off Calm St.) Hillbrow
EXCLUSIVE BOOKS

DAR ES SALAAM. —
Police arrested an entire soccer team when they found leopard skins and taking the team to a scheduled match. The match, however, was cancelled. — UPI

Game losers

administering them.
sation of commandos or
volved in the actual organi-
"The company was not in-
"passive-defensive", he said.
The measures were
world — including the US.
plants anywhere in the
contingency plans for its
for the firm to develop
it was "normal procedure"
A GM spokesman said
rity
the local military autho-
plants under orders from
would guard the company's
A "GM commando"
system.
a citizen commando force
lected in an emergency by
points" that would be pro-
several "national key
been designated as one of
subsidiary in South Africa had
The plan said GM's sub-
declared.
national emergency was
partment of Defence if a
by the South African De-
dusty would be taken over
the entire local motor in-
can executives warned that
motion because South Afri-
The plan was put into
in Washington yesterday.
Republic, it was reported
tentia race riots in the
last year to cope with po-
a secret contingency plan
African subsidiary drafted
of General Motors' South
WASHINGTON — Officials
Own Correspondent

Another Biko book banned

Pretoria Bureau

ANOTHER publication about Steve Biko — this time the author is Hilda Bernstein — was banned in terms of a notice in a Government Gazette published yesterday.

Other publications banned in terms of the Publications Act include: Soweto Crimes Against Humanity, 1978 Calendar, by The American Committee on Africa, New York; Omkeer, No 1, May 1978, by Salscom; The Killing of the Imam by Barney Desai and Cardiff Marney; X-ray Current Affairs in Southern Africa — March/April 1978, by The African Bureau, London; SSD News-letter — 10 May 1978, by Students for Social Democracy; University of Cape Town; Sobukwe of Azania, 1924-1978, producer or author unknown; and Focus on Namibia — May 1978, by Nusas, University of Cape Town.

Handed 16 24 May 1978
 Question 641 Cols. 822

329

Pupils of Chesterville Secondary School
 arrested/detained by Security Police in
 October 1977

641. Mr. R. A. F. SWART asked the
 Minister of Police:

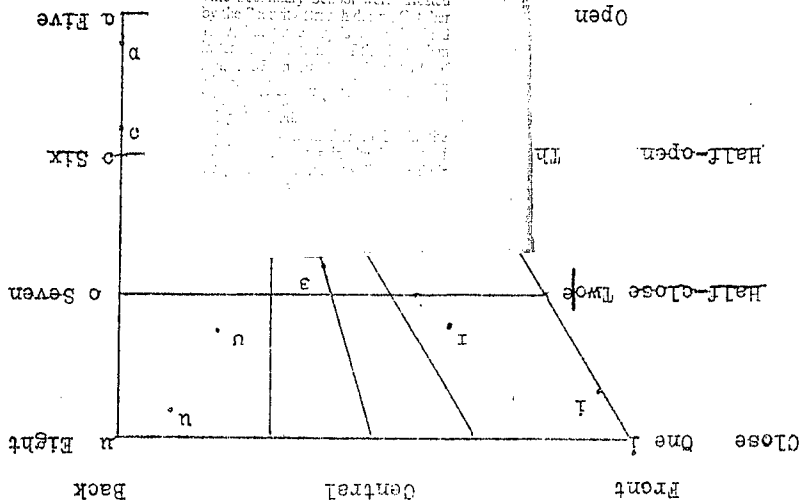
(1) Whether any pupils of the Chesterville
 Secondary School were arrested and
 detained by Security Police in October
 1977; if so,

(2) (a) how many, (b) on what charges,
 (c) what was the age of each detainee
 and (d) for what period was each of
 them detained;

(3) whether any of them are still in
 detention; if so, (a) how many and (b)
 what are their names.

The MINISTER OF POLICE:

(1), (2) and (3) No pupils of the Chester-
 ville Secondary School were arrested
 by the Security Police in October
 1977.



a diagrammatic representation of the approximate tongue positions
 of average Standard English vowels compared with the tongue positions
 of the cardinal vowels

Witnesses can be detained

THE ASSEMBLY Measures that will empower the State to detain terrorism trial witnesses for the entire period of the court case, instead of the present maximum of six months, were approved after a division yesterday.

Opposition by the Progressive Federal Party and the New Republic Party to the third reading of the Criminal Procedures Matters Amendment Bill was overruled by 121 votes to 27.

The Minister of Justice, Mr Kruger, said the measure was the only way of ensuring terrorism trial witnesses were kept safe from harm. — SAPA.

Interim executive is elected as the SAC acts on detentions

Staff Reporter

THE Soweto Action Committee (SAC) has elected an interim executive committee to conduct the affairs of the organisation until the release of the three elected officials who are in detention.

The interim committee includes the Rev E M Tema, a member of the Black Priests Solidarity Group, chairman; Mr Gosemang Moseki, vice-chairman; Miss T P Solomonetsu, secretary; and Mr Michael Siluma, one of the two additional members elected.

The other additional member could not be named "for reasons we can not disclose," a spokesman for the new committee said yesterday.

The interim committee

was elected at a SAC meeting in the Dube YMCA, Soweto, at the weekend.

At the meeting the SAC reaffirmed that it "would not support Government-created institutions like the community councils."

The interim executive undertook to work towards the release of the detained SAC members and other detainees, and will plan memorial services to mark the events arising from June 16, 1976.

Mr Ishmael Mkhabela, chairman of the SAC, was detained on May 4 in a pre-dawn sweep at his home and is being held in terms of Section 6 of the Terrorism Act.

He is also the interim chairman of the recently formed Azanian People's Organisation (Azapo) of

which he had been leader for only five days before his detention.

The vice-chairman of the SAC, Mr Letsatsi Mosala was also detained on May 4 and is being held under the Terrorism Act.

The secretary of the SAC, Miss Mankekulu Mahlangu, also a member of Azapo, was detained last Friday. It is not yet known under which Act she is being held.

A fourth Azapo leader, Mr Isaac Moroc, regional chairman of Azapo in the Free State has also been detained, as has Mr Lyban Mabaso, the convener of the meeting at which Azapo was formed. Mr Mabaso was the organisation's interim secretary at the time of his detention.

EDITORIAL OPINION

Admission of failure

(329)

After 30 years of National Party rule there has been no greater admission of failure of the government than the reaction of the Minister of Justice, Mr. Kruger, to the departmental investigation of the death of Steve Biko.

Mr Kruger said he had ordered the investigation because he was dissatisfied with the handling of three matters: why there had been a lack of reports to the Commissioner of Police (and, therefore, to himself) about Mr Biko; why Mr Biko had not been taken to hospital the day before he died; and why Mr Biko had been moved to Pretoria in the circumstances he was in.

And after all this, Mr Kruger admitted the Security Police holding Mr Biko before his death in detention "had made errors of judgment but no further action was planned."

The outside world was horrified when Mr Kruger said Mr Biko's death "left him cold". How more damaging is it, then, to South Africa's image at home and abroad when Mr Kruger admits to errors of judgment by the Security Police but declares that no further action is planned?

By its very nature, a departmental inquiry is secret — and by the same token it is also inadequate, for it amounts to no more than a department judging itself in its own cause.

Instead of abolishing or radically reforming detention without trial in the wake of the Biko death, or dismissing every security policeman involved in the "errors of judgment", Mr Kruger tries to placate public opinion by announcing tighter regulations in procedures for detainees.

Among these are: surgeons must be summoned when necessary; nobody who is sick can be moved without consulting headquarters; sick people are to receive special consideration concerning food and other matters; families must be informed; there must be stricter surveillance to prevent suicides; there must be no interrogation above ground floor unless the room has been "secured".

As Mrs Helen Suzman said, these changes have come 35 deaths too late. But in being forced by the Biko affair to make these changes, Mr Kruger is virtually admitting his failures in the past to set the required standards of care, discipline and procedures that he now concedes are necessary in the handling of persons detained without trial.

The consequences of these failures were so tragic in the case of Mr Biko and others who have died in detention and also so damaging to South Africa that the Prime Minister should insist on Mr Kruger's resignation.



"I know! Oom's building a fence... a bridge... a castle...?"

Appeal planned for undefended youth

TERROR TRIAL PAIR ALREADY ON ROBBER ISLAND

By JENNIFER HYMAN

A JOHANNESBURG attorney plans to lodge appeals against the Terrorism Act convictions of two youths who were brought to trial without their families or lawyers being informed.

The attorney, who does not wish to be identified for professional reasons, had been instructed by the families of the two men, Mr Sipho Madondo, 19, and Mr Petrus "Bushy" Molefe, 23, soon after they were detained.

He immediately notified the Security Police that he was representing the two detainees, but received no reply and was not advised of their pending trials.

In the first case, the Security Police were informed more than four months before the trial that an attorney had been instructed by Mr Madondo's mother, Mrs M N Madondo, to represent her son.

In Mr Molefe's case, the

attorney was instructed by the detainee's grandmother and nearest relative, Mrs Elsie Mokgako, and he advised the police of this two months before the trial.

The attorney has since learnt the two youths are on Robben Island.

As he is one of a group of "political" lawyers prohibited from visiting convicted prisoners, he has so far been unable to consult his clients about a possible appeal. But he is negotiating with the prison authorities for permission for another attorney to do so.

Mr Madondo pleaded guilty in Ermelo on March 20 to three counts under the

Terrorism Act. He was defended by a pro Deo advocate and was given a 12-year sentence after a trial lasting three hours.

Mr Molefe, who was not represented at his trial in the Springs Regional Court on March 29, received a jail sentence of 15 years.

The amazing cases of Terrorism Act detainees who have been "secretly" brought to trial without the knowledge of their families or lawyers were reported in the Sunday Express last week.

Since then several legal experts have said the cases show "serious irregularities" which could constitute

grounds for a retrial.

This week Mr H F Klein, who appeared pro Deo for Mr Madondo, told the Sunday Express that the accused had made what amounted to a confession to a magistrate even before he appeared in the Ermelo Supreme Court. Mr Madondo was not represented when he appeared in the Magistrate's Court, Mr Klein added.

In terms of the new Criminal Procedure Act, detainees can be questioned by a magistrate prior to going on trial. Several prominent lawyers have criticised the procedure on the grounds that the detainee can, by his answers, "convict himself on the spot" — in which case a plea of guilty is entered and the State is obliged to lead only the minimum of evidence.

Mr Klein said he had been "surprised" that Mr Madondo had not had his own legal representatives at the trial.

He said Mr Madondo pleaded guilty to three counts under the Terrorism Act, including entering the country with forged papers, smuggling in and hiding a quantity of arms and ammunition and recruiting.

The Sunday Express was unable to obtain details of Mr Molefe's trial, at which none of his family were present. All that is known is that Mr Molefe was not legally represented.

'n Week vol pryse

RAPPORT
28/5/78

Vir
Qoboza 329

VIR dr. Percy Qoboza, redakteur van Post en vroeër van die verbode The World, was dit 'n week van pryse en erkenning soos min SA koerantmanne nog beleef het. Van die SA Vereniging van Joernaliste die Pringle-prys (wat o.m. Schalk Pienaar reeds gewen het); van die Internasionale Pers- en Kommunikasie-Vereniging die Koerantmanne-Prys; van die Pers van Vryheid die Tuis-Union-prys; en die clausette-beskermingsdoktoraat.

Teen die vooravond van geweld en blinde woede in Soweto het P. Qoboza daarop aangedring dat die wet en orde gewaarsku word, maar moet ontwikkel word, maar moet ontwikkel word, daarop gewys deur die vir die verandering van die wet en orde in die weg geruim moet wees tot min. John Paterson, minister van die SA Joernalistiese Vereniging, by die oorkoming van die Pringle-prys geskied.

*Dr. Qoboza het 17 Oktober verlede jaar 'n maande lank aangehou.
*Hy is in Port Elizabeth, Johannesburg.

Former exile's son detained

JOHANNESBURG — Four members of the Azanian People's Organisation and the son of an exile who died in Tanzania in 1975 have been detained here.

Mr Governor Hashe's son, Monde, was detained on Thursday and his mother, Mrs Alcia Hashe, said the Security Police told her her son had been transferred to Port Elizabeth.

The Azapo members are Mr Wageng Mekwa, Mr Velle Soga, Mr Themba Mgeezula and Mr Attie Mool.

Mrs Hashe said: "Earlier in the week, police came to my home to

inquire about one of my sons who is out of the country. They came back later to detain Monde. It came as a surprise.

"They came at 2.15 a.m. and searched the house for about 15 minutes. They then took Monde away," she said.

Mrs Hashe said she took her son a change of clothing on Friday but was not allowed to see him.

Police later informed her Mr Hashe would be transferred to Port Elizabeth and she should bring him clothes. She was not told under which law he was being held. — DDC.

Terror Act: Newsman ^{Cape Times} 30/5/78 acquitted ^{(1) 329} ~~(2)~~

KRUGERSDORP. — A Johannesburg journalist, Mr Enoch Duma, of the Sunday Times was acquitted in the special Circuit Court here yesterday of charges under the Terrorism and Sabotage Acts.

He was acquitted of identifying with the African National Congress (ANC) to overthrow the government and with activities concerning the Pan African Congress.

It was also not proved that he knew Aitken Ramudzuli, 24, a former teacher who appeared with him, and who had explosives in a bag in his car on two occasions last September.

Ramudzuli was found guilty of two charges of terrorism in that he identified and was a member of the ANC in attempts to overthrow the government.

The State alleged Ramudzuli joined the ANC in Botswana, where he also obtained training in the use of weapons and explosives, and then returned to South Africa.

Ramudzuli said that in Gaborone he met members of and joined the ANC, because he was told it did not discriminate between races and wanted all people to be equal.

ANC members told him there would have to be certain bombings to prepare the people for the sad days coming, Ramudzuli said.

Mr Justice F S Steyn said that in passing sentence on Ramadzuli he had to consider two things.

On the one hand he had to consider that Ramudzuli had said he was a victim of circumstances "which affect many young and foolish men" who found themselves led to their deeds.

On the other hand, the judge said, in cases like these there was the potential injury of hundreds of innocent people as well as the economic harm, which could affect all the people of the country, through the undermining of security.

Because of these considerations, he postponed sentence until this afternoon. — Sapa

Biko

The Biko case may be a closed book, but it is not closed in the minds of millions of people, and will never be forgotten.

The police certainly did err with Steve Biko. Their greatest mistake was allowing a man to die who in actual fact did not want to die.

Mr Jimmy Kruger cannot see what goes on in every prison cell, but this does not free him of responsibility. A head of the police force he should ensure that people held in custody are protected.

Also a man should not be imprisoned unless he is judged in a court of law. Secondly, he should be looked after.

L. Fawcett, Thorncroft,
Gonubie.

Journalists detained

(329)

30/5/78
Dh

JOHANNESBURG — Two journalists of The Voice newspaper, Ms Juby Mayet and Mr Phil Mtinkulu, were detained by Security Police yesterday.

Relatives of Ms Mayet said yesterday police had been to her Lenasia home four times on Sunday, but she had been out the whole day.

According to the acting editor of The Voice, Mr Mike Norton, police arrived at the newspaper's offices at 8.30 am and detained Ms Mayet.

Two hours later they came back and said they were taking Mr Mtinkulu for "questioning." By yesterday evening, Mr

Mtinkulu had not yet been released.

Both are former executive members of the Union of Black Journalists which was banned on October 19 last year.

In Cape Town, a Catholic youth worker, Mr Marcus Rodgers, 26, was detained by Security police under the Internal Security Act in the offices of Young Christian Workers here yesterday.

Mr Roddy Nunes, regional councillor of the YCW, said the detention was "a shock to all of us."

Mr Rodgers had worked for the Catholic youth movement for about three years and "none of us who

know him would ever have dreamed him a candidate for security detention." — DDC.

Cape Times 30/5/78 (329)

RC church worker detained

A ROMAN CATHOLIC youth worker, Mr Marcus Rodgers, 26, was detained by security police yesterday in the offices of the Young Christian Workers, St Mary's Cathedral complex.

Mr Roddy Nunes, regional councillor of the YCW, said three security policeman arrived at 10am with instructions from Major Lourens, of the Cape Town branch, to detain Mr Rodgers under Section 10, 1(a) of the Internal Security Act of 1950.

"I insisted they see the Archbishop, Owen Cardinal McCann, whose offices are nearby in the same building, before taking Mr Rodgers away," Mr Nunes said.

The policemen saw Cardinal McCann, who



Mr Marcus Rodgers

telephoned Major Lourens, who told him the detention was "on instructions from Pretoria and that he could do nothing," Cardinal McCann said.

Major Lourens later confirmed the detention which, under the provisions of the act, was "indefinite", and said Mr Rodgers was being held at Victor Verster Prison, Paarl, where he would be questioned.

Cardinal McCann said he "vehemently protested against such legislation which enables police to detain a man without trial at the pleasure of a government minister".

Mr Rodgers's wife and children would be cared for by the church for as long as police held him, Cardinal McCann said.

● In Johannesburg yesterday two journalists of the newspaper Voice, Mrs Juby Mayet and Mr Phil Mthimkulu, were detained by security police in the newspaper's Braamfontein offices.

Mrs Mayet, a widowed mother of eight, is an assistant to the chief sub-editor. Mr Mthimkulu is a senior journalist.

**Detained
journalist
released**

Cape Times 3/1/78

329

JOHANNESBURG. — Mr Phil Mtshkhulu, one of two black journalists of the Voice newspaper detained on Monday, has been released.

Mr Mtshkhulu and Mrs Juby Mayet were detained by security police. Mrs Mayet is still under detention.

Meanwhile the Writers' Association of South Africa (Wasa) announced it had formed a black journalists' legal defence fund named after Mr Mtshkhulu and Mrs Mayet.

The fund was started with a contribution from the Newspaper Guild of America.

— Sapa —

Fund named after detainees

RDM 31/5/78

329

Staff Reporter

A LEGAL defence fund for black journalists was named after two staff reporters of The Voice newspaper 24 hours before their detention earlier this week.

Mrs Juby Mayet and Mr Phil Mtimkhulu were detained by the Security Police on Monday at the Braamfontein, Johannesburg, offices of the weekly ecumenical newspaper.

Mrs Mayet is believed to be held in terms of Section 10 of the Internal Security Act, while Mr Mtimkhulu was released several hours after his detention.

The Mayet-Mtimkhulu Defence Fund for black journalists was voted in on Sunday at a meeting of the Writers Association of South Africa (Wasa).

The fund was launched with a grant from the Newspaper Guild of America for the defence of Mrs Mayet and Mr Mtimkhulu on charges relating to their withdrawing R2 400 from a Union of Black Journalists (UBJ) bank account on October 19 last year. The UBJ was banned on that day.

(Law Faculty Page 31)

WHEN it became known that I had been invited by the Association of Law Societies of South Africa to attend the Biko inquest as an independent observer, some of my friends strongly urged me to take great care.

I was going, they said, to a police state; my hotel accommodation would be "bugged", and freedom of speech was limited to freedom to speak well of the Government.

To disregard these warnings would mean that I might find myself in detention or, at best, expelled.

The inquest had already begun when I arrived: Colonel Coosen, the head of the Port Elizabeth security police, was under cross-examination by Sydney Kentridge and, at the hands of this exceptionally able advocate, he was not showing at all well.

HORROR

I listened, with an ever increasing sense of horror, as Mr Kentridge relentlessly extracted from the witness the full measure of the suffering and degradation of the deceased man.

Left naked, lying on a cell mat, with handcuffs and one foot manacled, detained for 21 days without questioning; denied outdoor exercise; left in urine-soaked trousers, on a urine-soaked mat and under a blanket in squalid condition.

Naïve as it may appear, the thought occurred to me that this was hardly the conduct expected from an officer and a gentleman.

But it was important to remember what my friends had said. This was a police state and the witness was a member of a specially constituted para-military force.

At the luncheon break I therefore made inquiries and discovered that the security police were in no sense a para-military corps. It was only a branch of the South African police as our Special Branch or the Fraud Squad is only a department of a police force. Moreover, the military titles were historical in origin, and the South Africans would not wish to see them changed.

May it not be that such military titles have psychological effects adverse to the interests of South Africa?

May they not create a wholly wrong image in the minds of countless untrained people, likening them to some others we

would all like to forget, and may it not play some part in inducing in the minds of the security police the idea that they are a special corps, above the law or, in the colonel's own words: "They act at their discretion not subject to any statute"?

Would they not be better given police ranks which more accurately define their station?

Paradox

As the days passed I began to realise that South Africa is the land of the paradox. I knew very little about the country when I arrived there, and know little more about it after a stay of only three weeks.

I can, however, only speak as I found it, and while the people are subject to a number of draconian laws, I found open criticism of many aspects of government policy, both generally and in the Press.

Certainly no restrictions were placed upon me in any endeavour. I made to obtain information.

Indeed, how does one begin to reconcile the acceptance by the Government of conduct of the security police such as emerged within a system which facilitates an open and unrestricted inquiry, with almost every word of the evidence and arguments being reported daily by the Press?

It is almost irreconcilable.

The Old Synagogue Building, in which the inquest was held, had been adapted and it might have been an old court building anywhere in the United Kingdom.

I assumed, knowing that the proceedings had attracted world-wide interest, that the Chief Magistrate had undertaken to preside in order to bring to the proceed-

ings the benefit of his presumably wide legal knowledge and experience in presiding over such inquiries.

I began to have some doubts when I found myself disagreeing with his rulings on the admissibility of evidence.

Certainly, his exclusions of evidence were not at any time, from my observation, directed to frustrating a full inquiry.

He showed an eagerness to ensure the fullest and most fair examination of what he considered relevant evidence.

Rather, I felt that he lacked that sensitivity which comes only to the trained legal mind in relation to the complexities of the law of evidence.

My doubts increased when the expert medical evidence was being adduced. This was, of necessity, complex and technical.

SIR DAVID NAPLEY, who attended the Biko inquest as an official observer and later published an independent — and highly critical — report on the proceedings, here takes a broader look at South Africa from the vantage point of the Old Synagogue, and offers some thoughtful, and perhaps constructive, comments.

A VIEW FROM THE OLD SYNAGOGUE

Sun. TIMES
11/178
325- before

Indeed, advocates may only ask such questions as, in the corner may permit, there are those, of whom I am one, who consider that in the case of those who are interested parties should be free to put relevant questions as of right.

In South Africa, the Public Prosecutor must first decide whether he wishes to bring criminal charges in relation to the death. If not, an inquest proceeds. The Magistrate may appoint someone to lead the evidence on his behalf. It is usually a Public Prosecutor, and at the Biko inquest was the Deputy Attorney-General.

In the Biko inquest the Deputy Attorney-General did not adversely cross-examine the police or the state-employed doctors at all, so far as I recall. Indeed, this fact earned a rebuke from Mr Kentridge in his final address.

Therefore, the Deputy Attorney-General's questions and arguments gave to the appearance of one re-

Mr. Kentridge sought to obtain from the witness his agreement that medical opinion was in no doubt that open a person with medical knowledge would find it impossible to simulate an extensor plantar reflex.

With some degree of reluctance, the witness said he agreed, but had recently seen someone sham such a reaction. He was finally persuaded to disclose that an eminent physician who was present in court to advise the police had invited the witness to assist with an experiment.

The witness had applied the pin and the doctor had shammed a response by raising his big toe. Professor Gordon, with the analytical approach of the true medical scientist, asked the witness, "But how do you know he was shamming?"

Ability

Certainly, no one could suggest at the inquest that Biko's relatives were not afforded every opportunity to present their side of the story. They retained three counsel of great ability and experience, of whom Sydney Kentridge was the outstanding example.

He tended to dominate the court while the remaining representatives often seemed to be outclassed. It is fair to say that part of the difficulty of those representing the police and doctors at the inquest no doubt stemmed from the fact that an inadequate amount of information had been ascertained by the police inquiries which preceded the inquest.

On balance, in regard to the issues which arose, it was probably more just, however fortuitous, that the case for Steve Biko's family should have been better presented than those of other interested parties.

Adversary

It was not surprising, with the proceedings presenting an adversary appearance, that the record of the evidence duly appeared showing the Deputy Attorney-General on one side and Mr. Kentridge, counsel representing the relatives of the deceased, as being for the defence.

This led Mr Kentridge to point out that whatever might be the appearance this was most inaccurate.

To sit, for nearly three weeks in a disused synagogue, in a tropical climate, in exceptional heat, is not conducive to maximum concentration.

The public in the body of the court, however, were predominantly black, and I was impressed with the fact, as occurs here, that they displayed an instantaneous response to irony, humour or the cogency of the evidence as it emerged.

Even the unfolding of a story as harrowing as that of the last 26 days in the life of Steve Biko could not, over almost three weeks, be devoid of some aspect of wry humour.

Thus, when Dr Hersh, a

1/1/78

R178 000 claim by Biko's family

Cape Times

4/1/78

325 Defente

Own Correspondent

JOHANNESBURG. — The Biko family yesterday served letters of demand on the Commissioner of Police and the Minister of Health, Dr Schalk van der Merwe, for a total of R178 000 damages arising out of the death in detention of black consciousness leader Mr Steve Biko on September 12.

These civil claims come more than a month after the Biko inquest at which the

security police were absolved of responsibility for his death as well as the doctors who treated him in detention.

After a 15-day hearing Pretoria's Chief Magistrate, Mr Marthinus Prins, found no one was criminally responsible for Mr Biko's death.

The damages claims are as follows:

- Mrs Nontsikelelo Biko in her capacity as Mr Biko's wife — R98 000.
- Mrs Nontsikelelo Biko

in her capacity as mother of two children, Dumisani and Samora — born to her and Mr Biko — R20 000 and R30 000

- Mrs Alice Biko in her capacity as the widowed mother of Mr Biko — R30 000.

The Biko family have made it known that they have instituted proceedings against the government represented by the Minister of Police in terms of section 32 of the Police Act.

Biko court record for Medical Council

Cape Times
7/1/78

325 Defection

Own Correspondent
JOHANNESBURG. —
The Chief Magistrate of
Pretoria, Mr Marthinus
Prins, is to refer portions
of the Biko inquest
record to the South
African Medical and
Dental Council.

Mr Prins, presiding
magistrate at the inquest,
yesterday said he had re-read
the record of the proceedings
and had decided to refer "re-
levant portions" of the record to
the council.

"As a matter of duty, I
have referred it in terms of
Section 45(2) of the Medical,
Dental and Supplementary
Health Service Professions
Act No. 56 of 1974," he said.

The section states:
"Whenever in the course of
any proceedings before any
court of law it appears to the
court that there is prima facie
proof of improper or dis-
graceful conduct on the part

Continued from page 1
procedure would be followed.

The preliminary inquiries
committee of the council
meets next on January 16, but
a medical source says it is un-
likely that the magistrate's
referral will be discussed then.

So far, it is known that Mr
Eugene Roelofse, ombudsman
of the South African Council
of Churches, has lodged a
complaint with the council.

The inquest into the death
of Mr Steve Biko, the black
consciousness leader who died
in detention last September,
lasted three weeks at the Old
Synagogue in Pretoria, and
aroused worldwide interest.

Mr Prins gave his finding
on December 2. He said that
on the available evidence, Mr

Biko's death could not be at-
tributed to an act or omission
amounting to a criminal of-
fence on the part of any
person.

Mr Prins said later that he
planned to re-read the record
of the proceedings to decide
whether the court record
should be forwarded to the
Medical and Dental Council.

The Biko family's lawyer,
Mr Shun Chetty, when asked
yesterday to comment on the
magistrate's latest move,
would only say: "Interesting".

This week, the Biko family
served letters of demand on
the Commissioner of Police,
General G.L. Prinsloo, and the
Minister of Health, Dr Schalk
van der Merwe, for a total of
R178 000 damages arising out
of Mr Biko's death.

had to such person's profes-
sion, is improper or dis-
graceful, the court shall direct
that a copy of such
proceedings, or such portion
thereof as is material to the is-
sue, shall be transmitted to the
council."

Mr Prins made it clear that
the portions referred to the
council did not include
evidence given by "experts".
They related to the Port
Elizabeth doctors.

"But I am not referring to
any one particular doctor," he
added. "It will be up to the
council to decide whether to
take any action or not."

A spokesman for the council
yesterday said the record
had not yet been received.
When it is received, it will be
referred to the doctors con-
cerned.

The doctors will in turn
refer it to a preliminary in-
quiries committee of the coun-
cil, which in turn will decide
whether there is to be a public
disciplinary hearing.

The spokesman would not
say whether any complaints
had been lodged arising from
evidence at the inquest. He
said that if any were, they
would be referred to the doc-
tor concerned and the same

Continued on page 2

Cape Times 7/1/78

325 Defection

Biko record

DD 6/1/78 325 detention

DP member in Transkei is held

UMTATA — The assistant secretary of the Democratic Party, Miss Florence Mancotywa, is believed to have been detained by the Security Police under the Transkei Public Security Laws.

Miss Mancotywa was taken by members of the Security Police yesterday morning at her home at Norwood here. Neighbours said police said they had been sent by the head of the Transkei Security Police, Maj M. Ngceba, to fetch her.

Until late yesterday, Miss Mancotywa had not yet returned home.

Maj Ngceba refused to comment.

During the three-day congress of the Democratic Party last weekend at Engcobo, Miss Mancotywa read a paper on Bantustans. She said the acceptance of the Transkei Bantustan by the

ruling Transkei National Independence Party in the early 1980s was a serious drawback in the black man's struggle for human rights.

She said this was because the illiterate chiefs were now put in the vanguard of the Bantustan politics. The same people had passed an Act empowering themselves to do anything to the people.

This will be the third time Miss Mancotywa has been detained by the Security Police. — DDR

Biko: Doctors for council named

AR 645
9/1/78
325-Defector

PRETORIA. — The chief district surgeon and an assistant are the doctors whose conduct in examining the black consciousness leader, Mr Steve Biko, has prompted the presiding magistrate, Mr M J Prins, to forward portions of the inquest evidence to the South African Medical and Dental Council.

The doctors involved are Dr B J Tucker, the Chief District Surgeon, and Dr I R Lang, an assistant District Surgeon in Port Elizabeth, Mr Prins said today.

Mr Prins emphasised that his decision to refer certain portions of the evidence to the Medical Council for possible disciplinary action against the doctors, did not constitute a finding against the doctors.

He was compelled to forward the evidence in terms of the Medical, Den-

(Continued on Page 3, col 2)

Doctors

325-Defector

(Continued from Page 1)

tal and Supplementary Professions Act.

The Act requires evidence which comes to light during court proceedings and is 'prima facie proof of improper or disgraceful conduct on the part of a registered person, or conduct which, when regard is had to such person's profession, is improper or disgraceful' to be forwarded to the Medical Council.

The Medical Council then decides whether any disciplinary action should be taken against the doctors.

A spokesman for the Medical Council said today that none of the Biko evidence had yet been received by the council.

Doctors whose conduct has been found wanting by a disciplinary committee of the Medical Council could be disciplined in a number of ways ranging from a reprimand to erasure from the register, the Assistant-Registrar, Mr J H Brink, said.

When a complaint was received by the council it was referred to the council's president who instructed the doctors involved to give an explanation, he said.

The president then referred the matter to a committee of preliminary inquiry who decided whether a full inquiry should be held. If so, the council's disciplinary committee would hold a public inquiry.

Athlone man to return to SA, says brother

ARGUS
10/11/78
325 Deon

MR QAYOUM SAYED, a leading Athlone printer, had gone on holiday to London and the East and would be returning home within a month or two, according to his brother, Mr K Sayed.

Reacting to reports in a weekly newspaper that his brother had left South Africa, Mr Sayed said there was nothing unusual about his departure.

He had left with his wife, Sadika, in the usual manner on December 29 and was travelling on his own passport.

He would visit London, Mecca and India before returning home.

NO REASON

There was no reason whatsoever why he should not return, Mr Sayed said.

Family and friends had been fully aware of his departure, he said.

Mr Sayed, the managing director of Sayed and Sons Printers, the publishers of Muslim News which is the biggest Muslim newspaper in South Africa, was acquitted on charges under the Terrorism Act in the Magistrates Court, Bloemfontein in November.

He spent nearly three months in detention before being acquitted.

Editor Qoboza released

11/3/88 46
(329)

CAPE TOWN — Editor Percy Qoboza and nine other detainees were freed yesterday — the 48-year-old former Editor of The World on the special recommendation of the Minister of Justice, Mr Kruger. Mr Qoboza went into hiding with his family yesterday "to come to terms with the whole thing."

But the release of the chairman of the Committee of Ten, Dr Nkomo Molana, and his wife, Mrs Elizabeth, would depend on circumstances," Mr Kruger said and among those freed was Mrs Beauty Pitso of Port Elizabeth — wife of black consciousness leader Barney Pitso.

Mr Kruger said all the releases were unconditional — but his wife's husband still remained. She was banned before being detained and was a youth organiser for the Institute of Race Relations.

Others freed were Mr Moses Chikane, a Saso member from Mamelodi; Mrs Ellen Kruza, former chairman of the black women's league and a businessman from Soweto and a member of the Committee of Ten; the Rev Justice Legodo, a Lutheran priest from Pretoria; Mr Kenneth Matima, former BPC chairman at Sibaza; Mr Ateridzeville; Mrs Rebecca Musi from Soweto and Mr T. V. Schumme, a former BPC member.

Asked if there were any conditions attached to yesterday's releases, Mr Kruger said: "They are at

liberty to do what they like, but Mrs Pitso would remain banned."

He could not give any undertakings that action would not be taken against anyone released yesterday, depending on their own actions. If circumstances changed their position will be reviewed. "I hope that circumstances improve to the point where everyone can be released."

Mr Kruger said he had visited Modder Bee and The Fort recently where four women were being held and had had the opportunity of speaking to some of the detainees. Former Daily Dispatch reporter. Thelma Mlomo is being held at the Fort.

Asked how it was that the committee had recommended the release of nine people while he had personally recommended the release of Mr Qoboza, Mr Kruger said Mr Qoboza's name had come before the committee at a time when the committee was still in the process of deciding that his name should be added to the list.

Asked how decisions to release people were arrived at, he said: "The committee works on police reports and I work on the committee's report." On speculation about Dr Molana's release, Mr Kruger said: "I saw Dr Molana in prison. I did not consider him in the same light as Mr Qoboza, but his name will be placed before the committee."

Mr Kruger said Mr Qoboza was free to go back to his

profession.

The Argus company chairman, Mr L. C. Hewitt, said yesterday: "Obviously we are delighted to have Mr Qoboza back with us at last. He will be taking some leave and when he returns, we will be discussing the future of the black newspaper market with him."

Mr Hewitt said Mr Qoboza's detention and the banning of The World had cost South African publishers and financially hurt anyone who could ever calculate the release of Mr Qoboza would mean the loss of five months and that about 52 other detainees were still being held.

"The whole system of detention without trial is fundamentally wrong," Mr Eglin said. "The fact Mr Qoboza's release was not consequential upon a review by a review committee, but was done in the Minister's own discretion, shows how far the system is removed from the basic tenets of the rule of law."

Meanwhile, six other detainees held for eight months under the Terrorism Act have also been freed.

One was Mr Leonard Mdingi, 56, a founder member of the Pondo People's Party, later renamed the Democratic Party.

The others are Mr Russell Mhanga, Mr. Hella Phungula, Mr Delase Ciliza, Ms Gladys Manzi as well as Mr Shadrack Mapumulo, an employee of the University of Natal applied social science centre. — PC-DDC.

Werkverhoë

- (b) melk: hoewelheid
grys (as nie
waarde aan
waarde aan v
- (c) onder kos
- (d) Weinlek toegelast



MR QOBOZA ... gone into hiding.

- (h) Geskenke (jaarlikse:
- (i) Ontspanningsgeriewe
Koste aan boer (jaar
- (j) Gesondheidsdienste:
Jaarlikse koste aan
- (j) Totale mediese koste
- (k) Pensioenbydrae deur b
- (l) Versekeringsbydrae deur boer

Cape Times 12/1/78

325 Detention

Envoy held to his Qoboza pledge

Own Correspondent

NEW YORK. — The South African Ambassador, Mr Donald Sole, is being held to a "personal assurance" that the jailed editor, Mr Percy Qoboza will come to no harm and have his case reviewed within three to six months.

The ambassador gave a series of undertakings to a delegation of journalists in Washington last month.

These have been conveyed back to him in a formal letter from the delegates, who were led by Mr James Thompson, Curator of Harvard University's Niemann Foundation.

According to the letter the ambassador:

● Promised that Mr

● Agreed that Mr Qoboza was not a communist or Marxist and thereby not a threat to the State.

● Offered the use of his diplomatic bag to allow Niemann Fellows and the Foundation to send letters and communicate directly with Mr Qoboza.

● Assured that the Qoboza case would be reviewed within three to six months.

The foundation, one of the most prestigious bodies in American journalism, is campaigning for a quick review of the case and the prompt release of Mr Qoboza.

It has branded his imprisonment "a travesty of justice as that term is understood in the civilized world in which South Africa

claims membership".

Mr Sole gave his assurance of adequate medical care, after he had noted "disturbing evidence to the contrary" presented in the Steve Biko inquest, the Niemann letter also reported.

It lauded the ambassador for his "cordial reception", but cautioned that the Biko result had cast doubts on his assurances.

"We must inevitably now wonder how, in fact, a person of your obvious integrity and goodwill can give us any meaningful assurance about the safety and physical well-being of any black South African in your prisons," it concluded.

Mr Qoboza spent a year in the United States as a Niemann Fellow.

The Qoboza imprisonment produced a spate of reports across the US.

DD 14/1/78 (329)

Teeth found in pants court told

CAPE TOWN — The mother of a 17-year-old Security Police detainee found three broken teeth in the pocket of his blood-stained trousers, the Supreme Court heard yesterday.

Mr. Justice Schock granted a temporary interdict restraining any persons under the control of the Minister of Police from assaulting or physically harming the boy.

The application was brought as a matter of urgency by the boy's parents, who said they did not know where he was being held, under what powers or for what reason.

The boy's mother testified in papers before the court that a number of security policemen called at her Guguletu home at 4 am on November 8 last year and demanded to see her son.

They told her the visit was in connection with "certain trouble" at Tshinga Lower Primary School. They woke the boy and took him away without further ex-

planation, she said.

Her attorneys had written two letters to the Minister of Police for information on where and why he was being held. There was no reaction to the letters.

"Not having heard from the Minister or the security police and having no access to my son, I became concerned about his well being. We followed the normal procedure of collecting his dirty clothes from Caledon Square police station and providing clean ones," she said.

When she collected his clothes on December 7 she found his trousers were torn horizontally at the seat and had two open tears near the crutch.

On December 20 a youth visited her who had been held at Caledon Square on a rape charge.

He told her he had seen her son there. He was being held in solitary confinement and was being repeatedly assaulted by the security police. His jaw had been fractured by a kick, he was partially deaf because of assaults

and the soles of his feet were swollen and discoloured, the youth told her.

The boy's mother said when she opened a parcel of his dirty clothes on January 9 she immediately noticed blood marks on the rear pocket of his trousers.

She found three broken teeth in the pocket, which she was sure came from her son's mouth.

She said she and her husband intended to institute a damages action against the Minister of Police when their son was released.

Mr L. Dison, SC, counsel for the boy's parents, said people had "unquestionably" been injured in detention, and some had died.

"The possibility of these injuries should have been remote, but it was not. There should be an interdict restraining further assaults on the boy."

Mr C. Prest, counsel for the Minister of Police, opposed the application on the grounds that not enough notice had been given for a proper investigation.

Mr Justice Schock said if the allegation that the boy had been grievously assaulted in police custody was well founded, the matter was of a serious nature and of great urgency.

He said the restraining interdict would operate till Wednesday next week when the application would be heard again. The Minister of Police was ordered to file opposing affidavits by noon on Tuesday. — DDC.

Cape Times 14/11/78

(325 - Defe 10)

Detainee's mother tells of blood, broken teeth

By ANTON FERREIRA

THE MOTHER of a 17-year-old security police detainee found three broken teeth in the pocket of his blood-stained trousers, the Supreme Court heard yesterday.

Mr Justice Schock granted a temporary interdict restraining any persons under the control of the Minister of Police from assaulting or physically harming the boy.

The application was brought as a matter of urgency by the boy's parents, who said they did not know where he was being held, under what powers, or for what reason.

The boy's mother testified in papers before court that a number of security policemen called at her Guguletu home at 4am on November 8 last year and demanded to see her son. They told her the visit was in connection with "certain

trouble" at Tshinga Lower Primary School.

They woke her son and took him away without further explanation, she said.

Her attorneys wrote two letters to the Minister of Police for information on where and why he was being held. There was no reaction to the letters.

"Not having heard from the minister or the security police and

having no access to my son, I became concerned about his wellbeing. We followed the normal procedure of collecting his dirty clothes from Caledon Square police station and providing clean ones," she said.

When she collected his clothes on December 7 she found his trousers were torn horizontally at the seat and had two open tears near the crutch.

"I became perturbed because these tears could not have occurred without some form of ill-treatment."

On December 20, a youth who had been held at Caledon Square on a rape charge visited her. He told her he had seen her son there. He was being held in solitary confinement and was being repeatedly assaulted by the security police.

His jaw had been fractured by a kick, he was partly deaf because of

Detainee

Continued from page 1

because he feared reprisals from the authorities.

Mr L. Dison, SC, counsel for the boy's parents, said people had "unquestionably" been injured in detention and some had died.

"The possibility of these injuries should have been remote, but it was not. There should be an interdict restraining further assaults on the boy."

Mr C Prest, counsel for the Minister of Police, opposed the application on the grounds that not enough notice had been given for a proper investigation.

Mr Justice Schock said if the allegation that the boy had been grievously assaulted in police custody was well-founded, the matter was of a serious nature and of great urgency.

He said the restraining interdict would operate till Wednesday next week when the application would be heard again. The Minister of Police was ordered to file opposing affidavits by noon on Tuesday.

On Wednesday, other orders sought by the boy's parents will be considered.

These are:

• That the Chief Magistrate of Cape Town be allowed to interview the boy in jail and ask him questions specified by the court;

• Alternatively, that the Chief Magistrate obtain an affidavit from the boy on his health and the cause of any injuries;

• That the Minister of Police make "urgent and proper arrangements" for medical treatment if the boy is injured or sick;

• If the court finds that the boy is not detained in terms of Section Six of Act 83 of 1967, that he be allowed to consult lawyers and a doctor.

Mr Dison, assisted by Mr C Y Louw, was instructed by Mallinck, Resa, Richman and Co. Mr Prest was instructed by the Deputy State Attorney.

broken teeth

assaults and the soles of his feet were swollen and discoloured, the youth told her.

The boy's mother said that when she opened a parcel of his dirty clothes on January 9 she immediately noticed blood marks on the rear pocket of his trousers.

She found three broken teeth in the pocket. She was sure they came from her son's mouth.

"My husband and I are extremely

concerned and distressed about our son's well-being."

She said they intended to institute a damages action against the Minister of Police when their son was released.

The youth who claimed to have met her son at Caledon Square said in an affidavit that he had been reluctant to provide the information

Continued on page 2

16/1/78

329

NUMBER OF DETAINÉES 'REVEALED'

(Mercury) Correspondent

JOHANNESBURG — Mr. J. T. Kruger, Minister of Justice, has disclosed to a leader in the Afrikaans church the number of detainees there are in South Africa and those security laws under which they are being held.

This was disclosed yesterday by Dr. F. E. O'Brien Geldenhuys, director of ecumenical affairs in the Nederduitse Gereformeerde Kerk which is meeting a top church delegation from Holland today and tomorrow.

"As we needed the actual statistics for our visitors, Mr. Kruger said he would give us the information which would shortly be released in Parliament," Dr. Geldenhuys said yesterday.

Dr. Geldenhuys denied emphatically that he had been given a confidential report by Mr. Kruger spelling out exactly why people had been detained and listing those to be acted against in future and the reasons why.

Someone in the Department of Justice, acting on Mr. Kruger's instructions, told Dr. Geldenhuys how many people were being held under Section Six of the Terrorism Act for questioning.

Prosecuted

Some of those people could be prosecuted after the questioning, Dr. Geldenhuys said, but he would not report the figures he was given.

Dr. Geldenhuys was also told how many were being held under Section 10 of the Internal Security Act "as a preventive measure to keep them on ice because they might have been associated with something," he said.

"The minister and his department were extremely helpful. They indicated that I should make a study of certain available documents

tion which arrived on Friday, said yesterday that as he lived overseas he knew nothing about the Schlebusch Commission.

His Church would decide in April whether or not to support the World Council of Churches special fund to combat racism knowing that if it did the NGK would break all ties with it.

Telephoned

When Mr. Kruger was telephoned at his home yesterday, a woman answered and said he was not available as it was Sunday afternoon. He could be phoned at work today.

Mrs. Helen Suzman, PFP MP, said it was "quite extraordinary" that Mr. Kruger should divulge information which he frequently designated as being "not in the public interest."

"Surely Parliament has a prior claim to information of this kind, yet the minister is often extremely cagey in answering questions relating to the number of people held under security legislation — especially Section Six of the Terrorism Act, we get plenty of insinuations but very few facts," she said.

Irrelevant

"To refer Dr. Geldenhuys to the Schlebusch Commission — whose last report was produced three years ago — to motivate actions which the Government took only an October last year, is surely irrelevant," Mr. Suzman said.

Another PFP spokesman, Mr. Ray Swart, said it was "absolutely disgraceful that any information of this kind was released to a group of visitors in South Africa

He denied that he had seen the magisterial report on the strength of which the October 1976 bannings took place or that he had seen any reports of the Bureau for State Security.

Material

He would not reveal his material other than to say he had seen some publications of the banned Christian Institute and some issues of the banned World newspaper.

"Whether I disclose to the Dutch delegation or not the source of my information, has nothing to do with the Press," said Dr. Geldenhuys who would not divulge when he had spoken to Mr. Kruger and members of his department.

Ds. Cas Mak, Moderator of the Gereformeerde Kerken in Holland and leader of the six-man delega-

to the South African public.

"It is quite unthinkable that such information should be privately released before either Parliament or the people of S.A. has access to it.

"It underlines the measure of contempt Mr. Kruger seems to have for the real process of law in this country," Mr. Swart said.

The Press in this country has had persistent difficulty in getting Mr. Kruger's department to confirm bannings or detentions.

Reports of the now banned Christians Institute and the South African Institute of Race Relations listing persons who are banned or detained have all been banned.

In compiling the reports, the organisations had to rely on Press reports and information from relatives of the people concerned since no official lists have been made public.

SA detentions: NGK says it ^{Cape Times 16/11/78} was given facts

Own Correspondent ^{325 Detention}

JOHANNESBURG. — Mr J T Kruger, Minister of Justice, has disclosed to a leader in the Afrikaans church the number of detainees there are in South Africa and under which security laws they are being held.

This was disclosed yesterday by Dr F E O'Brien-Geldenhuis, director of ecumenical affairs in the Nederduitse Gereformeerde Kerk which is meeting a top church delegation from Holland today and tomorrow.

"As we needed the actual statistics for our visitors, Mr Kruger said he would give us the information which would shortly be released in Parliament," Dr Geldenhuis said yesterday.

Dr Geldenhuis emphatically denied that he had been given a confidential report by Mr Kruger spelling out exactly why people had been detained and listing those to be acted against in future and the reasons why.

Prosecuted

He said someone in the Department of Justice, acting on Mr Kruger's instructions, told him how many people were being held under section six of the Terrorism Act for questioning. Some of those people could be prosecuted after the questioning but Dr Geldenhuis would not report the figures he was given.

He was also told how many were being held under section 10 of the Internal Security Act "as a preventive measure to keep them on ice because they might have been associated with something," he said.

"The minister and his department were extremely helpful. They indicated that I should make a study of certain available documents, such as the Schlebusch Commission's report.

He denied that he had seen the magisterial report on the strength of which the October 1976 bannings took place or that he had seen any reports of the Bureau of State Security.

Dr Geldenhuis would not say when he had spoken to Mr Kruger and members of his department.

The Rev Cas Mak, moderator of the Gereformeerde Kerk in Holland and leader of the six-man delegation which arrived on Friday, yesterday said that as he lived overseas he knew nothing about the Schlebusch Commission.

When Mr Kruger was telephoned at his home yesterday, a woman answered and said he was not available as it was Sunday afternoon. He could be phoned at work today.

Mrs Helen Suzman, PFP MP, said it was "quite extraordinary" that Mr Kruger should divulge information which he frequently designated as being "not in the public interest".

Another PFP spokesman, Mr Ray Swart, said it was "absolutely disgraceful" that any information of this kind was released to a group of visitors in South Africa before it was made available to the South African public.

Detainee assaulted, court told

A 17-YEAR-OLD Guguletu youth was assaulted while in detention and had electric shocks administered to his feet, it was alleged in the Supreme Court, Cape Town, today.

This was the second time in less than a week the Supreme Court has heard allegations that detainees have been assaulted.

Late on Friday last week, Mr Justice Schock granted a temporary order, effective until tomorrow, restraining the Security Police from assaulting another Guguletu youth, also aged 17, after allegations were made on oath that the youth had been assaulted while in detention and that his parents had found three teeth believed to be his, in his trouser pocket.

SIMILARITY

Papers placed before the court during that application were today again placed before the judge — because of the similarity between the two applications, it was stated.

In today's urgent application, the father of the boy — who may not be named since this would identify his minor son — applied for temporary orders restraining the Security Police from assaulting or physically harming the boy and for a medical practitioner to examine the detainee and give him any treatment necessary.

The Minister of Police opposed the application.

In papers supporting the application, a youth said he was in custody during December facing a charge of rape, which was withdrawn on January 4.

SHOCKS

While in custody, he was in a cell next to the one in which the youth was kept in solitary confinement.

We were able to shout messages to each other, and from what he shouted to me, I learnt that he had been assaulted during police interrogation, and

that they had administered electric shocks to his feet, and that, as a result thereof, his feet were swollen, the youth said.

On one occasion he had seen the youth.

I observed his left cheek below the eye was swollen and black and he was wearing socks and not shoes, he said.

The detained youth's mother said in an affidavit her son, a Standard 2 pupil at Msekwi Lower Primary School at Guguletu, went out about 2 pm on October 31 last year.

Two hours later someone told her her son had been arrested.

BLOODSTAINS

She had not seen him since, but collected his dirty clothes from Caledon Square.

She had done so on December 21, and I found that white pockets on both the left and right side of his trousers, which, when worn, would be in direct contact with the left and right thighs, had what appeared to be blood and pus stains. In the pocket I found a handkerchief with bloodstains on it, the mother said.

The boy's father, who said he had not been informed under what powers his son had been arrested or detained, nor had any reason been furnished, said he intended instituting an action for damages for assault against the Minister of Police once his son was released from detention.

Mr Justice Schock is hearing the application.

Mr T. Weinkove, instructed by Gubb, Gubb, Simon and Shapiro, is appearing for the father of the detainee.

Mr H. C. Nel, SC, assisted by Mr G. Pretorius, instructed by the Deputy State Attorney, is appearing for the Minister of Police.

Electric shocks used on boy — court is told

By LLEWELLYN RAUBENHEIMER

ELECTRIC shocks were administered to the feet of a 17-year-old security police detainee, it was alleged in the Supreme Court yesterday.

An urgent application was brought by the boy's parents for a temporary interdict restraining any persons under the control of

the Minister of Police, Mr J T Kruger, from assaulting or physically harming the boy and for a doctor to examine the detainee and treat him if necessary.

The boy's father said in papers before the court that there were a "great many" similarities between their circumstances and those of the parents who brought a successful application against the Minister of Police less than a week ago.

Last Friday Mr Justice Schock granted a temporary interdict effective till today, restraining the security police from assaulting another detainee, also aged 17, after allegations were made on oath that the youth was assaulted while in detention and that his parents had found three broken teeth in the pocket of his blood-stained trousers. This was contained in an affidavit before the court.

Yesterday's application was postponed indefinitely by Mr Justice Schock.

In papers supporting the application yesterday, a youth said he was in custody at Caledon Square in December facing a charge of rape. The charge was withdrawn on January 4.

While in custody he was in a cell next to the one in which the youth from Guguletu was kept in solitary confinement. He knew the detained youth, but did not know his surname.

"We were able to shout messages to each other and from what he shouted to me, I learnt that he had been assaulted during police interrogation and that they had administered electric shocks to his feet and that as a result thereof, his feet were swollen.

"He specially asked me to request his mother to send him medicine, vaseline, a washing rag and soap. He also asked me to tell his mother that he was being assaulted," the youth said.

On one occasion he saw the "full body" of the youth when he went to collect tea mugs from the prisoners. He could not speak to him.

"I observed that his left cheek below the eye was swollen and black, and that he was wearing socks and not shoes."

In an affidavit the detained boy's mother said she was told that her son had been arrested in a street near the family's home on October 31 last year.

She had not seen him since. On December 21 she collected her son's dirty clothes from Caledon Square, according to a general procedure permitted by the security police.

"I found that white pockets on

Detainee

Continued from page 1

both the left and right side of his trousers, which when worn would be in direct contact with his left and right thigh, had what appeared to be blood and puss stains on them. In one pocket I found a handkerchief with bloodstains on it," the mother said.

Opposing affidavits by counsel for the Minister of Police, the district surgeon of Cape Town, Dr Karel Biesot, and a senior magistrate, Mr Richard Hermann Peckham, said there were no indications that the youth had been assaulted.

Dr Biesot, who examined the youth yesterday, said he found no signs of any injuries to the boy's body.

"I discovered no indications whatsoever of any marks which could be associated with assault," he said.

Dr Biesot said the youth experienced spasmodic pain in the left side of his chest which had been with him since he was 15 years old. He experienced an itching in the right ear for about a week which became painful only yesterday.

Electric lights in the cell also made the youth feel dizzy.

He found the youth's lungs, heart, back, abdomen and pulse normal.

On one of his arms he found marks which looked like burns.

"These were completely healed and appeared in the form of 'LOVE'. The patient informed me that he had caused these wounds with lighted matches."

The control magistrate at Cape Town, Mr Peckham, said he visited the youth four times in the presence of a senior interpreter.

On the second occasion the youth told Mr Peckham: "The other day some of the other prisoners in this block worried me for money. I told them I had none. They then threw water at me. I have no other complaints and have not been assaulted or injured in any way."

On other occasions the youth said he had no complaints.

Mr Peckham said during his visits to the youth he did not notice any sign of injuries.

Other orders requested by the parents were:

○ That the Chief Magistrate of Cape Town be allowed to interview the boy in prison and ask him questions specified by the court;

○ Alternatively, that the Chief Magistrate obtain an affidavit from the boy on his health and the cause of any injuries;

○ That the Minister of Police make "urgent and proper arrangements" for medical treatment if the boy is injured or sick.

Mr L Wolnko, instructed by Gelb, Gelb, Simon and Shapiro appeared for the father of the detainee.

Mr H C Nel SC, assisted by Mr C Prest and instructed by the Deputy State Attorney appeared for the Minister of Police.

Continued on page 2

325-Defenken

No marks or injuries on detainee—doctor

A DISTRICT surgeon and a senior magistrate said in the Supreme Court, Cape Town, yesterday, they had seen no marks or injuries on a juvenile detainee alleged to have been assaulted while in detention.

Mr Justice Schock, by consent between the father of the youth — who may not be named because he is a minor — and the Minister of Police, postponed the application to a date to be fixed by the Registrar, whom he ordered to give the matter priority on the roll.

It was alleged in papers before the court the youth, until his detention on October 31 last year a Standard 2 pupil at Mseki Lower Primary School at Guguletu, 'had been as-

saulted during police interrogation, and that they had administered electric shocks to his feet. . . .'

ORDER SOUGHT

The father of the youth applied for urgent orders temporarily interdicting the Security Police from assaulting his son and for a doctor to examine and, if necessary, treat him for any injuries.

In opposing papers filed on behalf of the Minister of Police, Dr Karel Biesot, a district surgeon, said he examined the youth about 1 pm yesterday.

The youth had complained 'he experienced some pain on the left side of his chest, which he volunteered had been with him since he was 15 and was spasmodic.

ITCH

He further complained of itching in the right ear, which, he said, had become

painful 'only today,' and that, during the past week, the electric light in his cell had made him dizzy.

The district surgeon said he found healed scars, one which spelt the word 'love' on the youth's arms, and which the youth said he had caused himself with lighted matches.

'I found on his body no signs whatsoever of any injuries. Furthermore, I discovered no indications whatsoever of any marks which could be associated with assaults,' Dr Biesot said.

MAGISTRATE

A senior magistrate, Mr Richard Hermann Peckham, said in an affidavit he visited the youth for the first time about 11.55 am on November 18 last year and that he had replied in the negative to his question whether he had any complaints.

On December 9 about 8.58 am, the youth's complaint, as recorded through an interpreter, was: 'The other day some of the other prisoners in this block worried me for money. I told them I had none. They then threw water at me. I have no other complaints, and I have not been assaulted or injured in any way.'

NO COMPLAINTS

Mr Peckham said when he again visited the youth on December 22 and January 5, he had had no complaints.

Had the youth been injured, he would no doubt have noticed this, since during visits with detainees he always took special care to note if any detainee had any sign of injury. Mr Peckham said. The youth showed no sign of any injury.

Mr L. Weinkove, instructed by Gelb, Gelb, Simon and Shepho, appeared for the father of the detainee. Mr H. C. Nel SC, assisted by Mr C. Pret and instructed by the Deputy State Attorney, appeared for the Minister of Police.

325 Definitive

Crime Reporter

In a paper, before court yesterday, it was stated that the detainees in the Cape Town cells were regularly visited by senior police officers, as often as three times a day.

Complaints and officers' orders were immediately recorded in a book in which all incidents were entered.

"We do not get our information by assaulting detainees. They are treated well," Colonel Kotze said. Colonel Kotze is in his second term as head of the City security police. He was returned to the position after serving for five years as head of the Cape Town CID. When he was

head of the CID, Colonel Alwyn Conrade was head of the security police. On January 1, the two officers swapped jobs, and Colonel Conrade is now head of the CID.

● **Action over boy detainees**

Colonel Kotze said: "If you read the medical and dental

Withdrawn – page 3.

HATTIN, J.E. Miss

Harty, S.A. Miss

Hartmannsgruber, G. Miss

Harries, J. M.

Harpur, R.L.

Harrington, H.W.B.

Hampton, S.J. Miss

Hampton, H. Mrs. (BSocSc 1972)

Halton, L. V. Miss

Year of study :

11

(329) 25/1/77
Denial on detainee

JOHANNESBURG — Brig H. Botha, Prisons Department liaison officer, yesterday repudiated reports that privileges granted to detained newspaper Editor Mr Percy Qoboza had been withdrawn or restricted.

Detainees held under Section 10 of the Internal Security Act at Modderbee Prison were

granted the same status as awaiting trial prisoners as far as food is concerned, Brig Botha said.

They were given the "balanced prison diet," but were allowed to receive food from outside provided it came from a nearby catering company authorised by the prison authorities.

Detainees were entitled to two visits a week of 30 minutes duration by two persons, but "in deserving cases" the prison head might grant additional visits.

Brig Botha added: "Only persons approved by the Security Police are allowed to visit detainees."

Detainees can write and receive letters daily, reading matter is unrestricted and radios allowed, Brig Botha said.

Cape Times 26/1/78
**Biko shirts -
men in court**

MARITZBURG. — The man who allegedly sent T-shirts bearing the image of Mr Steve Biko to the banned editor of the East London Daily Dispatch appeared briefly in the Magistrate's Court here yesterday.

Robin Holmes, 32, of Town Bush Valley, appeared in court on charges of manufacturing and distributing an undesirable article.

Mr Benedict Martin, 22, of Edendale, appeared with Mr Holmes on a charge of manufacturing an undesirable article.

No evidence was led and the men were not asked to plead. The case was postponed till March 7.

MPs hope to see Kruger on detainees

Staff Reporter

TWO Progressive Federal Party MPs, Dr Alex Boraine and Mrs Helen Suzman, yesterday told the parents of 21 Peninsula detainees that they would meet the Minister of Police, Mr Jimmy Kruger, to ask that they be charged or released.

At a meeting with the parents, Mrs Suzman and Dr Boraine said that they would also meet the Commissioner of Police, General Prinsloo, and if further representations were necessary, they would accompany a parents' deputation to Mr Kruger.

At the meeting — organized jointly by the Dependents Conference of the South African Council of Churches

and the Institute of Race Relations — the parents expressed their concern over the detentions.

They said they were particularly perturbed that they have been denied visiting rights.

The parents — several of whom have more than one child in detention — said that they had not been told under which law their children had

been detained. They also said that the detentions had delayed some of their sons' schooling by up to two years.

According to a list of the detainees issued by the Dependents' Conference yesterday, most of the youths were detained between September and November last year. They are aged between 16 and 21 years.

The parents also alleged that they had been brusquely treated at Caledon, Square police station when they tried to see their children.

Mrs Suzman said that the meeting with Mr Kruger would probably take place next week. She told the parents: "There is very little we can do, as we cannot even get lawyers in to see your children. Dr Boraine and I will do all we can, however, and we shall raise the matter in Parliament. But there is not much more we can do at this stage."

The list of Peninsula youths detained since September last year issued by the Dependents' Conference appears below, with the name, age, address and date of detention of each detainee.

Zolile Whitey Mhoni, 21, Guguletu, 1977; Oupa Stanley Waka, 19, Langa, 28/9/77; Patrick Zamke Mbeyiya, 18, Guguletu, 21/9/77; Noshumi Monica Mbeyiya, 21, Guguletu, 26/9/77; David Mxolisi Bell, 19, Guguletu, 28/9/77; Amos Kota, 20, Nyanga, October 1977; Fezile Mvula, 19, Guguletu, 3/11/77; Headman Tshokosha, 17, Guguletu, 4/11/77; Jongilanga Bowana, 18, Guguletu, 3/11/77; Andile Kotta, 17, Guguletu, 31/10/77; Upington Nxusani, 20, Guguletu, 9/11/77; Boy Mandla Makana, 17, Guguletu, 8/11/77; Smuts Mzolisi Pasiya, 21, Guguletu, 4/11/77; Siviwe Ganjana, 16, Guguletu, 9/11/77; Joseph Phantiswa, 19, Guguletu, September 1977; Anderson Khaya Mfiki, 18, Guguletu, 9/11/77; Vakele Washington Qwaka, 17, Guguletu, 3/11/77; George Ndlovu, 19, Guguletu, 3/11/77.

Response to Biko letter

The Minister of Health and Port Elizabeth's security police chief have referred to the "Deputy State Attorney's Office" a letter of demand served on them by Mr Steve Biko's widow.

They have been the first to respond to the Biko family's demands served on the Minister of Health, the Commissioner of Police, two district surgeons and nine secu-

rity policemen early in January.

Mrs Ntsiki Biko and her mother-in-law are claiming R178 000 for loss of support following her husband's death last September 12 while in detention.

She claimed he died of head injuries while in police custody.

In a letter dated January 13 the Secretary for Health replied on behalf of the Minister of Health, Dr van der Merwe, that the demand had been

referred to the "Deputy State Attorney's office."

Colonel P J Goosen, head of Port Elizabeth's security police, gave a similar reply on January 9 on behalf of himself and his men who interrogated Mr Biko.

No reply has been received by the family's legal representative, from the Commissioner of Police, General Gert Prinsloo, and district surgeons, Dr I Land and Dr B Tucker, both of whom testified at the Biko inquest.

ACTION

If a settlement is not made by February 13, the Biko family intends taking civil action against Dr van der Merwe, and the Minister of Police, Mr J T Kruger.

The demands were sent out within a month of Mr Biko's inquest, where the presiding magistrate found that no one could be held criminally responsible for his death.

Later the magistrate, Mr M J Prins, said he was to refer certain portions of the Biko inquest record to the South African Medical and Dental Council.

EDITORIAL OPINION

329

Woods' awesome logic

Those South Africans who are rushing to condemn Mr Donald Woods for his hard-line address to the United Nations Security Council have forgotten the circumstances which led him to change his mind about the Nationalist Government possibly making changes to reduce the risk of a racial confrontation in the country.

Up to about six months ago Mr Woods was still optimistic that a reconciliation could be achieved through dialogue. To this end he applied his own considerable talents through countless comments and articles in this newspaper and others, by speaking publicly from platforms throughout the country and by actual participation in invitations to help South Africa regain some credibility in the outside world while easing tensions within.

His Bulugha conference which brought many of South Africa's black leaders to a meeting with whites of liberal outlook was one such initiative. His partially successful efforts to break down race barriers in sport was another. Ironically, considering his plea to the rest of the world now to ostracise South Africa, it was only last year that he fought valiantly in Geneva to avoid chess players in South Africa from being kicked out of the world body that controls this game.

The events that persuaded Mr Woods that the Nationalist Government was on a disaster course were, first, the Steve Biko tragedy and then the crackdown of October 19, 1977, which effectively proved the Government was not only determined to force its policies on the people but also to silence all opposition that enjoyed visible support from the masses as well as the intelligentsia of the land.

Mr Woods was himself one of the victims of the crackdown, banned for no apparent crime and forced to live in fear for his wife and children because of vindictive attitudes towards them — encouraged, he suspected, by the long arm of Pretoria's extended authority through servants of the system.

Mr Woods became convinced South Africa had moved to authoritarianism and that drastic steps were necessary to avoid a total tragedy. So he fled to be able to make his voice heard overseas — and it has been heard, thunderously. The awesome logic of his propositions to the United Nations cannot be disputed although, we, as a newspaper, do not support economic sanctions. The onus now falls more heavily than ever on the Government to avoid this ultimate punishment for its mistakes.

Hansard. 1 31 Jan. Col. 2
1978

329

Detainees in terms of security
legislation

*4. Mrs. H. SUZMAN asked the Minister
of Justice:

Whether he intends introducing legisla-
tion during the current session to amend
the laws regulating the detention of persons
detained in terms of security legislation; if
so, what amending legislation?

†The MINISTER OF JUSTICE:

No.

15. Wanneer u nie
en/of doen u
Wat doen u dan

terug huistoe

16. Gaan u terug huistoe tussen u werk op elke plaas?
17. Watter deel van die jaar bring u deur by die huis?
18. Hoe reis u van u woonplek na die plase?
Van die een plaas na die ander?
Wie betaal u vervoer?
19. Het u bepaalde lone?
Hoe word hulle bepaal?
20. Betaal al die boere hierdie lone?
21. Is u betaling bepaal per skaap, per uur, per dag?
Weeklikse betaling - kontant (per uur betaling x ure x dae/
per skaap betaling x skape, ens.)

ander betaling

22. Wanneer was die laaste verandering in u kontantbetaling?
Wat was die verandering?
Hoe het dit gekom dat u betaling verander het?
23. Watter probleme ondervind u met die werk?

Wat doen u gewoonlik om die probleme op te los?

Hansard. 1 31 Jan. Cd. 2.
1978

329

JANUARY 1978

2

**Instructions in regard to
care/treatment of detainees**

*3. Mrs. H. SUZMAN asked the Minister
of Police:

Whether any instructions in regard to the
care and treatment of detainees have been
issued to members of the Security Branch
since the inquest on Mr. Stephen Biko; if
so, what was the nature of the instructions;
if not, why not?

The MINISTER OF POLICE:

No, but all instructions in regard to the
care and treatment of detainees are being
reviewed, and where these are found to be
lacking supplementary instructions will be
issued.

Detention death inquests

31/1/78 329

Own Correspondent

DURBAN — The inquests on the deaths in detention of Dr. Hoosen Haffjee and Mr. Bayempin Mzizi have been set down for February 6 and February 27 respectively at the Durban Magistrate's Court.

Dr Haffjee (26), a dentist at the King George V Hospital in Durban, died at the Brighton Beach police station within hours of his detention on August 2. He was found hanging in his cell.

Mr Mzizi (54), was found hanging from a cell window bar at the Brighton Beach police station on August 12.

Kruger 'capable of defending himself'

The Argus Parliamentary Staff

THE Prime Minister, Mr B J Vorster, said in the Assembly yesterday that it was not necessary for him to defend the Minister of Justice, Mr J T Kruger, for actions because Mr Kruger was quite capable of speaking for himself.

Mr Vorster was replying to Mr Eglitz's criticism of Mr Kruger during his speech in the debate on the motion of no confidence yesterday.

Mr Eglitz, a handling of Kruger for the affair and the offensive remarks he was reported to have made about South African Greeks, English-speaking South Africans and Jews.

Mr Eglitz said: There must be one honourable Minister who, after all, said and did over the past few months, on just be speaking his lucky stars that he is still around. Or is the Prime Minister perhaps merely waiting for a vacancy to occur before appointing him as Ambassador to Greece or Israel?

Mr Vorster said that after all the disparaging remarks Mr Eglitz made about the Minister of Justice, he went on to insult two good friends of South Africa — Greece and Israel.

Mr Eglitz had said Mr Kruger was a good-for-nothing who was not fit to serve in the Cabinet, and then went on to say that he should be sent as

Detention deaths are 'blown up'

The Argus Parliamentary Staff

THE Prime Minister, Mr B J Vorster, clashed with the Opposition in the Assembly yesterday on the issue of deaths in detention.

He defended the South African system and suggested the Leader of the Opposition, Mr Colin Eglitz, was failing in his duty by not speaking out against "sneak propaganda".

Mr Vorster was reacting to an attack by Mr Eglitz on the government's handling of the Biko affair.

Mr Eglitz put four questions to Mr Vorster, dealing with evidence given at the inquest into Steve Biko's death.

Mr Eglitz asked the Prime Minister of Mr Biko at the hands of the Security Forces?

● If not, was he going to do anything about it?

● Did he support the Minister of Justice on his handling of the Biko affair, including the statements he made in this connection?

● If not, what was he going to do about it?

KWAZULU ATTACK

Mr Vorster speaking immediately after Mr Eglitz said he had not heard the PFP attack KwaZulu's 50-day detention proclamation.

Mr Brian Bamford (PFP, Groote Schuur) interjected: How many deaths have there been under that detention?

Mr Vorster said it was true that people (in South Africa) had died in detention.

Such cases in South Africa, however, were being blown up out of all proportion.

The fact was that in South Africa each case of this nature was thoroughly investigated.

or Israel.

Mr Vorster said he hoped that Mr Eglitz would take the earliest opportunity to make a public apology to the ambassadors of Greece and Israel.

Mr Vorster denied that Mr Kruger had made any derogatory remarks about South African Greeks or Jews.

Biko film for festival

LONDON — The Granada film, *The Life and Death of Steve Biko*, will be screened in the news category of the Monte Carlo Film Festival and will be judged during the first three days of the festival on February 9 to 11.

The final decision on this category will be known by February 11 although the overall winner will not be announced until February

17. The prizes will be presented on February 18 at a gala dinner attended by Prince Rainier and Princess Grace.

Mike Ryan, one of the producers of the Biko film, is serving on the judging panel in the news section of the festival and sales executives will be present tying up deals with other countries. — DDC.

FACULTY OF ARTS

1977

Transkei frees detainee Bam

UMTATA — Transkei legal man, Mr Fikile Bam, who was detained under the Security Laws on November 2 last year, has been released.

Mr Bam, who was held incommunicado for 88 days, said: "My detention was over a misunderstanding to my participation in the Steve Biko funeral." He was released unconditionally after a lengthy talk by the head of the Security Police, Maj M. Ngceba.

Mr Justice H. A. van Heerden had to postpone Mr Bam's application as an attorney sine die in the Cape Town Supreme Court on November 29 last year. His application came before court after he was detained on November 2 by Transkei security police.

"I intend once again making an application for registration to be ad-

mitted as an attorney in Cape Town. Once the matter is sorted out I will again attempt to take up employment with a firm of attorneys in Cape Town," Mr Bam said.

Mr Bam, of Tsolo, who is regarded as the highest qualified legal man in Transkei, obtained a BA degree in 1970, a BProc in 1975 and an LLB last year. Until October 1976 he was a South African citizen. He will now have to apply for the necessary documents to be allowed to stay and work in Cape Town.

He served a 10-year prison sentence on Robben Island after being convicted in April 1974 of having participated in a conspiracy to commit sabotage. — DDR.

Outburst ov Biko in Ho

11/2/78

329

Daily Dispatch

er
use

CAPE TOWN — The Minister of Justice told the House of Assembly yesterday he had handed the Biko inquest to the Attorney-General of the Transvaal who would decide whether to press charges against the police.

Mr Kruger was replying to an angry outburst from Progressive Federal Party MP Helen Suzman who said she did not accept the inquest magistrate's findings and called on the Prime Minister to explain why he did not sack Mr Kruger for his "incredibly stupid" handling of the Biko affair.

Mr Kruger said he could not believe the police would have treated Mr Biko in the way they had if they knew he was truly sick.

"I'm not condoning anything," he added. "My policemen don't expect me to protect them. I've already sent the inquest report to the Attorney-General. The thing is with him. The Attorney-General will decide who may be prosecuted."

He said all instructions on the handling of detainees by the police were being reviewed. Mrs Suzman had asked whether any instructions on the care and treatment of detainees had been issued since the Biko inquest.

Mr Kruger disclosed he was considering arranging for detainees to have regular fortnightly visits from local district surgeons. "But then the district surgeons are also under suspicion," he said.

Another alternative would be to arrange visits from judges, but this too had its drawbacks because judges could find themselves presiding in trials involving detainees they may have visited.

Mr Kruger denied that Security Police believed they did not operate under statutory authority and were consequently above the law.

He was replying to references to evidence given at the Biko inquest by the head of the Eastern Cape Security Police, Col Goosen.

Col Goosen, when asked under what statute Mr Biko had been kept in chains, had replied the Security Police did not work under statutes.

Mr Kruger said subsequent explanatory remarks by Col Goosen were not mentioned.

"What I mean is that there is nothing in the statutes which prescribes to me how I must guarantee the safety of an accused, not that we are above statutes," Col Goosen had stated.

Mr Kruger said he had made remarks about a hunger strike after receiving information that Mr Biko had refused to eat on certain occasions.

But he claimed the fact that he had ordered a post-mortem to be held by the State pathologist indicated he did not automatically accept the hunger strike theory.

He had also asked the police why he had not been told about Mr Biko's condition earlier. The explanation offered was that the police thought nothing further could be done because Mr Biko was "in the hands" of doctors.

Earlier, Mrs Suzman said Mr Kruger's remark at last year's Transvaal congress of the National Party that the death of Steve Biko "laat my koud" (leaves me cold) would go down in history like Marie Antoinette's crack during the French Revolution, "Let them eat cake."

Mrs Suzman said: "Will the Prime Minister ex-

plain to this House why he still keeps this insensitive, obviously unsuitable man in the important portfolio of justice — for it is in this field that our claim to belong to the civilised nations of the world is judged.

"This minister undermines our standing. He is a disaster area."

"Unless South Africa reverses the direction of her headlong fall from grace into the morass of authoritarianism, I have no doubt whatever that none of the great powers will lift a finger to prevent the total isolation of this country."

Mrs Suzman was joined later in her attack by the New Republic Party MP for Mooi River, Mr Bill Sutton, who said Mr Kruger should have resigned because of his "unforgivable" remarks about the death of Mr Biko.

It was incorrect to say that Mr Kruger should be sent to Greece or Israel as ambassador.

"He should be sent to Iceland. That will really leave him cold," Mr Sutton said. — PC-SAPA.

Cape Times 12/78

Statutes remark explained

HOUSE OF ASSEMBLY. — The Minister of Justice, Mr Jimmy Kruger, yesterday denied that security police believed they did not operate under statutory authority and were consequently above the law.

He was replying to opposition references to evidence given at the Biko inquest by the head of the Eastern Cape Security Police, Colonel Pieter Goosen.

Colonel Goosen, when asked under what statute Mr Biko had been kept in chains, had replied the security police did not work under statutes.

Mr Kruger said that subsequent explanatory remarks by Colonel Goosen were not mentioned.

"What I mean is that there is nothing in the statutes which prescribes to me how I must guarantee the safety of an accused, not that we are above statutes," Colonel Goosen had said. — Sapa

Biko: Accused to see record — Kruger

Political Correspondent

HOUSE OF ASSEMBLY. — The record of the Steve Biko case has been referred to the Attorney-General, who will decide to press charges against members of the security police.

The Minister of Justice, Police and Prisons, Mr. Kruger, disclosed this yesterday in response to a question launched on him for his handling of the Biko case. The Progressive Federal Party's justice spokesman, Mr. Suzman, said:

And in reply to an earlier question by Mrs. Suzman, the minister said that all instructions on the handling of detainees by the police were being reviewed.

In a personal defence of his role as the responsible minister, Mr. Kruger said he was not condoning the actions of the police. However, he appeared critical of the district surgeons who had examined Mr. Biko before his death.

"If the district surgeons had indicated this was a very sick man, I cannot believe the South African Police would have treated a man as they treated this man," he said.

Mr. Kruger entered the censure debate immediately after Mrs. Suzman had called on the Prime Minister to explain why he had not sacked the police minister not only for the actions of the security police but also for his own "incredibly stupid behaviour".

Mrs. Suzman also rejected the finding of the inquest magistrate that no one could be held responsible for Mr. Biko's death.

Mr. Kruger told the House that he was considering additional measures for the protection of detainees, but said earlier that he did not intend amending the security laws regulating detention.

Mr. Kruger also disclosed that he was considering arranging for detainees to have regular fortnightly visits from local district surgeons. "But then the district surgeons are also under suspicion," he added.

329
Cape Times 1/2/78
BIKO

Continued from page 1

case was their belief that Mr. Biko was not as sick as he made out, and that an element of bluff was involved.

"If the district surgeons had indicated this was a very sick man, I cannot believe the South African Police would have treated a man as they treated this man," he said.

"I am not condoning their actions. I am trying to explain them."

The police had been given a full report indicating Mr. Biko was a healthy man with whom there was nothing wrong, and a medical certificate to this effect had been issued.

This was after Dr. Lang, the Port Elizabeth district surgeon, had twice been called in to examine Mr. Biko by the head of the Eastern Cape security police, Colonel Pieter Goosen.

Colonel Goosen had reported that Mr. Biko was not eating, or using his limbs, and was afraid Mr. Biko might have had a heart attack.

Mr. Kruger denied stating Mr. Biko had died of a hunger strike, and said this had been imputed to him by press reports of his statement on September 12, the day after Mr. Biko's death.

His statement had given the fact that Mr. Biko had died, and the fact that he had threatened a hunger strike, but he had not drawn any conclusions.

The statement had announced that a post-mortem would be held, and it was not for him to draw any conclusions at that stage, he said.

The facts had been given to him by the Commissioner of Police, who had been called.

"I am not a policeman. I am the minister. I called in the commissioner and said: 'Give me the facts we have. In this case we will have to make a press statement.'"

Mr. Kruger said that before Mr. Biko's death, Colonel Goosen had informed Brigadier J. P. Coetzee at security police headquarters that Mr. Biko appeared ill.

The police had decided that as Mr. Biko was in the hands of the doctors, they need not inform the minister at that stage, and he accepted their bona fides.

Remarks about hunger strike

Another alternative would be to arrange visits from judges, but this too had its drawbacks in that the judges could find themselves presiding in trials involving detainees they may have visited.

Mr Kruger also said he had made remarks about a hunger strike after receiving information that Mr Biko had refused to eat on certain occasions. But the fact that he had ordered a post-mortem by the State pathologist indicated that he did not automatically accept the hunger-strike theory.

He had also asked the police why he had not been told earlier about Mr Biko's condition. The explanation offered was that the police thought nothing further could be done because Mr Biko was in the hands of doctors.

Earlier, Mrs Suzman said that Mr Kruger's remark at last year's Transvaal congress of the National Party that the death of Steve Biko "laat my koud" (leaves me cold) would go down in history like Marie Antoinette's crack during the French Revolution "let them eat cake".

Earlier, Mrs Suzman asked the Prime Minister whether he had read the report of Sir David Napley, who attended the inquest at the request of the SA Association of Law Societies.

She asked him to take note of the final paragraph, which read: "The sense of outrage which appears to have been generated by this inquiry can still perhaps be assuaged even if at this stage proper and vigorous police inquiries are pursued, in the knowledge and to the end that those who frustrated justice in this case performed no service to their country or to the establishment of better international relations."

She added: "Will the Prime Minister explain to this House why he still keeps this insensitive, obviously unsuitable man in the important portfolio of justice — for it is in this field that our claim to belong to the civilized nations of the world is judged."

"Unless South Africa reverses the direction of her headlong fall from grace into the morasses of authoritarianism, I have no doubt whatever that none of the great powers will lift a finger to prevent the total isolation of this country."

The PFP MP for Yeoville, Mr Harry Schwarz, was asked by Mr Louis Nel (Nationalist, Pretoria Central) whether he agreed with Mrs Suzman that the inquest magistrate's finding was unacceptable.

Mr Schwarz replied that Mr Nel — as a lawyer — should know that the Supreme Court often revoked the findings of inquest magistrates.

Mr Kruger said one aspect in the favour of policemen in the

Continued on page 2

11/2/78

KRUGER LASHED ON BIKO INQUEST

Mercury Correspondent

1/2/78

CAPE TOWN — The Minister of Justice, Mr. Jimmy Kruger, told Parliament yesterday that he had handed the Biko inquest report to the Attorney-General of the Transvaal, who will decide whether to press charges against the police.

Mr. Kruger was responding to an angry attack from Mrs. Helen Suzman (PFP Houghton) in which she said she did not accept the findings of the Biko inquest magistrate.

The magistrate, Mr. Martinus Prins, found that no one could be held responsible for the death in detention of Mr. Biko last year.

Mrs. Suzman also called on the Prime Minister to explain why he had not sacked Mr. Kruger for his "incredibly stupid" handling of the Biko affair.

Mr. Kruger said he could not believe the police would have treated Mr. Biko in the way they had if they knew he was truly sick.

Alternative

"I'm not condoning anything," he added. "My policemen don't expect me to protect them. I've already sent the inquest report to the Attorney-General. The thing is with him." The Minister said the Attorney-General would decide if anyone would be prosecuted.

Mr. Kruger also disclosed he was considering arranging for detainees to have regular fortnightly visits from local district surgeons. "But then the district surgeons are also under suspicion," he pointed out.

Another alternative would be to arrange visits from judges, but this too had its drawbacks in that the judges could find themselves presiding in trials involving detainees they had visited.

Sapa reports that Mrs. Suzman said no reasonable person could possibly sup-

port the findings of the inquest into the death of Mr. Biko.

Mrs. Suzman said she wished to place on record her "utter astonishment" not only at the findings reached by the magistrate, "but also at the offhand manner in which, in a few sentences to which no motivation whatever was attached, he delivered his findings on a case which had been exhaustively pursued in his court for a period of two weeks."

Mr. Bill Sutton (NRP Mooi River) said Mr. Kruger should have resigned because of his "unforgivable" remarks about the death of Mr. Biko.

Mr. Sutton said he believed that Mr. Kruger had done his "ministerial duty" in setting in motion the machinery to investigate Mr. Biko's death.

But, he said, what was unforgivable was Mr. Kruger's careless reactions and remarks to a National Party congress.

"If there ever was a reason for a minister to resign his post it was those careless remarks," said Mr. Sutton.

ARGUS 21/2/78

(329)

Biko friend fine—Prison Department

MRS Anne Samboer, mother of detainee Mr Peter Jones, who was arrested with Mr Steve Biko on August 18 last year, said today her son was being held in Grahamstown.

'I have just received a letter from the Prisons Department to say that my son was transferred from Port Elizabeth to Grahamstown on January 20 and that I may visit him and exchange letters with him,' Mrs Samboer said at her Strand home.

'They say he is well. I hope so. I have not seen him since I was allowed to spend 30 minutes with him last September.'

On Tuesday Mrs Helen Suzman (PFP, Houghton) asked the Minister of Justice, Mr J T Kruger, what had happened to Mr Jones.

Speaking in the Assembly, Mrs Suzman said: 'The Honourable Minister said at the National Party Congress last year that the police were finished with Jones on September 5.'

'They finished questioning him 4½ months ago. Where is he? Why has he not been charged?'

'But more important — how is he?' Mrs Suzman asked the Minister.

Mr Kruger failed to answer Mrs Suzman's question in his speech during the censure debate.

Heads must roll over Biko — Wiley

(329)

LT.
2/2/78

HOUSE OF ASSEMBLY. — The government sat immobilized — without a single interjection — as the South African Party leader, Mr John Wiley, yesterday criticized the handling of the Biko affair.

"Either Mr Kruger (Minister of Justice) must go, or the heads of people who misled him must roll," he said.

His view of the Biko affair — in a speech which criticized and praised the government — appeared to take government members by surprise as they listened attentively to all he had to say in outlining the SAP's role in the opposition.

Mr Wiley (Simonstown), who also made a strong plea for the "drastic pruning of the cumbersome State machine" and for equal pay for coloured soldiers, made it clear that he held no brief for the late Mr Steve Biko.

"But the manner in which his death was handled while in detention was a big embarrassment for South Africa. It became the affair not of Biko, but the affair of Kruger.

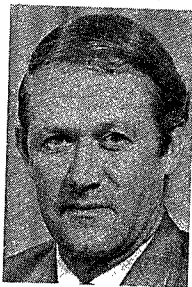
"The minister made inexplicable statements. Why? He was either incompetent — he did not know what was going on in his department — and that I do not believe at all, or he was fed round the bush, or he is protecting officials in his own department.

"It amounts to this: Either Kruger must go, or the heads of people who misled him must roll."

Mr Wiley said the image of the security police was disturbing. "Too many detainees are dead as a result of accidents or suicide. Too many people escape and flee the country."

He said banned exiles should be allowed to be quoted in South Africa.

"Woods at the United Nations is the best example. He was exposed for all to see



Mr John Wiley

and the other exiles should be quoted as well."

Mr Wiley wanted to know why Mr Woods, former banned editor of the Daily Dispatch, had been allowed to escape.

"Woods was a man who for years exacerbated good relations in the Border between English and Afrikaans-speakers and incited hostility and hatred among blacks for whites."

"Which black man, after reading Donald Woods, could feel anything for the white man?"

"To show what English-speakers on the Border thought of Saint Donald Woods, look at the Griqualand East and East London City election results," said Mr Wiley.

Mr Wiley said the South African Party enjoyed far more support outside Parliament than was reflected in its three MP membership.

The SAP went on the premise that South Africa was fighting for its very survival, which would require responsible action from the government and equally responsible

reactions from the opposition benches. The party would wherever possible find common ground with the government in matters affecting the country's security. It would support "all reasonable measures in the fields of external defence and the maintenance of law and order."

The party hoped to support the government's foreign policies, but it would be critical where the government was acting unwisely.

The party would not just oppose measures because they had originated from the Cabinet.

"We will support these measures we think should be supported without caring what the Progressives and the press may say and write about it."

Mr Wiley also promised to oppose strongly and to expose inefficiency, maladministration and corruption. The SAP would also encourage the government not to drag its feet "as it so often does" on its own policies.

Mr Wiley said the civil service was "cumbersome, incapable of handling problems speedily, bogged down by red tape. There are too many officials doing nothing."

The police, army, navy and air force, he said, should be "taken out of the clutches of the Public Service Commission". The government did little to utilize unproductive labour. Now was the time to eliminate the backlog in housing.

There was, he said, discrimination in army pay between coloured people and whites and this should be corrected.

Biko report to Cape

2/2/78 Own Correspondent 329

PRETORIA. — The Attorney-General of the Transvaal, Mr J E Nothing SC, has sent the Biko inquest report to the Attorney-General of the Eastern Cape, Mr Carel van der Walt, for his consideration.

Mr Nothing said that while Mr Steve Biko had died in the Transvaal, any alleged irregularities relating to his death would have taken place during his detention in the Cape.

Next decision

"I have the matter under consideration as a whole, but the next decision lies in the hands of Mr Van der Walt, at Grahamstown," Mr Nothing said.

A final decision on whether or not to institute any charges relating to the death of Mr Biko would be taken after Mr Van der Walt had considered the matter and reported on it.

News that the inquest papers were in the hands of Mr Nothing was broken in Parliament on Tuesday by the Minister of Justice, Mr J T Kruger.

Hansen 1 Col. 8.
3 Feb 1978

X Inquest on death of Frank Mapetla
Mohapi/Luke Mazwembe

329

*4. Mrs. H. SUZMAN asked the Minister
of Police:

- (a) When was the inquest on the death of
(i) Frank Mapetla Mohapi and (ii)
Luke Mazwembe concluded and (b)
what was the finding in each case?

†The MINISTER OF POLICE:

- (a) (i) 1977.07.08.
(ii) 1977.07.08.
(b) "Suicide—hanged himself".

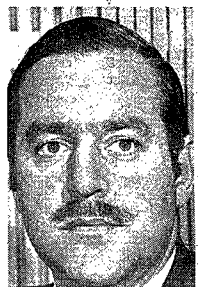
Cape Times 3/2/78
Biko: No charge (329)

PORT ELIZABETH. — The death in detention of Mr Steve Biko would have no court sequel arising from the handling of the detainee in the Eastern Cape, the AttorneyGeneral of the Eastern Cape, Mr C N van der Walt, said yesterday.

He said that after considering the Biko inquest record and affidavits, which had been in his possession since December, he had decided not to institute any prosecutions.

The Attorney-General of the Transvaal, Mr J E Nothling, would decide over alleged offences which might have occurred in the Transvaal, he said.

R F Botha slaps Nats on 'thoughtless' talk about Biko



Mr R F Botha

Political Staff

HOUSE OF ASSEMBLY. — The Minister of Foreign Affairs, Mr R F Botha, criticized members of the Nationalist Party yesterday for their handling of the Biko affair.

Mr Botha said the death of Mr Steve Biko while in detention had done unending harm to South Africa. The Republic had been damaged abroad, and internal race relations harmed by thoughtless remarks of National Party members, he said in the censure debate.

He called on all South Africans to consider carefully what they said and how they acted, as many problems could result from thoughtlessness.

However, the minister added, there was still sufficient goodwill among people of all races for South Africa to work out a solution to its problems.

The country would have to stand like a rock against the present Marxist-inspired onslaught, and South Africa was not prepared to make concessions till the point of its own downfall, Mr Botha said.

In a vigorous attack on the PFP, Mr Botha accused the party of encouraging the attack on South Africa. In fact, he suggested, such attacks were welcomed by the PFP.

Uproar broke out in the Opposition benches. "That's

PFP "encourage the pressures against us".

He referred to criticism of the government earlier by Mr Derick de Villiers (PFP) and said it did not matter which government governed the country — "should a moderate government govern the

'Government apparently believed that black Marxist governments in Southern Africa would eventually continue to sell strategic materials to the United States because Russia would not be able to stockpile their entire output.

The US accepted that it could not stop Russia militarily and believed there were other ways of doing it.

"I accept that Russia could burn its fingers in Africa at one time or another," Mr Botha said, but added that he did not want to become the victim of Russian aggression by being ploughed under.

● In an interview last night, Mr Botha said he had not directed his comments at Mr Kruger. The Minister said his anger could have been directed at other Nationalist MPs.

It is thought he was principally concerned with Mr Frikkie de Roux, the MP for Hercules who said in an election speech: "I would have killed Steve Biko."

in parliament



untrue!" interjected Mr Brian Bamford (PFP). "Get off your platform!" cried Dr Alex Boraine (PFP). "Go back to the junior Bar," interjected Mr Bamford again.

The PFP said Mr Botha, had nothing positive to say about South Africa. "The Official Opposition cannot deny that they actively participate in creating the image of this country as one where black people are denigrated, dehumanized and educated practically for the purposes of slavery or serving the white man." He added that the

country, and maintain order and discipline, the same onslaught will be planned against this country."

There would be no diminishing of attacks against the Republic even if the government instituted all the changes it was being told to make. However, this did not mean that changes would not be made. Change would come, but it would be within the orderly framework of what the government saw as a peaceful solution for the country.

Referring to US attitudes towards South Africa, Mr Botha said American advisers to the US

Cape Times 3/2/78 329 8

Kruger satisfied with Biko inquest

HOUSE OF ASSEMBLY. — The Minister of Justice, Police and Prisons, Mr J T Kruger, said yesterday he had no reservations whatsoever about the findings of the Chief Magistrate of Pretoria in the Biko inquest.

The Leader of the Opposition, Mr Colin Eglin, replying to the no-confidence debate, said he welcomed Mr Kruger's announcement on Tuesday that the record of the inquest would be sent to the Attorney-General.

Mr Eglin said he found this strange, however. The inquest act said clearly under what circumstances this should be done.

When was it sent?

Mr Kruger said, by way of interjection: "Some time ago."

Mr Eglin asked Mr Kruger whether he had any reservations about the finding of the Chief Magistrate. Mr Kruger: "None whatsoever."

Mr Eglin said he sensed there was still something wrong. "Something does not ring true. There is a smell of a Watergate situation."

He added that it was essential that the truth be scoured out in the interests of South Africa. — Sapa

DS 3/2/78
323

Peter Jones held in Grahamstown

CAPE TOWN— Mrs Anna Samboer, mother of Mr Peter Jones, who was arrested on August 19 last year with Mr Steve Biko, said yesterday he was being held in Grahamstown.

In an interview from her home at The Strand, she said: "I have just received a letter from the Prisons Department to say my son was transferred from Port Elizabeth to Grahamstown on January 20 and that I may visit him and exchange letters with him." "They say he is well. I hope so. I have not seen him since I was allowed to

spend 30 minutes with him last September," she added.

On Tuesday Mrs Helen Suzman (PFP Houghton) asked the Minister of Justice, Mr J. Kruger, what had happened to Mr Jones.

Mr Kruger did not answer the question in his speech during the censure debate.

Mr Jones, a commerce graduate of the University of the Western Cape, was BPC secretary for finance, economics and trade when he was detained. — SAPA-DDC.

Detainees in Ciskei freed

EAST LONDON — A former chairman of the Student Christian Movement at Thembalabantu High School, Mr Bulela Majiza, 19, was released from detention under the Ciskei emergency regulations yesterday.

Mr Majiza was detained on November 5 last year and kept at the King William's Town police station for a week before being transferred to Mdantsane police station where he spent the rest of his time in detention.

Others released this week were a freelance journalist, Mr Stanley Kaba, 47, of Zwelitsha; Mr Mahlubandile Radebe, 20, of Zwelitsha; Mr Elijah Mini, 19, of Zwelitsha; Mrs Maria Tyum, of Dimbaza; and her son Mr Toneli Tyum, of Dimbaza.

Mr Mini was a student at Thembalabantu High School when he was detained and Mr Tyum was employed as a clerk by the Ciskei Department of Works in Dimbaza.

Also released two weeks ago was the principal of ImiQhayi Junior Sec-

dary School, Mount Coke, Mr Wesley Nyati, 47.

Still in detention are Mr Hubert Jekwa, an Mdantsane garage owner, Mr Sithonga Zani, a former Healdtown High School pupil, and Mr Ndinga Mbolekwa, 21, formerly a pupil at Thembalabantu.

Mr Kaba and Mr Majiza, who said they had been treated well in detention, said they expected Mr Zani to be released next Thursday while Mr Mbolekwa would be released on Sunday.

Mr Kaba said they had had a few complaints about food and medical treatment but these were soon met.

"We were taken to Mdantsane Hospital for check-ups fairly regularly," Mr Kaba said.

He said the member of the Ciskei Legislative Assembly, Chief Ford Dumatlshona Mpangele, 53, of Mgwali, was at Cecilia Makiwane Hospital to undergo an operation for gallstones. He would be released some time this month. — DDR.

Attorney-General won't prosecute over Biko

PORT ELIZABETH — No prosecutions in the Eastern Cape division of the Supreme Court will be instituted in connection with the death of Mr Steve Biko last year.

Yesterday the Attorney-General of the Eastern Cape, Mr C. N. van der Walt, SC, said: "The inquest record and affidavits were submitted to me by the Attorney-General of the Transvaal, Mr J. E. Nothling, SC, during December. I have considered the evidence led at the inquest and the affidavits handed in and I am not instituting any prosecution in respect of the events which occurred in the division of the Eastern Cape.

"The Attorney-General of the Transvaal will decide on the question of alleged offences, if any, which might have been committed in the Transvaal."

Yesterday Mrs Ntsikie Biko, Mr Biko's widow, said her lawyers had advised her not to comment on Mr Van der Walt's decision.

Meanwhile, it was learnt in Johannesburg

yesterday that if the Minister of Police and the Minister of Health do not meet the letters of demand served on them by the Biko family by today, summons will be issued within two weeks.

The demand letters for a total of R178 000 damages arising out of the death in detention of Mr Biko were served on the two Cabinet Ministers, Mr Kruger and Dr Schalk van der Merwe, on January 3.

Three days later demand letters were also served on the nine security policemen in whose custody Mr Biko was held

and two district surgeons from Port Elizabeth who had treated him in detention.

If the matter is called before a civil court, legal representatives of the Biko family will have the right to call any witnesses they want, whereas in the inquest a magistrate ruled on who could be called.

In the House of Assembly yesterday, Mr Kruger said he had no reservations about the findings of the Chief Magistrate of Pretoria in the Biko inquest. — SAPA-DDC.

Pik Botha's admission, page 3.

Appeal on interrogation

BLOEMFONTEIN — The Appeal Court has granted Mr Franciscus Petrus of Windhoek leave to appeal against a judgment of the South West African Supreme Court dismissing an urgent application for an interdict restraining the South African Police from interrogating his son, Mr Bernadus Petrus (21), in any manner other than that prescribed by law.

The younger Petrus was detained in Owambo on December 2 1977 with other Swapo members including Mr Daniel Tjongarero and Mr Tauno Hatuikulipi.

All except Mr Petrus, who is detained under Section six of the Terrorism Act, have been released.

In the application to the Supreme Court it was al-

leged that Mr Petrus had been maltreated and assaulted in custody.

Mr Justice M J Hart, in his judgment on December 13, said that the only direct allegation concerning Mr Petrus was an affidavit from Mr Hatuikulipi, who claimed that he had failed to recognise him when he saw him getting out of a police vehicle. — Sapa.

Bar council men to meet Kruger

Political Staff

CAPE TOWN — Mr D J Shaw, QC, chairman of the General Council of the BAR of South Africa, is to head a four-man deputation to the Minister of Justice, Mr Kruger, on Monday to discuss the condition of

people under detention.

Confirming this today, Mr Shaw said the discussions would be about proposals by the General Council of the Bar relating to conditions designed to ensure the physical and spiritual well-being of all people being detained.

He said it would not be helpful to give details of the agenda, though a statement might be issued after the meeting.

The General Council of the Bar is the highest formation of the legal profession, representing the advocates of all four provinces.

Mr Kruger is quoted in

the Nationalist Press today as saying he does not accept that there are shortcomings at present in respect of detentions without trial, but he will be prepared to consider improvements.

Suggestions which Mr Kruger mentioned in Parliament were visits to detainees by district surgeons as well as visits by judges.



MR JOHN WALKER... to start a new life at 58.

Freed Swazi detainee deported to Republic

OSHOEK — A former Swazi detainee, Mr John Walker, stepped across the South African border to freedom yesterday... and the uncertain and lonely start to a new life at 58.

"I'm free but the whole episode has disintegrated me as a personality," he said in his first interview since he was stripped of his Swazi citizenship after 261 days in detention.

His crime was remarks he made on a private tape-recording in 1972.

"On the tape I commented that the King had been ill-advised to appoint as a Minister a man who had lost an election and

therefore did not have strong public support," he said.

All charges against him arose out of the recording, but it was apparently lost and no transcript could be found.

Reconstructing events leading up to his deportation, he said: "On September 9, 1973 the police came and listened to the tape and then submitted it to the Attorney General who decided there could be a defamation case but later closed the file."

On May 4 last year he was arrested as a prohibited immigrant and then released when it was

discovered he was a Swazi citizen.

A week later he was again arrested and taken to prison where he was held until last Friday.

In August a Government-appointed Commission of Inquiry was appointed to investigate, in camera, reasons why he should not be deprived of his citizenship. The tape could never be produced but Mr Walker was declared a prohibited immigrant in last Friday's Government Gazette.

Behind him he left 19 years in Swaziland in which he had run two hotels, been a newspaper correspondent, and, recently, managed a farm and bottle store at Mlawula.

His greatest regret was leaving the only family he has — more than 45 handicapped and underprivileged Swazi children he has put through school.

But, although bitter about his detention — "It has really aged me and left me rather shaky" — he had the highest praise for the prison authorities.

"I couldn't have withstood those nine months if it hadn't been for their courtesy and sympathetic treatment," he said. — DDC

Debate has not lessened damage of Biko affair

Cape Times
4/2/78

THE NATIONALIST Government failed an important test in the Assembly this week at the bar of South African and international public opinion.

Although acknowledging to some extent the unhappy consequences of the Biko affair, internally and externally, the government is to do nothing effective to bring the offenders to book — or to reform the detention system in such a way that abuse of its provisions is no longer possible.

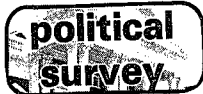
Damaging effects

Fundamentally, the responsibility for this costly error of judgment is the Prime Minister's — and its damaging effects will be felt at home and abroad for some time to come, unless it is put right as the session unfolds.

As things now stand, the detention legislation is not to be amended to provide adequate safeguards. And Mr Jimmy Kruger's gesture in forwarding the inquest record to the Attorney-General has produced the predictable result.

If the police investigation showed no grounds for a prosecution at the outset, why should it do so now?

Mr Kruger has said he is considering additional measures for the protection of detainees, such as fortnightly visits by district surgeons.



By GERALD SHAW

Unless the law is changed, however, this is of little practical value.

There is no doubt that the Biko affair has caused deep unease throughout the country — among people of all political persuasions — and a feeling that Mr Jimmy Kruger has not made the grade as the responsible minister in an admittedly unenviable role. The debate has done nothing to remove this unease.

One member of the Cabinet, the Minister of Foreign Affairs, courageously conceded the gravity of the Biko affair and its consequences for South Africa.

Mr Pik Botha said that the affair had caused infinite harm to race relations at home and to the Republic's international standing. And he did not hesitate to rap Nationalists whose thoughtless remarks had compounded the damage.

Mr Botha, incidentally, has quickly established a remarkable ascendancy in the House. When he first took over from Dr Muller, he was nervous and unimpressive in



Mr Pik Botha . . . his stature increased.

debate. When he spoke this week, however, the House filled rapidly and he was given the rapt attention which the Nationalists reserve for the Prime Minister himself.

To be able to command the attention of the House in this fashion so early in a ministerial career is a considerable achievement. Mr Botha is developing an impressive gravitas and mastery of the parliamentary manner which will stand him in good stead in the competition for the highest office.

Gained confidence

He has obviously gained confidence as a result of his prolonged and successful exposure on television last year which, in turn, enabled him to draw crowds at public meetings on a scale rivalled only by Mr Vorster himself.

And his stature among Nationalists has been improved by his success as a master of election tactics and rhetoric.

It remains to be seen whether Mr Botha can reconcile his role as a mob orator with the finesse and discretion which the portfolio of foreign affairs demands.

In the election campaign, one role most certainly suffered at the expense of the other.

But his new standing in the National Party was evident this week in the way Mr Botha felt himself free to speak his mind on the Biko tragedy.

Mr Botha, as Minister of Foreign Affairs, must surely appreciate that the Biko case has assumed a critical importance for the Republic. Internally and externally, and will have to be satisfactorily resolved, sooner or later, in the national interest.

What the government has been prepared to do and say this week is not enough to clear the air.

As Mrs Helen Suzman noted in the Assembly, the government has banned the Amnesty International report on political imprisonment in South Africa. It may ban the report but the facts remain . . .

. . . the ugly history of South Africa's

Biko-ondersoek op verhoog in Londen

REPORT

5/2/78 (329)

Van Ons Londense Kantoor

Die Royal Shakespeare Company van Londen gaan die ondersoek na die dood van Steve Biko laat herleef. Die toneelgroep sal vandeesdaand 'n gedramatiseerde voorlesing daarvan in die Warehouse-Teater aanbied.

Volgens Walter Donohue, regisseur van die Warehouse-voorlesings, sal die aanbieding baie meer materiaal bevat as wat Britse TV-kykers in die program This Week gesien het.

„Ons voorlesing sal nie net oor 'n geïsoleerde geval handel nie. Die hele filosofie van Suid-Afrika se bewind sal behandel word.”

Donohue het ook vir mnr. Donald Woods gevra om 'n voorwoord oor Biko te skryf.

Detainees: lawyers see Kruger

Political Staff

CAPE TOWN — A deputation of the country's top lawyers met the Minister of Justice, Mr. Kruger, for about two hours today to discuss the treatment of prisoners held without trial — the latest in a wave of pressures which are building up against the Government.

Officials in Mr Kruger's department expected a statement to be released this afternoon.

Yesterday the Nationalist newspaper, Rapport, said people could not be continuously locked up. It was not only opponents of the Government who had serious doubts about detention without trial and its implications.

ESTIMATE

The exact figures for those detained are not available, but at the end of November, the Institute of Race Relations estimated that 714 people were in detention.

An institute spokesman said today more people has been detained since then.

Today's four-man deputation is from the General

Council of the Bar of South Africa, which represents the advocates of all four provinces.

It is led by the chairman, Mr D J Shaw, QC, of Durban, who said before the meeting that the talks would be about proposals by the council about conditions designed to ensure the physical and spiritual wellbeing of all detainees.

Mr Kruger told the PFP MP for Houghton, Mrs Helen Suzman, on Friday the dossiers of 27 young Western Cape blacks who had been detained last year had been referred to the Attorney-General.

13 journalists still detained or banned

6/27/78
328
329
242

JOHANNESBURG — Mr Moe Maiteni, one of the 11 black journalists detained under the country's security legislation, has just completed a year in detention under Section 6 of the Terrorism Act.

Mr Maiteni, formerly a photographer with Drum, was detained on February 2 last year and has spent the longest time in detention among journalists held after the Soweto disturbances.

He has been listed as a co-conspirator in the Pan Africanist Congress trial being held in Bethal.

At least 13 South African journalists, including two editors, are either detained or banned under security laws, and at least four others have fled the country.

Those held under the Terrorism Act are:

Joe Thibole, senior reporter on the banned World newspaper, and president of the banned-union of Black Journalists. Mr Thibole was detained on March 1 last year.

Wilfie Bokala, World reporter. He was detained on June 11. This is his second spell in jail. He was first detained during 1976 and held from September 25 to December 22 without any charges preferred against him. He was among journalists held at Modder B Prison under the Internal Security Act.

Jan Tlaxwanya, a reporter on the Rand Quo-

ly Mail. He was detained on June 30. Mr Tlaxwanya was first held from September 9 to December 22, 1976, with other journalists in terms of the Internal Security Act.

Moffat Zungu, chief photographer on The World. He was detained on August 6. He is facing charges in the Pan Africanist Congress trial being held in Bethal. He was first held from September 23 to December 22, 1976, and released without being charged.

Enoch Duma, senior reporter on the Sunday Times. Mr Duma was detained on September 26.

Wiseman Khuzwayo, a reporter on the Daily News in Durban. He was detained on November 22. Mr Khuzwayo is a former student at the University of Zululand.

Quresh Patel, also a reporter on the Daily News. Mr Patel was detained on December 11.

Three more black journalists are being held under the Internal Security Act.

Percy Qoboza, editor of The World. He was detained on October 19 during the security clampdown on black organisations and is being held at Modder B Prison.

Andrew Khashe, news editor of Weekend World. He was detained on the same day as Mr Qoboza and he is also held at

Modder B.

Mrs Thenjiwe Muntso, the banned former reporter of the Daily Dispatch. Detained in 1976 in terms of the same Act. Miss Muntso was immediately banned in terms of the same Act and restricted to Orlando East after being released in December. She was detained on October 19 and is being held at the Fort in Johannesburg.

The following journalists have been banned in terms of the Internal Security Act:

Miss Muntso;

Mr Donald Woods, former Editor of the Daily Dispatch. He was banned on October 19 and restricted to the magisterial district of East London. Mr Woods fled the country recently.

Mr Donald Matlala of the Star, who has been banned but allowed to continue working as a journalist. He is sub-editor of the Star. He was banned in 1973.

Those journalists who fled the country after the Soweto disturbances are:

Mr Woods,

Mr Mateu Nonyane, a former reporter of the Rand Daily Mail,

Mr Nat Serache, also a former reporter of the Rand Daily Mail,

Mr A. Saved, a reporter on the Muslim News in Cape Town. Mr Saved fled the country about two weeks ago. — DDC

Mzizi death was suicide: no-one to blame, court finds

7/2/78 Star 329

Own Correspondent

DURBAN — A Durban inquest magistrate today found that political detainee Mr Bayempini Mzizi had committed suicide while in police custody last year and that no one was to blame for or contributed to his death.

Mr X Odendaal was giving his finding at the inquest into Mr Mzizi's death at Brighton Beach police station on August 13. He said there was no substance in the claim that Mr Mzizi's death was a case of homicidal hanging, and the evidence proved he had committed suicide.

Mr Odendaal said the chief state pathologist in Durban, Professor I K Gordon, had found no evidence of homicidal hanging when he examined Mr Mzizi in his cell shortly after his death. The evidence was more typical of suicidal hanging.

The suggestion of homicidal hanging, said Mr Odendaal, had been vigorously opposed by Mr Jan Combrinck, who appeared for the police at the inquest. This had been the main point of dispute.

"There was no direct evidence of homicidal hanging. Mr Meskin (for the Mzizi family) relied on flimsy circumstantial evidence in support of his argument," said the magistrate.

Mr Meskin, he said, had argued that Mr Mzizi's state of mind had not been consistent with someone contemplating suicide, that the position in which the body had been discovered was unnatural and that Mr Mzizi

had not been visited for an hour before his death.

Mr Odendaal said facts supporting Mr Combrinck's argument were:

- Mr Mzizi had co-operated with the police who had no reason to harm him. They had held him as a suspect or possible witness against others whom he implicated.

- "He was worth more alive to the police than dead. They had no wish for his death" said Mr Odendaal.

- Mr Mzizi had a strong motive to commit suicide after threats by members of the ANC to destroy him and his family if he co-operated with the police.

- Mr Mzizi knew that if he was convicted he could face a long prison term. On the other hand if he was called as a witness he and his family might be harmed.

- He was safely locked up before his death. Only the man in charge of the charge office, Constable Martin Strauss, had access to him and visited him at regular intervals.

- "No one else had access to the keys," said Mr Odendaal. "A point of particular importance is that when he (Strauss) returned at 11 pm to find the body the cell was properly locked."

- He was seen 225 times by 21 different police officers and one magistrate during his detention, and had never once complained.

West Germans tell Kruger: free Qoboza

CAPE TOWN — A top-level delegation of ruling Social Democratic Party MPs from West Germany called on the Minister of Justice, Mr Kruger, yesterday to demand the release of former World Editor, Mr Percy Qoboza, and other political detainees.

They also expressed their deep concern at the circumstances which led to the death of Mr Steve Biko in detention, and told Mr Kruger the October 19 crack-down had had disastrous repercussions for South Africa in Germany.

The MPs, on a fact-finding mission in Southern Africa, had been allowed to visit Mr Qoboza for one minute.

The leader of the delegation, Dr U. Holtz, said immediately after they had told Mr Qoboza he was not forgotten in Germany, they were whisked away by policemen as they proceeded to ask him how he was.

"We had no opportunity for discussion," Dr Holtz said.

Their meeting with Mr Qoboza had been conducted in typical prison conditions through a grille which separated them from him.

The delegation told Mr Kruger there was no solu-

tion for South Africa other than one-man, one-vote.

They said an inspection of West German firms operating in South Africa had convinced them that many of the firms were not implementing the code of conduct which had been designed to do away with race discrimination. One well-known West German car manufacturing firm had refused point blank to complete a social report on the working conditions of their black employees.

The delegation was particularly interested in the trade union movement. Many blacks they had spoken to had said it was necessary to build up real

trade unions with real powers.

The delegates said they had been shocked by the realities of apartheid. It was worse than they had imagined it to be.

While in Zambia they had had talks with the ANC and had found them to be not as militant as they had supposed them to be.

The ANC had told them they would back a negotiated settlement in South Africa.

Dr Holtz said the group, consisting mainly of economic experts, would be tabling recommendations when they returned to Germany on continued investment in South Africa. — DDC.

... and lawyers see him on detainees

CAPE TOWN — The Minister of Justice held talks with leaders of the legal profession yesterday on possible methods of protecting prisoners being held without trial.

The talks with a four-man delegation from the General Council of the Bar in South Africa came a week after fierce opposition attacks in Parliament on Mr Kruger's handling of his portfolio.

In a statement issued after the talks by Mr D. J. Shaw, QC, chairman of the Bar Council, the discussions were described as fruitful, but there was no mention of specific methods of protecting detainees.

The statement said Mr Kruger made it clear from the outset the fact that his participation in the discussions did not mean he considered there had been malpractices in connection with detainees. However, he was willing at all times to consider any practical suggestions regarding detentions.

"The delegates and the Minister held fruitful discussions with regard to

possible methods for the protection of detainees.

"The object of any such method would be to provide not only for the satisfactory protection of detainees, but also to ensure that the Minister and the police would not be subjected to unjust criticisms and unfounded accusations." — DDC.

INSIDE

Shipping, Aircraft	4
Business	4
Television	8
Entertainment	8, 9
Weather	9
Classified	8

PHONE NUMBERS

Classified Ad	2-5581
Daily Dispatch	2-8141
Sea/Surf rescue	2-2555

EMERGENCY POLICE

ALIWAL NORTH	83
BURGERSDORP	3
BUTTERWORTH	17
EAST LONDON	1-0111
FORT BEAUFORT	20
GRAHAMSTOWN	3333
KING WM'S TOWN	4444
MOANTSANE	88
QUEENSTOWN	2211
UMTATA	3333
ZWELITSHA	2624

Cape Times 7/2/78

Security jail was like hell — prisoner

(529)

Own Correspondent
JOHANNESBURG. — A black man charged under the Terrorism and Sabotage Acts told the Circuit Court at Krugersdorp yesterday that after his arrest he thought he was in hell at John Vorster Square.

Samuel Malepane, 22, said he reached breaking point while being beaten up and realized a man's life had no significance to the security police.

He appeared in the Circuit Court with John Thabiso Moephudi, 21. Both pleaded not guilty to charges that they were founders of an organization called the South African Freedom Organization (Safu), and allegedly took part in terrorist activities between June and December 1976.

During the previous hearings Mr Justice Le Roux heard that the Johannesburg Carlton Centre, an explosive factory, railway lines and an

OK Bazaars store were alleged bomb targets to disrupt the country's economy.

Giving evidence yesterday Mr Malepane, who claimed he attended only one meeting by members of Safu, said his statement to the police was not made voluntarily.

According to him, words were put in his mouth and he decided to "do as told" after "facing death" when beaten up over a period of three days.

Last week the investigating officer in the trial, Warrant Officer A Trollip of the security police at John Vorster Square, denied he had beaten Mr Malepane, seen him beaten up by anybody else or received any complaints of the alleged assaults.

He also denied allegations that Mr Malepane was shocked with electrical wires stuck into his ears, threatened with firearms and told to run away. The hearing continues today.

Mercury Reporter

SECURITY Police would have taken steps to prevent Mr. Bayempini Mzizi (54) taking his own life if he had given them the impression he was contemplating suicide, an Inquest Court heard in Durban yesterday.

Lieutenant-Colonel I. Coetzee of the Security Police was giving evidence at an inquest on Mr. Mzizi who had been found hanged in a cell at Brighton Beach police station in August last year.

During the hearing, held before Mr. X. Odendaal, Col. Coetzee said he had questioned Mr. Mzizi in connection with terrorism after he had been detained in the Highflats district on July 9.

Col. Coetzee was present at the following interrogations only "some of the time." He said no charges had been laid against Mr. Mzizi up to the time of his death.

Questioned

Mr. Mzizi had been questioned for the last time two days before he died. He gave the Security Police a lot of information voluntarily and he had been completely co-operative, said Col. Coetzee. "The interrogations

NOT A HINT 7/2/78 Natal Mercury 329 OF SUICIDE'

were friendly and there was no ill feelings."

However, by August 12, the day before Mr. Mzizi died, Col. Coetzee was still not satisfied that he was not a terrorist.

There had been no indication at interrogations, certainly the times he was present, that Mr. Mzizi had contemplated suicide.

"We would have taken steps to prevent it if he had given us that impression," said Col. Coetzee.

However, Mr. Mzizi had told the police that a well-known terrorist had threatened him. The terrorist had warned him that if a conversation they had had got out he would see to it that his family and kraal were destroyed. Col.

Coetzee said he believed Mr. Mzizi had taken the threat seriously.

Hanging

Mr. Mzizi was found hanging in his cell by Constable M. Strauss shortly after 11 p.m. on August 13.

In an affidavit handed in to Court Constable Strauss said he had visited Mr. Mzizi almost hourly while on cell rounds. Mr. Mzizi, who was sitting on a blanket, did not voice any complaints.

Shortly after 11 p.m. he entered the cell and found Mr. Mzizi hanging from a grille on the cell window. A rope was tied around his neck. When he could not detect Mr. Mzizi's breath or pulse he telephoned the acting station commander,

Warrant Officer, D. J. Haupt.

In his affidavit W/C Haupt said he had entered the cell to find the rope around the dead man's neck had been made from lengths of material torn from a camouflage jacket.

The remains of the jacket were lying on the floor of the cell.

Wounds

A State Pathologist's report, compiled by Professor I. Gordon who conducted the post mortem, indicated ligature marks on the neck were Mr. Mzizi's only wounds.

Asked by Mr. P. M. Meskin, SC, (for the Mzizi family) if there was any indication that Mr. Mzizi's hanging had been homicidal or suicidal, Professor Gordon said it would have been difficult to "draw a conclusion beyond the fact that my findings were consistent with hanging."

Mr. Meskin: "Could a body be hanged to stimulate hanging?"

Prof. Gordon: "We have to consider that carefully."

Could Mzizi have been suffocated or throttled? — No, there were none of the criteria I would look for in throttling.

Were there any bruises or abrasions on the body to indicate violence? — No.

The absence of signs of violence is a fairly strong pointer away from throttling or suffocation? — With some exceptions. You can overpower a child or elderly person without leaving traces.

Prof. Gordon said what he found was "typical of suicide" and the cause of Mr. Mzizi's death was consistent with hanging. He had no reason to believe death was due to any other cause.

However, to state that Mr. Mzizi's death was homicidal or suicidal would be "purely speculative," said Prof. Gordon.

The inquest continues today.

Have you ever thought of joining together changed?

To occasional and contract workers only

Will you try to come back to this farm?

Why/Why not?

Cape Times 7/2/78
Judgment reserved in appeal (329)

BLOEMFONTEIN. — under Section 205 of the Criminal Procedures Act.
Judgment was reserved in the Supreme Court here yesterday in the appeal of Barbara Waite, Ilona Kleinschmidt, Jackie Bosman and Helen Joseph by Mr Justice H J O van Heerden and Acting Judge Mr D Kotze against their conviction and sentence. The four were earlier sentenced to various terms of imprisonment for refusing to testify in the case of Mrs Winnie Mandela, who was being charged with breaking the terms of her restriction order. — Sapa

Cape Times 7/2/78

327

Detainees: German MPs see Kruger

A TOP delegation of ruling Social Democratic Party MPs from West Germany yesterday called on the Minister of Justice, Mr J T Kruger, to release former editor Mr Percy Qoboza and other political detainees.

At the same time they said they were concerned at the circumstances which led to the death in detention of Mr Steve Biko, and told Mr Kruger that the October 19 crackdown on newspapers, organizations and individuals had had disastrous repercussions for South Africa in West Germany.

The MPs, on a fact-finding mission in Southern Africa — the first by a group of Social Democrats — were allowed to visit Mr Qoboza for one minute soon after they arrived in the Republic last week. The leader of the delegation, Dr Uwe Holtz, told the Cape Times that after they had told Mr Qoboza that he was not forgotten in West Germany, and had started to ask him how he was, they were whisked away by policemen. "We had no opportunity of discussion," Dr Holtz said in an interview.

The delegation said they had asked to visit Robben Island to speak to Nelson Mandela, the imprisoned former leader of the African National Congress. Mr Kruger turned down the request on the grounds that, in contrast to Mr Qoboza, Nelson Mandela was a criminal.

Other points made by the delegates during the interview with the Cape Times were:

- Mr Qoboza's views on the situation in South Africa had been explained to the West German parliament by the German Foreign Minister.

- The delegates had asked Mr Kruger to revoke the October 19 bannings, to promote dialogue.

- They had failed to get reasons for the government's refusal to give visas to journalists from the West German publications Spiegel and Stern who were to have accompanied the tour. The government's action was described by Dr Toltz as "incomprehensible".

- Mr Kruger had denied that it was a cynical approach by the South African Government to talk of the realization of human rights when full participation in the government by all the peoples of the country was prevented.

known West German car-making firm had refused to complete a report on working conditions of black employees.

- The delegation was particularly interested in the trade union movement. Many blacks had told them it was necessary to build up real trade unions with real powers.

- The delegates said they had been shocked by the realities of apartheid. It was worse than they had imagined it to be.

The MPs said that in Zambia and Botswana they had had discussions with ANC members, who had urged the West Germans to obtain majority rule in South Africa by every method open to them. The delegates said they had not found the ANC

as militant as they had supposed it to be, and that a negotiated settlement in the Republic would have ANC support.

For themselves, the delegates felt that majority rule in South Africa was necessary. They would be reporting back to their parliament and to their party, at whose instigation they did the tour — it was in response to a recent SDP resolution asking the West German Government to continue pressing for equal rights for the suppressed majority in Namibia/SWA and the Republic of South Africa.

Dr Holtz said the group, mainly economic experts, would be tabling recommendations on continued investment in South Africa.

Detainees: 'Fruitful' talk with Kruger

THE Minister of Justice, Mr J T Kruger, yesterday held talks with leaders of the legal profession on possible methods of protecting prisoners being held without trial.

The talks with a four-man delegation from the General Council of the Bar of South Africa came a week after fierce opposition attacks in Parliament on Mr Kruger's handling of his portfolio.

In particular opposition spokesmen and the country's critics overseas have hit at the number of deaths in detention, especially the death of Mr Steve Biko.

In a statement issued after the talks by Mr D J Shaw QC, chairman of the Bar council, the discussions were described as "fruitful" but there was no mention of specific methods of protecting detainees.

The full text of the statement reads: "A delegation from the General Council of the Bar of South Africa held discussions with the Minister of Justice concerning the position of detainees.

Willing at all times

"At the outset the Minister made it clear that the fact that he took part in the discussions does not mean that he considers that there have in fact been malpractices in connection with detainees. However, he was willing at all times to consider any practical suggestions regarding detentions.

"The delegates and the Minister held fruitful discussions with regard to possible methods for the protection of detainees.

"The object of any such method would be to provide not only for the satisfactory protection of detainees but also to ensure that the Minister and the police would not be subjected to unjustifiable criticisms and unfounded accusations."

The delegation was led by Mr Shaw, who is also leader of the Natal Bar.

The other members were Mr R M Marais SC, vice-chairman of the Bar council and leader of the Cape Bar; Mr K van Dijkhorst SC, leader of the Pretoria Bar, and Mr E K W Lichtenberg SC, leader of the OFS Bar.

The talks took place in the Minister's office in the H P Verwoerd Building in Cape Town and lasted for more than an

solution for South Africa other than one man, one vote.

- An inspection of West German firms operating in South Africa had convinced them that many were not implementing a code of conduct to eliminate racial discrimination. One well-

Bikos may reduce claims

Legal representatives of the Biko family are reconsidering the R178 000 claims against two Cabinet Ministers and nine officials stemming from Steve Biko's death in detention.

Mr. Shun Chetty, the family's attorney, said today: "We are reconsidering the claims."

"This does not necessarily mean we could reduce them, but we might."

He also revealed that the family may not bring actions against all the respondents originally named in letters of demand issued against the Minister of Justice, Mr. Jimmy Kruger, the Minister of Health, Dr. Schalk van der Merwe, two district surgeons, and nine police officers.

The matter has to be lodged with the courts by February 13 to meet the six-month deadline since Mr Biko's death.

Hanging was suicide, says magistrate

Cape Times
8/2/78
329

DURBAN. — A Durban inquest magistrate yesterday found that a political detainee, Mr Bayenpini Mzizi, had committed suicide while in police custody last year, and that no one was to blame for, or had contributed to his death.

Mr X Odendaal, was giving substance in the claim that his finding at the inquest into this was a case of homicidal Mr Mzizi's death at Brighton hanging, and that evidence Beach police station on proves he committed suicide," August 13. Mr Odendaal said. The

He said there was no substance in the claim that Mr Mzizi's death was a case of homicidal hanging, and that the evidence proved he had committed suicide. finding would be forwarded to the attorney-general of Natal for such action as he might deem necessary. — Sapa

The chief state pathologist in Durban, Professor I K. Gordon, had found no evidence of homicidal hanging when he examined Mr Mzizi in his cell soon after his death. The evidence was more typical of suicidal hanging.

Mr Odendaal said supporting facts were: Mr Mzizi had co-operated with the police, who had no reason to harm him. They had held him as a suspect or possible witness against others whom he implicated.

"He was worth more alive to the police than dead. They had no wish for his death."

Mr Mzizi had a strong motive to commit suicide after threats by members of the ANC to destroy him and his family if he co-operated with the police.

Mr Mzizi knew that if he was convicted he could face a long prison term. On the other hand if he was called as a witness he and his family might be harmed, said the magistrate.

He was safely locked up before his death. Only the man in charge of the charge office, Constable Martin Strauss, had access to him and visited him at regular intervals.

"No one else had access to the keys," he said. "A point of particular importance is that when he (Strauss) returned at 11pm to find the body, the cell was properly locked."

He was seen 225 times by 21 different police officers and

detention, and had never once complained.

Immediately after Mr Mzizi's death, unattached (to the security police) police officers were called in to investigate and there was no evidence of any attempted cover-up by the security police.

Professor Gordon had found no signs of any injuries, as one might have expected, and Mr Mzizi was hanged with strips of material torn from his own clothing.

"After weighing up all the evidence on the balance of probabilities, there is no

Detainee killed himself—finding

Mercury Reporter

A DURBAN Inquest Magistrate yesterday found that Mr. Bayempini Mzizi (54) had committed suicide.

Mr. X. Odendaal was giving his findings at an inquest on Mr. Mzizi, who was found hanging in a cell at the Brighton Beach police station in August last year.

Mr. Odendaal said it was common cause Mr. Mzizi had died in detention and there was no doubt of his identity or the date of his death.

Professor I. Gordon, the Chief Government Pathologist in Durban and head of Natal University's department for forensic medicine had conducted a thorough post-mortem and

found that death was consistent with hanging.

The Magistrate said Mr. P. M. Meskin (for the Mzizi family) had stated that the possibility of homicidal hanging could not be excluded.

Professor Gordon had agreed but added he could not find evidence of homicidal hanging.

Rather, his findings were consistent with homicidal hanging.

Mr. J. H. Combrink (for the police) had "vigorously" opposed a case for homicidal hanging.

It was the "main point of dispute" between the two counsels, said Mr. Odendaal.

However, there had been no evidence in support of homicidal hanging and defence had had to rely on "flimsy" evidence to support their argument.

Premise

Mr. Meskin had had to rely on the premise that Mr. Mzizi's state of mind was not consistent with someone contemplating suicide and the fact that he (Mr. Mzizi) had not been visited for a full hour before his death.

"But on the other hand, the deceased had voluntarily co-operated with the police and they had no reason to harm him," said Mr. Odendaal.

The police had held him as a suspect who may have been used as a witness

against others.

"To them he was worth more alive than dead," he said.

Mr. Odendaal said Mr. Mzizi had had strong motives to commit suicide. Members of the ANC had threatened to destroy him and his kraal if he co-operated with the police.

He had been visited at regular intervals and the police constable on duty was satisfied he was well. Nobody else had access to the two keys which opened four doors leading to the cell.

When the police constable found Mr. Mzizi hanging in a cell shortly after 11 p.m. on August 13, the doors to the cell were securely locked.

Complaint

According to evidence, Mr. Mzizi had been seen 225 times by 21 different policemen (and visited once by a Magistrate) whilst in detention.

He had not voiced a complaint to one of them.

Mr. Odendaal said there had been no evidence of an attempted police cover-up.

Mr. Mzizi had been hanged by strips of material torn from a camouflage jacket of his own clothing.

He found no evidence to support a case of homicidal hanging. Mr. Mzizi's death was not brought about by any act or omission amounting to an offence on the part of any person. He committed suicide.

The Court's findings would be forwarded to the Attorney-General of Natal.

Let MPs visit detainees - Helen

Political Staff

CAPE TOWN — Mrs Helen Suzman, PFP MP for Houghton, called today for prisoners detained incommunicado to be regularly visited by the International Red Cross or by MPs.

Commenting on yesterday's talks between the Minister of Justice, Mr Kruger, and the General Council of the Bar, she said she welcomed anything to counter the dangers of the solitary confinement proviso of Section Six of the Terrorism Act.

But if there was to be inspection it would have to be by people from outside the Prison and Police Services and the

administration of justice generally.

"It has been shown that visits by magistrates have had absolutely no deterrent effect."

Mr Vause R.A.W., parliamentary leader of the New Republic Party, said he had hoped something constructive would flow from the discussions between Mr Kruger and the Bar Council as South Africans of all political parties were deeply concerned about detentions.

He was confident that the general council would have made positive proposals.

A statement yesterday said Mr Kruger and the Bar Council had had "fruitful" discussions about methods for the protection of detainees.

'Human' Mulder in move on detainees

329

9/2/78 Wold
Mordant

Ormande Pollok
Political Correspondent

CAPE TOWN — Dr. Connie Mulder, Minister of Bantu Administration and Development, is prepared to discuss the release from detention of members of the Soweto Committee of 10 with the Minister of Justice, Mr. Jimmy Kruger.

He revealed this at a Press conference yesterday after a 45-minute meeting with Chief Buthelezi, Chief Minister of KwaZulu, who had said the detention of Dr. Nhatso Motlana and others made it impossible for Blacks to participate in community councils.

Dr. Mulder, replying to various points raised in a memo handed to him by Chief Buthelezi, said he was not prepared to negotiate with self-appointed leaders.

In reply to a question whether he was prepared to attempt to secure the release of members of the Committee of 10 so they could participate in elections if they wished he said this was a matter for the Minister of Justice and he could not interfere.

Pressed further on whether he was prepared to take up the matter with Mr. Kruger he said: "I will discuss the matter with him but it is his right to decide."

Chief Buthelezi, the first homeland leader to meet Dr. Mulder in his new role, was clearly impressed with the new approach and said speaking to the minister was like "speaking to another human being" compared to his predecessor, Mr. M. C. Botha.

"There is a new humility I have not experienced before," the Zulu chief told Pressman.

"I got the impression that he means well in his own way and that he is honest," he said.

Dr. Mulder was not prepared to comment on Chief Buthelezi's statement concerning his predecessor but said he had found the KwaZulu leader "open and frank" and a person to whom you can speak.

Response

In response to chief Buthelezi's call for a national convention because the majority of Blacks opposed Government policy Dr. Mulder said there had been no test on how many supported or opposed it.

He did not believe a national convention to be the answer to South Africa's problems. He believed meetings and discussions with the Black leaders could serve the same purpose.

He said he was "prepared and anxious" to speak to elected Black leaders in the homelands and the urban areas.

He was not prepared to speak to self-appointed leaders because any number of people could claim to be leaders and they could adopt totally different points of view which would then serve little purpose.

Concerning warnings by chief Buthelezi that there would be Black resistance to the Bantu Citizenship Amendment Bill now before Parliament Dr. Mulder said he did not believe that force provided solutions to problems and that if there was a stalemate he would continue negotiations. There was never an end to negotiations, he said.

Replying to specific points raised by Chief Buthelezi Dr. Mulder denied that representations made by homeland leaders over the past seven years had been totally ignored.

Some representations had not been met but in other cases specific action had been taken which had led to a general improvement in relations.

IRC asked⁽²⁾ to visit⁽³²⁾ detainees

HOUSE OF ASSEMBLY. -- The International Red Cross informally asked the government for permission to visit Terrorism Act detainees but refused to accept the conditions laid down for such a visit, the Minister of Justice, Mr J. T. Kruger disclosed yesterday.

The Red Cross had not made a formal request to visit Terrorism Act detainees but during a discussion the question was raised whether they could see the detainees, consented subject to their being accompanied by a magistrate. This offer they refused, Mr Kruger said.

The minister was replying to a question tabled by Mr David Dalling (PFP; Sandton).

Mr Dalling wanted to know if the Red Cross had applied for permission, whether it had been granted and under what conditions.

● Replying to a question by Mrs Helen Suzman (PFP; Houghton), Mr Kruger said at the end of last year 240 people were being detained in terms of Section Six of the Terrorism Act.

used

"

"

used

se of implements:

1)

1):

(d) Grazing

Quota of:

Value to f

(e) Land

Area offer

Value to f

Water (ann

Cost of at

(f) Clothings

(g) Bonus (ann

(h) Presents (

(i) Recreation

(j) Medical:

Annual cost to farmer of: doctors bills

medicines

transport to and from facilities

other

(j) Total medical cost

(k) Pension contribution by farmer, if any (annual):

(l) Insurance contribution by farmer, if any (annual):

(m) Legal costs paid by farmer, if any (annual):

(n) Worker's current debt to farmer (if any):

Harvard. 2. 10 Feb./78, Acc. 74, 75.

Detention of Mr. Peter Jones X

329

*9. Mrs. H. SUZMAN asked the Minister of Police:

- (1) Whether Mr. Peter Jones was arrested and detained in terms of section 6 of

75

FRIDAY, 10 FEB

the Terrorism Act; if so, on what date was he arrested;

- (2) whether he is still in detention in terms of this section; if not, when was he released;
- (3) whether he has been charged with any offence; if so, what offence.

The MINISTER OF POLICE:

- (1) Yes, on 1977.08.19.
- (2) No, since 1978.01.20 he is being retained in terms of section 10(1)(a)bis of Act no 44 of 1950.
- (3) No.

Mrs. H. SUZMAN: Mr. Speaker, arising out of the hon. the Minister's reply, will he tell us whether it is intended that he will be charged with any offence?

The MINISTER: Mr. Speaker, at this stage there is no intention of charging anybody held under section 10(1)(a)bis.

Mrs. H. SUZMAN: Mr. Speaker, further arising out of the reply given by the hon. the Minister, is the hon. the Minister aware that during the Biko trial this man is alleged to have confessed to certain crimes?

The MINISTER: Mr. Speaker, I am aware of that, but bringing a case before a court is another matter. It is not only one confession that is required.

Persons detained in terms of security legislation

76. Mrs. H. SUZMAN asked the Minister of Police:

- (1) How many males and females, respectively, under the age of 18 years were detained in terms of security legislation during 1977;
- (2) how many of these detainees were in the age groups (a) 10 years or less, (b) 10 to 11 years, (c) 11 to 12 years, (d) 12 to 13 years, (e) 13 to 14 years, (f) 14 to 15 years, (g) 15 to 16 years, (h) 16 to 17 years and (i) 17 years and over;
- (3) for what period was each person in each age group detained before being released or charged.

The MINISTER OF POLICE:

- (1), (2) and (3) Except to disclose that 236 males and 23 females under the age of 18 years were detained in terms of security legislation during 1977, I am not prepared to furnish the other information required, as it is against the public interest to do so.

I should, however, like to add that despite the fact that they were under 18 years of age, there was *prima facie* evidence that they were actively engaged in committing arson, incitement

HANARD NO. 2. CDL. 89-90 10/2/78

329

Persons held in terms of Internal Security
Act

102. Mrs. H. SUZMAN asked the Minister
of Police:

How many persons were being held in
terms of section 10 of the Internal Security
Act as at 31 December 1977.

EBRUARY 1978

90

The MINISTER OF POLICE:

61.

33

16

10/2/78

✓ Information on detainees

329

*1. Mrs. H. SUZMAN asked the Minister of Police:

Whether he recently disclosed to a member of the public information relating to detainees held or detained under security laws or gave instructions for such disclosure; if so, (a) what was the nature of the information disclosed, (b) to whom was it disclosed and (c) for what reasons.

The MINISTER OF POLICE:

Yes.

- (a) Information regarding the number of persons detained in terms of security

laws, as also particulars regarding the number of cases pending, the number of accused and the charges preferred.

- (b) The Director of Ecumenical Affairs of the General Synod of the D.R. Church.

- (c) Because it was felt in good faith that the information could be used advantageously in the interest of the Republic to refute certain distortions and misrepresentations.

X Permission to visit persons detained under
section 6 of the Terrorism Act

329

*3. Mr. D. J. DALLING asked the Minister of Police:

- (1) Whether the International Committee of the Red Cross during 1977 applied for permission for its representatives to visit persons detained in terms of section 6 of the Terrorism Act; if so,
- (2) whether permission was granted; if so, on what conditions;

- (3) whether the representatives made use of the permission; if not, what reasons were given for not doing so.

†The MINISTER OF POLICE:

- (1), (2) and (3) No, no formal request was made, but during a discussion the question was raised whether they could see the detainees. I consented subject to they being accompanied by a magistrate. This offer they refused.

HANSARD No. 2 col. 72

10/2/78

X
Persons detained in terms of section 6 of
the Terrorism Act

*4. Mrs. H. SUZMAN asked the Minister
of Police:

How many persons were being detained
in terms of section 6 of the Terrorism Act
as at 31 December 1977.

The MINISTER OF POLICE:

240.

(329)

10/2/76 Natal Mercury 329

Mandela sentence

BLOEMFONTEIN — Mrs. Winnie Mandela, wife of the former leader of the banned African National Congress, Nelson Mandela, was yesterday sentenced in the Regional Court here to six months' imprisonment suspended for four years on each of two charges — receiving visitors without permission and attending a social gathering.

The suspension was subject to the condition that she was not convicted of any offence which was a contravention of her present restriction order, or any order, which replaced such order.

She was acquitted on one charge of receiving visitors and two of attending social gatherings. — (Sapa.)

Star
Biko 12/178
329
friend:
no charge

Political Correspondent

THE ASSEMBLY — Mr Peter Jones, who was detained together with Mr Steve Biko last August, is now under detention in terms of the Internal Security Act and will not be charged, the Minister of Police, Mr Kruger, said today.

Answering questions from Mrs Helen Suzman (P.F.P. Houghton) Mr Kruger said Mr Jones had been detained under section 6 of the Terrorism Act on August 19, but was now being held under the internment clause of the Internal Security Act.

Nobody held under this clause was charged.

Mrs Suzman then asked the Minister whether he was aware that Mr Jones had confessed to certain charges during the Biko inquest.

Mr Kruger: "I am aware of that, but bringing a case before court is another matter. It is not just a confession that is required."

15. Number of
 provided

4 The Cape Times, Saturday on or off farm

questions

(a) Names (first

3 4 5 6

(b) Relationship

**No charge
against
Jones yet**
3/29 11/2/8

(c) Age

(d) Sex

(e) Place of residence

(f) Schooling completed

(g) At school now

(h) School (name, district and from farm)

(i) Work done for (e.g. in school)

(j) Annual period (days or weeks)

(k) Annual payment

HOUSE OF ASSEMBLY. — The State had no intention at this stage of charging Mr. Peter Jones, the coloured man arrested with Mr. Steve Biko last year, the Minister of Police, Mr. J. T. Kruger, said yesterday.

Replying to a question from Mrs. Helen Suzman (PEP Houghton), Mr. Kruger said Mr. Jones had been arrested on August 19 last year and detained under Section Six of the Terrorism Act.

Since January 20 this year Mr. Jones had been detained in terms of Section 10 1(a) Bis of the Internal Security Act and had not been charged with any offence.

"He is held under Section 10 1(a) Bis, and at this stage there is no intention of charging such a person," Mr. Kruger said in reply to a further question from Mrs. Suzman.

Mr. Kruger said he was aware that, at the inquest into Mr. Biko's death, it was said Mr. Jones had confessed to a crime.

"Bringing the case before a court is another matter. It is not only the one confession that is required."

Mr. Jones and Mr. Biko were arrested at a roadblock in Grahamstown and alleged to have been involved in the drafting and distribution of inflammatory pamphlets in Port Elizabeth. — Sapa

Kruger: charges won't be laid

11/2/78 MB
329



MR KRUGER

HOUSE OF ASSEMBLY — The Government had no intention of charging anyone now in detention under Section 10 of the Internal Security Act, the Minister of Justice, Mr Kruger, said yesterday.

Among the 61 people detained in terms of the Act at the end of last year were the Editor of The World newspaper, Mr Percy Qoboza, and the chairman of the Committee of Ten in Soweto, Dr Ntatho Motlana.

Since January 1, 1978, the person allegedly arrested with Mr Steve Biko in a car in Grahamstown on August 19 last year, Mr Peter Jones, had also been detained under the Internal Security Act, although for the first five months of his detention he was detained in terms of the Terrorism Act.

Answering a number of written and oral questions tabled by the Progressive Federal Party's spokesman on civil liberties, Mrs Helen Suzman, the Minister also revealed for the first time ever the number of people detained in terms of the Terrorism Act — there were 240 at the end of last year.

Mr Kruger also disclosed that last year 236 boys and 23 girls under the age of 18 had been detained in terms of security, 18 of 21 unlawful organisations were banned, 38 people were served house arrest notices without warning, and that although 60 cases were sent to the review committee set up in terms of the Internal Security Act, the committee did not recommend the withdrawal of any notices.

Mr Kruger said during 1977 38 restriction orders in terms of the Internal Security Act had been issued, no orders were withdrawn, but 26 expired, three of which were renewed. At the end of 1977, there were 158 restriction orders in force.

Mr Jones, the Minister said, had not been charged with any offence.

Challenged by Mrs Suzman to say whether the Government intended to charge Mr Jones for any offence, Mr Kruger said: "Mr Speaker, at this stage, there is no intention of charging anybody held under Section 10 (1) (A) (Bis)."

Mrs Suzman asked if the Minister was "aware that

during the Biko trial this man is alleged to have confessed to certain crimes?"

Mr Kruger: "Mr Speaker, I am aware of that, but bringing a case before a court is another matter. It is not only one confession that is required."

Mrs Suzman said later in an interview that Mr Jones should be released immediately.

"I must say that this reply makes the evidence given by the police in the Biko inquest even more curious. According to what the Minister told the National Party congress and the police said during the inquest, Mr Biko and Mr Jones were found in possession of highly inflammatory pamphlets. If now there is no intention of charging Mr Jones, he should be released immediately," she said.

"I think it is high time that the whole system of detention and bannings without trial be drastically overhauled and that South Africa returns to normal methods of dealing with people who have committed crimes against the State — by trial in open court." — PC.

ik van plaasmesjinerie

(f) Klere: artikels verskaf deur boer (jaarliks)

Koste aan boer:

(g) Bonus (jaarliks)

(h) Geskenke (jaarliks: artikels

Koste aan boer:

(i) Ontspanningsgeriewe verskaf:

Koste aan boer (jaarliks):

(j) Gesondheidsdienste:

Jaarlikse koste aan boer van: doktersrekeninge betaal
medisyne
vervoer na en van geriewe
ander

(j) Totale mediese koste

(k) Pensioenbydrae deur boer (jaarliks)

(l) Versekeringsbydrae deur boer ..

Werkkorbesonderhede (2)

- (b) melk: hoeveelheid

prys (as nie gratis verskaf)

waarde aan boer

waarde aan werker

- (c) Ander kos

- (d) Weinlek toegelaat

Aantal van: skape toegelaat

bokke "

beeste "

ander

Waarde aan boer

- (e) Grond

Oppervlakte verskaf gebruik

Waarde aan boer:

Water (jaarlikse koste aan boer)

Koste van ander dienste b.v. saad, gebruik van plaasmasjinerie

- (f) Klere: artikels verskaf deur boer (jaarliks)

Koste aan boer:

- (g) Bonus (jaarliks)

- (h) Geskenke (jaarliks: artikels

Koste aan boer:

- (i) Ontspanningsgeriewe verskaf:

Koste aan boer (jaarliks):

- (j) Gesondheidsdienste:

Jaarlikse koste aan boer van: doktersrekeninge betaal

medisyne

vervoer na en van geriewe

ander

- (j) Totale mediese koste

- (k) Pensioenbydrae deur boer (jaarliks)

- (l) Versekeringsbydrae deur boer (jaarliks)



**Parliamentary
Correspondent**

CAPE TOWN — The Government has no intention of charging anyone who is at present in detention under Section 10 of the Internal Security Act, Minister of Justice Mr. Jimmy Kruger revealed yesterday.

Among the 61 people detained in terms of the Act at the end of last year were the former editor of the World newspaper, Mr. Percy Qoboza, and the former chairman of Committee 10 in Soweto, Dr. Ntatho Motlana.

Since January 1, 1978, the person allegedly arrested with the late Mr. Steve Biko in a car in Grahamstown on August 19 last year, Mr. Peter Jones, has also been detained under the Internal Security Act although for the first five months of his detention he was held in terms of the Terrorism Act.

Number

Answering a number of written and oral questions about action taken in terms of security legislation last year the minister also revealed for the first time the number of people detained in terms of Terrorism Act — there were 240 on December 31, 1977.

Mr. Kruger also disclosed that 236 boys and 23 girls under the age of 18 had been detained in terms of security legislation last year; that 18 of 21 unlawful organisations were banned; that 38 people were served house arrest notices with no warning; and that although 60 cases were sent to the review committee set up in terms of the Internal Security Act the committee had not recommended the withdrawal of any notices.

Mr. Kruger said that during 1977, 38 restriction

61 held under Security Act but no charge says Kruger

11/2/78 Natal Mercury 329

orders in terms of the Internal Security Act had been issued, no orders were withdrawn but 26 expired, three of which were renewed. At the end of the year there were 158 restriction orders in force.

Charged

Mr. Jones, the minister said, had not been charged with any offence.

Challenged by Mrs. Helen Suzman, the Progressive Federal Party spokesman on civil liberties, to say whether the Government intended to charge Mr. Jones for any offence, Mr. Kruger said: "Mr. Speaker, at this stage there is no intention of charging anybody held under Section 10 (1) (A) (bis)."

Mrs. Suzman then asked whether the minister was "aware that during the Biko trial this man is alleged to have confessed to certain crimes?"

Mr. Kruger replied: "Mr. Speaker, I am aware of that but bringing a case before a Court is another matter. It is not only one confession that is required."

Mrs. Suzman said afterwards in an interview

that Mr. Jones should be released immediately.

"I must say that this reply makes the evidence given by the police in the Biko inquest even more curious. According to what the minister told the National Party congress and the police said during the inquest Mr. Biko and Mr. Jones were found in possession of highly inflammatory pamphlets. If now there is no intention of charging Mr. Jones he should be released immediately."

Disclosed

In reply to another question the minister said he had disclosed the number of people detained in terms of security legislation, particulars regarding the number of cases pending, the number of accused and the charges against them to the director of ecumenical affairs of the general synod of the Dutch Reformed Church, Ds. O'Brien Geldenhuys, because "it was felt in good faith that the information could be used advantageously in the interest of the republic to refute certain distortions and misrepresentations."

Commenting on replies given by the minister Mrs. Suzman said: "I think it is high time that the whole system of detention and banning without trial be drastically overhauled and that South Africa returns to normal methods of dealing with people who have committed crimes against the State by trial in open court."

Features

"One of the worst features of the present system is that when people emerge from jail after serving sentences for such crimes the minister, advised by the Security Police, takes it upon himself to further punish the people involved and subject them to banning orders which severely restrict any possibility of normal life.

"Such people are always running foul of the law by contravening the impossible conditions under which they have to survive. If, as the Government tells us, Blacks are satisfied — as Minister P. W. Botha claimed during the no confidence debate — it should not be necessary for South Africa to have such laws," she said.

Section 10 detainees will not be charged

Political Staff

HOUSE OF ASSEMBLY. — The government has no intention of charging anyone who is at present in detention under Section 10 of the Internal Security Act, the Minister of Justice, Mr J T Kruger, revealed yesterday.

Among the 61 people detained in terms of the act at the end of last year were the former editor of the World newspaper, Mr Percy Qoboza, and the former chairman of the Committee of Ten in Soweto, Dr Ntutho Motlana.

Since January this year, the person allegedly arrested with the late Mr Steve Biko in a car in Grahamstown on August 19 last year, Mr Peter Jones, has also been detained under the Internal Security Act although for the first five months of his detention he was detained in terms of the Terrorism Act.

Answering a number of written and oral questions about action taken in terms of security legislation last year tabled by the Progressive Federal Party's spokesman on civil liberties, Mrs Helen Suzman, the minister also revealed for the first time ever the number of people detained in terms of the Terrorism Act — there were 240 on December 31, 1977.

Mr Kruger also disclosed that 236 boys and 23 girls under the

age of 18 had been detained in terms of security legislation last year, that 18 of 21 unlawful organizations were banned last year, that 38 people were served house arrest notices last year and none of them received warnings, and that although 60 cases were sent to the review committee set up in terms of the Internal Security Act, the committee did not recommend the withdrawal of any notices.

Mr Kruger said that during 1977 38 restriction orders in terms of the International Security Act had been issued, no orders were withdrawn but 26 expired, three of which were renewed. At the end of 1977, there were 158 restriction orders in force.

Mr Jones, the minister said, had not been charged with any offence.

Challenged by Mrs Suzman to say whether the government intended to charge Mr Jones for any offence, Mr Kruger said: "Mr Speaker, at this stage, there is no intention of charging anybody held under Section 10 (1) (a) (bis)"

Mrs Suzman said afterwards in an interview that Mr Jones should

be released immediately.

Commenting on the replies given by the minister, Mrs Suzman said: "I think it is high time that the whole system of detention and bannings without trial be drastically overhauled and that South Africa returns to normal methods of dealing with people who have committed crimes against the State by trial in open court."

"One of the worst features of the present system is that when people emerge from jail after serving sentences for such crimes, the minister, advised by the security police, takes it upon himself to further punish the people involved and subject them to banning orders which severely restrict any possibility of normal life."

"Such people are always running foul in the law by contravening the impossible conditions under which they have to survive. If as the government tells us, blacks are satisfied — as minister P W Botha claimed during the no-confidence debate — it should not be necessary for South Africa to have such laws," Mrs Suzman said.

● No charge against Jones yet, page 4



Moenie kerk se ra

Die hoop
is nou
op die
Sinode
van
Oktober

DRIE tree vorentoe, een agteruit: darem nog altyd twee tree vorentoe. So vorder ons tog geleidelik na 'n Skrifgeïndeerde siening van ons groot vraagstuk, sê dr. Willem Landman met beheersde optimisme. Hy praat oor die besluite wat sinodes van sy kerk, die NG Kerk, die afgelope kwarteeu geneem het oor rasseverhoudinge.

Maar 'n mens moet die kerk se rol in rassebetrekkinge nie oorskat nie, sê hy vandeessuweet in 'n onderhoud wat HARP-PORT met hom gevoer het.

POORT met hom gevoer het, noudat hy op 68 uitgetreue het as voltydse direkteur van Inligting van die Krasse Sinode van die NG Kerk.

„Daar is ander instansies met groter invloed op die denke van ons mense. Daar is ook in elke gemeente mense wat die kerk ver-

oor is. Dit onthoem die kerk nie sy verpligting om sy profetiese getuienis teenoor die staat te lewer nie, al beteken dit dat die predikant soms aanstoot moet gee aan vooraanstaande mense. . . .

„Daar moet steeds gewaak word teen 'n ideologiese grondslag ten koste van 'n teologiese in ons soeke na die waarheid.“ sê hy.

En eens gedurende die onderhoude se hy ineens: „Weet jy wat Engeland be-

waar het van die bloedige revolusie wat Frankryk moes deurmaak? Die opkoms van die Metodisme, waartoe ons gewoens wakker gesked is oor die lot van die uitgeblote kinders en ander werkers in die nuwe industriële situasie. . . .

In sy kerk se besinning oor die SA-rasestrasie was W. A. Landman oor die jare 'n sentrale figuur. Voortloper en vertolker van die Skrifstandpunt met betrekking tot rasonderlike ontwikkeling teenoor du-

sende, ook in die buiteland.

Die onverwagte en mees formidabele kommissie van sy kerk wat oortreë ingegaan het op die verhoudinge tussen ras, Skrif en volk was onder sy voorsitterskap. Die bevinding van die 40 vooraanstaande teologiese en teologiese opsigte loe het in verskeie opsigte gebring.

Tog verklaar hy dit vandag dat sy naam nie in verband gebring word met die kommissiesverslag soos dit uiteindelik in 1974 op die bewoë Algemene Sinode van sy kerk aangeneem is nie.

Met die invoeging van 'n paar sleutelwoorde is by daardie geleentheid baie wysigings aangebring, wat vir hom geheel en al Skrifuurlik onaanvaarbaar

48 sserol oorskak

12/2/78

is.

Maar in Oktober vanjaar bespreek die volgende Algemene Sinode die wysigings wat die Kaapse Sinode op sy beurt die volgende jaar aanvaar het, en waarmee sy bevindinge weer in lyn gebring is met die oorspronklike aanbevelings van die Landmankommissie.

Hierdie besluite van die

Die man wat sy tyd voor is, het dit nooit maklik nie.

Kaapse Sinode van 1975 beskou hy as „die hoogtepunt in ons soeke na 'n Skrifgefundeerde standpunt ten opsigte van rassebetrekkinge”, sê dr. Landman. „Dit was die gelukkig-

ste dag van my lewe toe dit geneem is.”

Die Kaapse Sinode rig nou 'n versoek aan Oktober se Algemene Sinode om twee wysigings van 1974 in heroorweging te neem.

● Hy beveel aan dat die ingevoegde woorde „en handhaaf” verval.

Dan lui die betrokke Skrifvertolking: „Die Nuwe Testament aanvaar (skrap dus die daaropvolgende „en handhaaf”) die verskeidenheid van volkere as 'n positiewe gegewe vir alle tye.” Hierdie verandering verhinder dat die behoud van volksidentiteit tot absolute Skrifbeginsels verhef word („God maak sy eie omelette,” sê dr. Landman in die verband).

● Ten opsigte van die groot kwelvraag van rasse-



DR. WILLEM LANDMAN kyk terug — op sy jare midde-in die Afrikaner se gewetensworseling oor rassebetrekkinge.

mengde huwelike waarmee SA se omstrede Ontugwet en Wet op Gemengde Huwelike verband hou, gaan die Kaapse Sinode akkoord dat dit „uiters ongewens” is wanneer daar belemmerende faktore is wat die gelukkige huwelik strem, soos hier in Suid-Afrika, die omstandighede van 'n bepaalde maatskaplike struktuur en kultuurpatroon. Maar hy skrap die verdere „bevinding dat dit (Skriftuurlik) „ongeoorloof” is.

„Daar moet bedink word dat dergelike omstandighede nie noodwendig vir alle tye en alle situasies normatief is nie,” sê die Kaapse Sinode.

Ná die drama en terugslag wat die Cottesloeberraadslaginge van 1960 o.m. vir die NG Kerk meebring het — en die volle storie daarvan vertel Willem Landman selfs vandag nog nie vir publikasie nie — bring die jongste besluite van die Kaapse Sinode kerklike denke oor dié sake weer min of meer by die standpunt wat oor die twintig jaar gelede aanbeveel is deur 'n ander ad hoc-kommissie oor rassebetrekkinge — aanbevelings wat in 1957 deur al vier blanke sinodes van die NG Kerk aanvaar is.

Ook in daardie kommissie was W. A. Landman, as scribe, 'n sleutelfiguur, wat 'n 17-tal voorste teoloë daarby betrek het. Die ander kommissielede was ds. P. E. Z. Coetzee, ds. H. J. C. Snijders en ds. C. B. Brink.

Willem Landman het grootgeword op 'n plaas by Alexandria in die Oos-Kaap. Toe hy die dag universiteit toe gaan, toe vra sy

man, binnekort ook Sabra-voorsitter, ferm standpunt in dat baasskap en horisontale apartheid oneties en onverdedigbaar is, en dat gebiedskeiding en vertikale apartheid al oplos-sing inhou — met volle uitbouing, ook met die hulp van blanke kapitaal en kundigheid, van die potensiaal van gebiede wat vir „natuurlike” aangemerkt word. Was daar maar toe al werk van gemaak!

„Van-blanke kant sal dit „ontsettende offers” vra. Maar „die publieke mening sal opgevoed moet word. Blankes en natuurlike sal sielkundig voorberei moet word. Geen regering kan vinniger beweeg as wat die volk gewillig is om te volg nie...”

Die Eerste Minister, adv. Hans Strijdom, sê dit is in die stadium nog nie praktiese politiek om gebiedskeiding te propageer nie, maar vind dit goed dat die volk solank „'n inspuiting” kry. Die Minister van Naturellesake, dr. Hendrik Verwoerd, is nie gediend met die standpunt wat Landman en Sabra propageer nie, en gee dit te kenne aan die redakteur van Die Burger, om aan hom oor te dra.

Dis in hierdie tyd dat die Federale Raad van NG Kerke op sy Durbanvergadering 'n ad hoc-kommissie aanstel om 'n studie te onderneem oor die skrif en rasseverhoudinge, met Landman as scribe. Hul verslag, uitgebring in 1957 en deur al vier sinodes aanvaar, is beskou as die beste tot op daardie datum.

Die jammerte, sê dr. Landman, is dat daardie

12/2/78

volk gegroet?" En dit het beteken lande toe stap, krale toe stap en hulle een vir een met die hand gaan groet. Universiteitsdae op Rhodes het taamlik aanraking gebring met Fort Hare, Kweekskooldae op Stellenbosch die besoek van wêreldfigure uit die sendingwetenskap.

Die jong predikant Landman het op die terrein van kerk en rassebetrekkinge na vore getree toe die Kaapse Moderatuur hom in 1954 aanwys om die wêreld-ekumeniese vergadering in Princeton en Evanston in die VSA te gaan bywoon.

Dit was ses jaar nadat die Nasionale regering aan die bewind gekom het met 'n platform van wat toe nog geheet het apartheid; dit was vier jaar ná die eerste groot kerklike kongres in Bloemfontein oor die natuurleevraagstuk, waar 'n prinsipiële standpunt ingeneem is wat die pad oopgemaak het vir gebiedskeiding en, uiteindelik, tuislandregering.

By Evanston het Landman voor 'n gehoor van 2 000 kerkmanne en 750 joernaliste van 54 lande dié standpunt gestel.

Hy het daarvan teruggekom met een oortuiging: „Die wêreld is nie geïnteresseerd in wat ons vir die natuurlike doen nie, maar wel in wat ons met hulle doen of wil doen. Waarheen gaan ons met die natuur? Wat is sy ekonomiese en staatkundige vooruitsigte? Dit is op hierdie vrae wat die wêreld 'n antwoord verlang.”

'n Jaar ná Evanston lewer hy op verhoë dwarsoor die land 'n toespraak wat hy die eerste keer gemaak het voor die Swartlandse skelkomitee op Malmesbury, waar hy toe predikant was. Dit was 'n toespraak wat later in brochurevorm versprei is: Ons Land, die Wêreldmening, en Ons Toekoms: „Dit is vir my duidelik dat daar vir ons een moontlike oplossing is, en dit is die oplossing van gebiedskeiding...” sê hy.

In 'n tyd toe baaskap nog aanvaarbare politieke terminologie was, neem Land-

man 'n woord gesprek. Die ommeswaai wat NG kerkmanne gemaak het, kan kwalik op 'n ander manier verklaar word.

verslag nie tot op die breë gemeentevlak deurgewerk het nie. Selfs nie in die sinodes is die implikasies indringend bespreek nie.

Toe kom Sharpeville en toe kom Cottesloe. In die geses van 1957 se verslag het al die NG teoloe by daardie historiese beraad saamgegaan met besluite wat omgeen Skrifgronde vir 'n verbod op rasgemengde huwelike kon vind nie, ernstige kritiek gehad het op die werking van die trekarbeidstelsel en aangedring het op eiendomsreg en politieke regte vir mense waar hulle werk en woon.

Erens is daartoe 'n woord gesprek. Dis nie dr. Landman wat dit sê nie, maar die ommeswaai wat vooraanstaande NG kerkmanne gemaak het, is wyd buite kerklike kringe bekend en kan kwalik op 'n ander manier verklaar word.

Die daaropvolgende sinodes lewer wat dr. Landman noem „baie emosionele debatte.” Dit word voortgesit ook in Die Kerkbode, waarvan dr. Andries Treurnicht indertyd redakteur was: aan watter van verskeie teenstrydige sinodebesluite is 'n lidmaat nou sy trou verskuldig? vra „Leraar” — en baie het toe al geweet sy naam is W. A. Landman.

In 1966, by die eerste Algemene Sinode in Bloemfontein, word daar merkbaar weg beweeg van die 1957-verslag.

Maar vier jaar later: benoem die volgende Algemene Sinode, in Pretoria, die indrukwekkend groot en onderlegde ad hoc-kommissie wat spoedig die Landman-kommissie genoem word. Die res is resente geskiedenis.

● Die man wat sy tyd voor is, het dit nooit maklik nie.

ARGUS 13/2/78

Views on detention law differ

329

The Argus Correspondent

JOHANNESBURG. — More than a third of the voters in South Africa think that the Government should revise its policy of detention without trial.

According to a survey published in the Rapport yesterday 33.3 percent thought the detention-without-trial law should be changed while 42.1 percent said they were happy with the law as it was.

The poll showed that 20.4 percent of the white voters were unsure of how they felt about the system and 3.2 percent abstained from comment.

ENGLISH-SPEAKING

The survey found that 58.9 percent English-speaking South Africans were against detention-without-trial laws while only 18 percent of the white Afrikaans-speaking population voted against it.

In both language groups it was people in the high income bracket who thought that the system should be revised.

The survey, done by a private marketing research company, was representative of all income groups. Only white voters were questioned.

ARGUS 13/2/78 (329)

Johannesburg journalist detained

The Argus Correspondent JOHANNESBURG. — Mr Don Mattera, a sub-editor on The Star, was detained by Security Police last night.

Mrs Judith Mattera said today that her hus-

band was taken away by security policemen who visited the Mattera's Eldorado Park home about 10.15 last night.

She said the policemen looked through her hus-

band's books and papers. They gave no indication when he would be released.

'They told me I must not worry — whatever that means,' Mrs Mattera added.

- (a) Grootte van werker se huis (aantal kamers, grootte van elk indien moontlik)
- (b) Dakmateriaal
- (c) Muurmateriaal
- (d) Vloermateriaal
- (e) Riolering
- (f) Verwarming
- (g) Watervoorsiening
- (h) Hoeveel mense, behalwe werker self, woon in die huis?

14. Werk se vorige werk

Plek (plaas, dorp, Tydperk Soort werk Weeklikse loon Distrik)

- 1.
- 2.
- 3.
- 4.
- 5.

Rede waarom werker elke werk verlaat het:

- 1.
- 2.
- 3.
- 4.
- 5.

More steps needed to secure detainees' safety

From Dr K R HUGHES,
Chairman, Civil Rights
League (527, CTC
Building, Plein Street,
Cape Town):

THE world-wide outcry about conditions under which security detainees are held which followed the revelations of the Biko inquest, and the soul-searching which it prompted among leading government supporters, have encouraged many to hope that this year might see some alleviation in the conditions under which security detainees are held.

In this regard the news that the Minister of Justice is contemplating the introduction of better safeguards, regular medical check-ups and independent visits by judges is good news. However, there have also been some other related developments which cast a shadow over these hopes, which have not been so widely noted, and to which the league wishes to draw the attention of the public.

Steve Biko was the 41st person to die in detention under security laws. Since Steve Biko's death the following have been reported dead following detention by police:

- (1) James, Mbulelo Rock (17 years), of Cradock (Cape Times, November 11, 1977).
- (2) Malaza, Bonaventure Sipho (18 years), Krugersdorp (Cape Times, November 18, 1977).
- (3) Nobhadula, Mzukisi,

Port Elizabeth, December 19, 1977.

(4) Pillay, Moonsamy, in Lenasia police cells, Christmas Day 1977 (Sunday Times, January 1).

There seems to be an increasing blurring of information as to under what law detainees are being held (and also an increased use of guns by the police while trying to arrest suspects).

It would be a great pity if the main effect of attempts to improve the safety of those detained under security legislation were merely an increase of deaths among those arrested in the investigation of "ordinary" (i.e. non-political) crimes. This is an alarming possibility but one which the history of other countries (e.g. Spain) shows to be a real one. To avoid it will require the utmost vigilance on the part of the public and the utmost sensitivity on the part of the legislature.

Relatives and friends of detainees should have the right to know under what law the detainees are being held, whether or not it is possible to initiate proceedings of habeas corpus, and if not, what other possibilities are open to them to ensure the safety of those in detention. A public right to know the names, or even just the number, of those held in security detention at any one time might also serve to check some abuses.

But as the league has repeatedly warned, the

abandonment of habeas corpus is fraught with difficulties, and there really is no substitute for a comprehensive return to the spirit of the rule of law.

Persons who died in detention ✓

75. Mrs. H. SUZMAN asked the Minister of Police:

(a) How many persons died during 1977 while in detention in terms of security

laws, (b) what were their names, (c)(i) on what date and (ii) in terms of what legislation was each detained, (d) on what date did each die and (e) what was the cause of death in each case.

(a) 10.

The MINISTER OF POLICE:

(b)	(c)(i)	(ii)	(d)	(e)
Nanaoth Ntshuntsha	1976.12.14	Section 6(1) Act 83/1967	1977.01.08	Suicide—Hanged himself.
Elmon Malele	1977.01.10	Section 6(1) Act 83/1967	1977.01.20	Natural causes—Hypertension and spontaneous intracerebral haemorrhage.
Matthew Mojo Mbalane	1977.01.27	Section 6(1) Act 83/1967	1977.02.15	Multiple injuries when deceased fell from a ledge outside the 10th floor of a building.
Samuel Malinga	1977.01.31	Section 6(1) Act 83/1967	1977.02.22	Natural causes—Pneumonia.
Aaron Khoza	1977.12.09	Section 6(1) Act 83/1967	1977.03.25	Suicide—Hanged himself.
Elijah Loza	1977.05.27	Section 6(1) Act 83/1967	1977.08.01	Natural causes—Intracerebral haemorrhage, blood-clot from leg to both lungs.
Harry Phakamile Mabija	1977.06.27	Section 22(1) Act 62/1966	1977.07.07	Inquest not yet concluded.
Bayempini Mzizi	1977.07.09	Section 6(1) Act 83/1967	1977.08.13	Suicide—Hanged himself.

14/2/78

329

X Offences under Internal Security Act

79. Mrs. H. SUZMAN asked the Minister of Police:

- (1) How many persons were charged with offences under the Internal Security Act during 1977;
- (2) how many of them (a) were (i) released without trial, (ii) acquitted, (iii) convicted of lesser offences and (b) are still on trial or awaiting trial;
- (3) for what period was each person detained before being charged or released.

1. Naam (e

2. Ouderdo

3. Ras

4. Tuiste

5. Soort we

6. Skooljar

7. Span

8. Nommer i

9. Hoe lank

10. Hoe het i

11. Het u al

Indien we

Plek T

The MINISTER OF POLICE:

(1) 49.

(2) (a) (i) 15.

(ii) 7.

(iii) None.

(b) 11.

- (3) 5 for 1 day each.
- 1 for 2 days.
- 1 for 4 days.
- 2 for 6 days each.
- 1 for 7 days.
- 1 for 8 days.
- 1 for 15 days.
- 1 for 20 days.
- 1 for 40 days.
- 2 for 56 days each.
- 1 for 64 days.
- 2 for 86 days each.
- 2 for 106 days each.
- 1 for 108 days.

manne

ige werk:

ikse loon Rede waarom u
die werk
verlaat het

1.

2.

3.

4

5.

12. Het u al ooit daaraan gedink om ander werk te doen?

Indien wel, waarom verander u nie van werk nie?

13. Vir watter deel van die jaar doen u hierdie werk?

14. Hoeveel plase besoek u elke jaar?

LAWYERS TO INVESTIGATE DETENTIONS

Mercery Correspondent

PRETORIA — The Association of Law Societies has appointed an eight-man committee to investigate comprehensively all aspects involving people detained under South Africa's security legislation.

This was announced by the president of the associa-

tion, Mr. F. P. van der Merwe of Rustenburg, in a statement. The decision to appoint the committee was made on January 27, he said.

Mr. van der Merwe added that he expected the committee would report back to his executive as soon as possible and the association then hoped to meet the Minister of Justice, Mr. J. T. Kruger,

in about two months on the results of the inquiry.

"We are very concerned about the matter and we are trying to do something in depth," he said yesterday.

Mr. van der Merwe noted that the committee had been given wide terms of reference.

"When this committee has reported the association will take appropriate ac-

tion," Mr. van der Merwe's statement said.

The committee, he said, was expected to convene its first meeting soon to start its investigations and to elect a chairman. The committee is made up of two members from each of the four provincial law societies.

The members from the Transvaal include Mr. Mr. William Lant, vice president

of the Transvaal Law Society, and Mr. S. W. van der Merwe.

From Natal comes Mr. Douglas Doull, vice-president of the Natal Law Society and Mr. David Simpson of Durban.

The Cape members include Mr. S. Levine, president of the Cape Law Society and Mr. M. Prins of Cape Town.

1972/28
39

X Cape Times 15/2/78 329 X

Suzman criticizes 'only 16 guilty'

Political Staff

HOUSE OF ASSEMBLY. — The Progressive Federal Party's Mrs Helen Suzman yesterday sharply criticized the government after the Minister of Justice, Mr Jimmy Kruger, revealed that 16 of the people detained in terms of the Internal Security Act last year had been found guilty of offences under the law.

"Although hundreds of people were detained in terms of the provisions of the Internal Security Act only 49 were charged at all, and of these, seven were acquitted and 15 released without trial," she said. With 11 still awaiting trial, she added, this meant that only 16 people had so far been found guilty of offences under the law which used to be called the Suppression of Communism Act.

Mrs Suzman, who is the PFP's spokesman on civil liberties, was reacting to the replies given her in the House of Assembly yesterday by Mr Kruger in response to a written question.

The minister said 49 had been charged with offences under the Internal Security Act, 15 of whom had been released without trial and seven acquitted. Another 11 were still on trial or awaiting trial.

Mr Kruger also gave details of the length of time for which the people charged under the act were detained. Of these, five had been detained for one day, and 16 for more than 100 days, of whom three were for 180 days each.

Commenting, Mrs Suzman said it seemed "to take a remarkably long time before the authorities decide whether to charge them or not".

In reply to another question tabled by Mrs Suzman, the minister said that 10 people who had been detained in terms of the security laws during

1977 had died in detention.

These included three suicides by hanging, Mr Nanaoth Ntshuntsha, who died on January 8, Mr Aaron Khoza, who died on March 25, and Mr Bayempini Mzizi, who died on July 7; three from natural causes, Mr Elmon Malele, who died on January 10, Mr Samuel Malinga, who died on February 22 from pneumonia 22 days after he was detained, and Mr Elijah Loza, who died on August 1; and two from injuries, Mr Matthew Mojo Mbalane, who died on February 15 from multiple injuries caused "when deceased fell from a ledge outside the 10th floor of a building", and Mr Steve Biko, who died on September 12.

The minister said the inquests into the death of Mr Harry Phakamile Mabija, who died on July 7, and Mr Bonaventure Malaza, who died on November 16, had not yet been concluded.

In his reply, Mr Kruger said the cause of death in case of Mr Steve Biko had been "head injury with associated extensive brain injuries followed by centralization of the blood circulation, disseminated intravascular coagulation as well as renal failure with uraemia. The head injury was probably sustained during the morning of Wednesday, the 7th September, 1977, when the deceased was involved in a scuffle with members of the security branch of the South African Police at Port Elizabeth".

10 died last year in detention

15/2/78 SA
(329)

HOUSE OF ASSEMBLY — Ten people, including Mr Steve Biko, died last year while in detention in terms of security laws, Mr Kruger, the Minister of Justice, said yesterday.

In a written reply to a question by Mrs Helen Suzman (PFP, Houghton), Mr Kruger said inquests into the deaths of two of the detainees, Mr Bonaventure Malaza and Mr Harry Mabija, had not yet been concluded.

The finding in the death of three, Mr Nanoath Ntshunsha, Mr Aaron Khoza and Mr Bayempini Mzizi, was suicide by hanging.

Three others, Mr Elmon Malele, Mr Samuel Malinga and Mr Elijah Loza, were found to have died from natural causes.

The finding in the case of Matthew Mabalane was that he died from multiple injuries when he fell from a ledge outside the tenth floor of a building.

Mr Kruger said in the case of Mr Biko the cause of death was a head injury with associated extensive brain injuries, followed by centralisation of the blood circulation, disseminated intravascular coagulation as well as renal failure with uraemia.

It was found also that the head injury was probably sustained during the morning of Wednesday, September 7, when he was involved in a scuffle with members of the Security Police at Port Elizabeth.

Mrs Suzman sharply criticised the Government after Mr Kruger's reply.

"Although hundreds of people were detained in terms of the provisions of the Internal Security Act only 49 were charged, and of these, seven were acquitted and 15 released without trial," she said.

With 11 still awaiting trial, she added, this

meant that only 16 people had so far been found guilty of offences under the law which used to be called the Suppression of Communism Act.

Meanwhile, South Africa's Foreign Minister, Mr Pik Botha, is on record in New York as saying Mr Kruger is considering "constructive and positive proposals to ensure the safety and security of detainees."

"I regret very much the Steve Biko incident. It has done us immense harm. It's a fact. I cannot argue," Mr Botha said on television there.

While Mr Botha's spectacular exit from the proximity talks on South Africa captured the Monday headlines, his dramatic emotional appeals and warnings con-

tinued to hit America through interviews taped during his last hectic hours here.

"What can you do, what will you do?" top ABC network interviewer David Hartman asked him at the climax of an emotional interview.

"What do you give when a man pulls a knife on you?" Mr Botha demanded: "We do not denigrate blacks, we do not dehumanise blacks. There is discrimination in my country. We are trying to move away from it, but instead of encouraging us to move away from it, we are being told to accept one-man, one-vote or else."

"Now I'm not interested in accepting, volunteering my own suicide and you are not either," Mr Botha said. — PC-DDC-SAPA.

Detentions to be probed ^{DD} (39)

PRETORIA — The Association of Law Societies has appointed an eight-man committee to investigate all aspects involving people detained under South Africa's security legislation.

The president of the association, Mr F. P. van der Merwe, said the committee would report back to his executive and the association then hoped to meet the Minister of Justice, Mr Kruger.

"We are very concerned about the matter and we are trying to do something

in depth," he said.

"When this committee has reported the association will take appropriate action," Mr Van der Merwe said.

The committee, was expected to convene its first meeting soon to start its investigations and to elect a chairman. The committee is made up of two members from each of the four provincial law societies.

The members from the Transvaal include Mr William Lane, vice-

president of the Transvaal Law Society, and Mr S. W. van der Merwe.

From Natal comes Mr Douglas Doull, vice-president of the Natal Law Society, and Mr David Sampson.

The Cape members include Mr S. Levine, president of the Cape Law Society, and Mr M. Prins, of Cape Town.

The Free State members include Mr Henry Symington and Mr P. Cooper, both of Bloemfontein. — DDC.

Detainees transferred to Grahamstown

16/2/78
329

KING WILLIAM'S TOWN

— Some Black People's Convention and Black Community Programmes employees here, including Mrs Nohle Mohapi, who were detained in terms of the Terrorism Act a few days after Mr Steve Biko's detention last August, have been transferred from Port Elizabeth to Grahamstown where they are detained under the International Security Act.

Mrs Mohapi, widow of Mr Mapetla Mohapi who died at Kei Road police Cells on August 5, 1976, was detained together with Ms Nosipho Ketj and Ms Xoliswa Nqabeni on August 25, almost a week

after Mr Biko's detention.

The three women were employed at the offices of the BCP here. Ms Ketj and Ms Nqabeni were released in December.

The others who have been transferred to Grahamstown under the Internal Security Act are Ms Asha Rambally, who was editor of Black Viewpoint and Black Review, both BCP publications. Mr Thami Zani, who was BPC publicity secretary, Mr Ray Magida and Mr Fikile Mlinda.

Mr Magida was the chairman of the local branch of the BPC while Mr Mlinda was a field

worker for, the Zimele Trust Fund.

Ms Rambally and Mr Zani were detained on August 26, and Mr Mlinda and Mr Magida were detained the week following the funeral of Mr Biko.

A Port Elizabeth man, Mr Barney Pityana, former Saso secretary-general and one of the earliest advocates of black consciousness, has also been transferred from Port Elizabeth to Grahamstown.

The head of the Security Police, Brig C. Zietzman, could not be contacted for comment at his Pretoria office yesterday. — DDR.

Bid to wed fiance in detention

The Argus Africa News
Service

WINDHOEK. — The fiancée of a white, detained member of Swapo, Mr Peter Manning, wants to marry him while he is in detention.

Miss Anne Murray-Hudson, 20, a University of Cape Town student from Gaborone, Botswana, said one of the considerations was that next of kin had a better chance of access to detainees.

Mr Manning, who worked for the publicity department of Swapo, was detained under Section Six of the Terrorism Act more than a month ago.

Miss Murray-Hudson has come to stay in Windhoek to pursue her plans.

After being refused permission to see Mr Manning several times she was allowed to see him this week.

They discussed their marriage plans, she said, but felt inhibited by the presence of police.

Miss Murray-Hudson plans to go to Cape Town next week to see representatives of the five western nations seeking an international solution for South West Africa to ask them to intercede for her.

In an open letter yesterday, Miss Murray-Hudson appealed to Mr Justice M T Steyn, Administrator-General of the territory, for the release of Mr Manning.

She said Mr Manning's detention cast serious painging and free elections.

KRUGER TELLS OF DETENTIONS

Parliamentary Correspondent

CAPE TOWN — The

Minister of Justice Mr. J. van der Merwe, said yesterday that a total of 313 potential witnesses in security trials had been detained last year.

Replying to a question in the House of Assembly, the Minister said that 90 Blacks were still detained in the Transvaal and four in Natal.

as potential witnesses on February 2, 1978.

In terms of Section 12B of the Internal Security Act, witnesses can be detained under warrant from an Attorney-General when there is any danger of their being tampered with or intimidated.

Under the law, such people can be detained in connection with trials where

there are charges of sedition, treason, terrorism, sabotage under the 1967 General Law Amendment Act or other changes under the Internal Security Act.

Potential witnesses can also be detained under Section 21B of the Criminal Procedure Act.

In reply to the question, which was tabled by Mrs. Helen Suzman (P.P. Houghton), Mr. Kruger

said 31 people had been detained under this provision in the Cape, 224 in Transvaal, four in the Orange Free State and 54 in Natal.

All the detained were Black except one Coloured in the Cape and one White in the Transvaal.

The White was detained for about 100 days from 26 August to 30 November last year. The Minister gave details of the length of time each of

the witnesses had been detained.

Of those still detained on February 2, two people were first detained on August 19, 1977, 10 on September 15, eight on October 26, five on November 7, two on November 17, one on December 8 in the Transvaal, while one was detained in Natal on October 28 and four on November 23.

14/2/8 M 329

Biko summons for Ministers

JOHANNESBURG — The Biko family yesterday served summonses on the Minister of Justice, Mr Kruger, and the Minister of Health, Dr Schalk van der Merwe.

The damages claim totalling R178.000 arose out of the death in detention of Mr Steve Biko, who died on September 12 last year.

Early last month the Biko family served letters of demand on the two Cabinet Ministers, the nine security policemen in whose custody Mr Biko was held, and two district surgeons from Port Elizabeth who treated him in detention.

The demand letters have expired and the State is to defend the civil action for damages which will probably take a year before coming to court.

Meanwhile the Transvaal Attorney-General, Mr J. E. Nothling, indicated yesterday it was unlikely that anyone in the Transvaal would be prosecuted over Mr Biko's death.

Mr Nothling said he still had not received the inquest papers back from

the Attorney-General of the Eastern Cape and that no final decision had been made yet.

"But I can't see how I can institute proceedings against anyone in the Transvaal," he said yesterday.

"Nobody in the Transvaal was legally responsible for Mr Biko's death because the damage was done before he arrived here. In fact Mr Biko died on the same day he arrived in the Transvaal."

Mr Nothling said there had never been any suggestion that anything irregular had happened to Mr Biko while in the Transvaal. "Unfortunately he died here — that's all," he said.

Earlier this month, the Attorney-General of the Eastern Cape, Mr C. N. van der Walt, said there would be no court sequel arising from the handling of Mr Biko in the Eastern Cape. He said that after considering the Biko inquest report, he had decided not to institute any proceedings.

In another development yesterday the United States called on the United Nations Human Rights Commission to consider supporting efforts to reopen investigations into Mr Biko's death.

A United States representative, Mr Edward Mezvinsky, told the 32-state commission at its current session in Geneva that his country had grave doubts about the official explanation for Mr Biko's death.

"He was a man of giant moral stature who held out the promise of saving South Africa from self-destruction," Mr Mezvinsky said.

It would seem therefore a particularly appropriate gesture of recognition for this commission to look into the possibility of supporting something like the Amnesty International proposal to examine anew the evidence presented at the inquest into Mr Biko's death.

Summons issued by Biko family

Mercury Correspondent

JOHANNESBURG — The Biko family yesterday served summonses on the Minister of Justice, Mr. J. T. Kruger, and the Minister of Health, Dr. Schalk van der Merwe.

The damages claim, of R178 000 are set out of the death in detention of Mr. Steve Biko who died on September 12 last year.

Early last month the Biko family served letters of demand on the two Cabinet ministers, the nine Security policemen in whose custody Mr. Biko was held, and two district surgeons from Port Elizabeth who treated him in detention.

The demand letters have expired and the Suite is to defend the civil action for damages which will probably take a year before coming to court.

Meanwhile in Geneva, the United States yesterday called on the UN Human Rights Commission to consider supporting efforts to reopen investigations into the death of Mr. Biko, reports Sapa-Reuters.

U.S. Representative Mr. Edward Mezvinsky told the 32-State commission at its current session that his country had grave doubts about the official explanation for Mr. Biko's death.

"He was a man of giant moral stature who held out the promise of saving South Africa from self-destruction," Mr. Mezvinsky said.

"It would seem therefore a particularly appropriate gesture of recognition for this commission to look into the possibility of supporting something like the Amnesty International proposal to examine anew the evidence presented at the inquest into Steve Biko's death."

1927 Sunday Times 329

Detained Forbes is Swazi hospital guest

Sunday Times Reporter

DETAINED Swazi business man Mr Peter Forbes has been sent to the Johannesburg General Hospital by the Swaziland Government which intends to deport him when he is well enough to return there.

Mr Forbes, who has heart trouble, said jovially by phone from the hospital: "I am here as a guest of the Swazi Government."

Family

He is a third-generation Swazi whose family have lived in Swaziland for more than 100 years.

He was detained last July under Swaziland's 60-day detention law.

The Swaziland Government gave no reason for his detention, but it is known that Mr Forbes, successful in farming as well as business, has been critical of certain Government officials.

After buying a farm near Manzini he was at loggerheads with Swaziland's Prince Makhungu, eldest son of King Sobhuza. It is said that Prince Makhungu was squatting on the farm and Mr Forbes had to take legal action to get him evicted.

Hunger strike

His detention came shortly afterwards.

While in the maximum-security jail at Matsapa, Mr Forbes went on three hunger strikes of ten days each in an attempt



Mr PETER FORBES
No grudge

to find the reason for his detention. Later he was moved to a Government hospital.

Last month he applied to the Swaziland High Court for his immediate release. He claimed that detentions under the 60-day law were invalid.

The application was dismissed by Swaziland's Chief Justice.

Mr Forbes's daughter, Lindi, a nursing student in Johannesburg, said the family still hoped that he might be allowed to stay in Swaziland.

"If he must go," she added, "we hope the deportation will be pretty soon."

Though my father is very cheerful, he doesn't believe the treatment he received was fair.

He never thought such a thing would happen to him and still doesn't know why he was detained.

Undertaking

"My father loves Swaziland and if he must leave by deportation then he will go."

Miss Forbes said her father had given the Swazi Government an undertaking that he would not discuss his case with the Press. He had lost 13 kg since starting his hunger strikes.

He has no grudges and still loves King Sobhuza," she said.

He intends returning to Swaziland after leaving hospital because he hopes the Government will let him stay on."

After Steve Biko

The world-wide outcry about conditions under which security detainees are held which followed the revelations of the Biko inquest, and the soul-searching which it prompted among leading Government supporters, encouraged many to hope that this year might see some alleviation of the conditions under which security detainees are held. In this regard the news that the Minister of Justice is contemplating the introduction of better safeguards, regular medical check-ups and independent visits by judges is good news. However there have also been some other related developments which cast a shadow over these hopes, which have not been so widely noted, and to which the league wishes to draw the attention of the public.

Steve Biko was the 41st person to die in detention under Security Laws. Since Steve Biko's death the following have been reported dead following detention by police:

- 1) James, Mbulelo Rock (17 years), of Cradock.
- 2) Malaza, Bonaventure Jipho (18 years), Kruger-

sdrorp.

(3) Nobhadula, Mzukisi, Port Elizabeth.

4) Pillay, Moonsamy, in Lenasia.

There seems to be an increasing blurring of information as to under what law detainees are being held (and also an increased use of guns by the police while trying to arrest suspects).

It would be a great pity if the main effect of attempts to improve the safety of those detained under security legislation were merely an increase of deaths among those arrested in the investigation of "ordinary" (non-political) crimes. This is an alarming possibility but one which the history of other countries (e.g. Spain) shows to be a real one.

To avoid it will require the utmost vigilance on the part of the public, the utmost sensitivity on the part of the legislature. Relatives and friends of detainees should have the right to know under what law the detainees are being held, whether or not it is possible to initiate proceedings of habeas corpus and if not, what

LETTERS TO
THE EDITOR

other possibilities are open to them to ensure the safety of those in detention. A public right to know the names, or even just the number of those held in security detention at any time might also serve to check some abuses. But as the league has repeatedly warned, the abandonment of habeas corpus is fraught with difficulties, and there really is no substitute for a comprehensive return to the spirit of the Rule of Law.

K R Hughes, Civil Rights' League, 572 CTC Building, Plain Street, Cape Town

Outrageous

Anything more stupid and irresponsible than Donald Woods' speech to the United Nations is difficult to conceive, and in my opinion it was outrageous.

As his escape had been carefully planned some considerable time beforehand, it is difficult to reconcile the reports of his having to adopt a disguise, hitch-hike and swim swollen rivers.

His hero's welcome in

England is only spoilt by the fact that he wasn't received by the Queen, Prince Philip and the Prime Minister.

That Donald has a brilliant brain is beyond dispute, and it occurs to me that he now has an exceptional chance of using it in the right direction by telling the people of England and elsewhere, that we in this country are not a lot of sadists or half wits, as half the electorate (despite the recent Nat victory) are against the policies of the Government and that they should try to help us rather than isolate us, and although there are some things that are right there are many that are wrong and we are trying to rectify the wrongs.

The 60 000 dollar question is which attitude will Donald adopt? Let him attack the Government by all means but the prejudiced and fanatical line he appears to be taking (reminiscent of the tub thumbing chaps at Hyde Park Corner) will eventually do him no good and most certainly be to the detriment of the people he is alleged to help.

V. Merriman

Home Waters, Sunrise-on-sea, P.O. Gonubie

Detainees named by Government

CAPE TOWN — For the first time the Government has given a full list of the 62 people being held under the preventive detention provisions of the Internal Security Act.

The list, which has been tabled in Parliament, was contained in the annual report to Parliament of the action taken by the Government in terms of the Internal Security Act.

Most of the detention orders were issued on October 12 last year prior to the Government's widespread crackdown a week later on black consciousness organisations, the Christian Institute and the press.

However, the detention order served on Mr Percy Qoboza, the former Editor of the banned World newspaper, was issued on October 19, the day he was detained, as was the order served on the former chairman of the Committee of Six, the Teachers' Action Committee in Soweto, Mr Curtis Nkondo.

Other orders issued later were for Mr Peter Jones, the black consciousness activist allegedly arrested with the late Mr Steve Biko in Grahamstown in August, Mr Kgotla Legotlo, Mr Johannes Matsena, and Mr Sedupe Ramokgopa, a member of the Black People's Convention.

Although the preventive detention order for Mr Jones was issued on November 18, he was detained under this provision on January 20, after about five months of detention in terms of the Terrorism Act.

The list also reveals that the last president of the South African Students' Organisation before it was banned, Mr Faith Matlaopane, was actually detained on October 18, the day before the crackdown.

All the detention orders are due to expire on August 10 this year.

The report said: "In all cases, the Minister was convinced that the people took part in activities which endangered the maintenance of law and order or which were aimed at endangering it."

The report, which contained the list of detentions as well as other action taken by the Government, including the banning orders on Dr Beyers Naude, Mr Donald Woods, Mr Theo Kotze and others, was made in terms of Section 15 of the law. — PC.

The 62 who are held

CAPE TOWN — The full list of the 62 people held under the preventive detention provisions of the Internal Security Act is:

Mr Woodraj Aroun (formerly a student at the University of Durban-Westville); Mr Fuzile Owen Bangani; Mr Moses Mabokela Chikane; Mr Ray Currie (former administrator of the Zimele Trust Fund whose secretary-general was Steve Biko); Mr Norman Dubazana (former PRO for Saso); Mr Peter Jones; Mr Jairus Kgokeng (former member of Black People's Convention executive); Mr Vusumuzi Phillip Khanyile; Mrs. Ellen Khuzwayo (former member of the Soweto Committee of Ten).

Mr Aggrey Klaaste (journalist of World newspaper); Mr Vela Kraal (former member of Committee of Ten); Mr Kgotla Justus Legotlo; Mr Douglas Lotwane (former member of Committee of Ten); Mr Tyrone Gilbert Mabala; Mr Vivani Made (Natal regional director of BPC); Mr Sylvester Makapela (a member of Saso); Mr Mortimedi Gabriel Malaka; Mr Jameson Tsekho Maleya; Mr Jacob Whula Mamubola; Mr Tom Manthatho (former member of Saso executive); Mr Kekgau Mathabathe (former member of Committee of Ten); Mr Keny Matima (former Saso official); Mr Faith Matlaopane (former president of Saso).

Mr Johann Rantoea Matsena; Rev Mashwabada Victor Mayathula (former member of Committee of Ten); Mr Fanyana Mazibuko (former secretary of Committee of Six); Mr Thandisizwe Mazibuko (former general-secretary of BPC); Mr Dexter Jabulani Mahlangu; Mr Ligwa Graham Dlamkomo; Mr Horatius Vuyisile Mdeleleni (member of BPC); Mr Diliza Mji (former president of Saso); Fr Patrick Mkhathshwa (action secretary - general of South African Catholic Bishops' Conference); Mr Gabriel Lentshwe Mokgatlhe; Mr Aubrey Mokoena (both BPC and former member of Committee of Ten); Mr Leonard Masala (Committee of Ten); Dr Mthatho Motlane (former Committee of Ten chairman); Mr M. M. Msimang (regional director for Eastern Cape of Black Community Programmes).

Miss Tenjiwe Mtintso (former Daily Dispatch reporter who worked for the black self-help organisation Thusanang); Miss Rebecca Musi; Mr Mxolisi Mvovo (BPC official and brother-in-law of Steve Biko); Mr Benjamin Ndoda Ngidi; Mr Ngcobo Lawrence Nguna; Mr Curtis Nkondo (former chairman of Committee of Six); Mrs Mosidima Pitjana (wife of black consciousness leader Barney Pitjana and former youth director of SA Institute of Race Relations in Port Elizabeth); Mr Mpho Mathabo Pharasi; Mr Percy Qoboza (former Editor of World); Mr Ken Rachidi (former president of BPC).

Mr Aswifrawi Dickson Ralushayi; Mr Sedup Ramokgopa (member of BPC); Mr Skenjano Roji (member of Saso executive); Mr Thbo Vincent Sehume (member of BPC); Mr Sello Jacob Selebi; Mr Silumko Sokupa (former regional director of Saso in Eastern Cape); Mr McGlory Speckman; Mr Mongezi Stoffie (former Saso president); Mr Terrence Tyron (former secretary-general of Saso); Rev Drake Shenheng (BPC vice-president); Mr Hannif Valley (Black Students' Society chairman at University of Witwatersrand).

Mr Ngwenduna Vanda (Saso member); Mr Sadeque Variaya (ex-Saso trialist and president of People's Experimental Theatre); Mr George Wauchope (BPC regional chairman in Johannesburg) and Miss

20/7/79 M 32

HANSARD NO. 4 COL 207. 22/2/78

X Death of Mzukizi Nobhandula

*18. Mrs. H. SUZMAN asked the Minister of Police:

- (1) Whether Mzukizi Nobhandula of New Brighton, Port Elizabeth, was arrested and detained during 1977; if so, (a) when was he arrested and (b) on what charge;
- (2) whether he died while in detention; if so, (a) on what date and (b) what was the cause of death.

The MINISTER OF POLICE:

- (1) Yes.
 - (a) 14 December 1977.
 - (b) Perjury.
- (2) Yes.
 - (a) During the night of 19-20 December 1977.
 - (b) The pathologist's finding at the inquest was that he died of natural causes—asthmaticus.

329

Girl seeks detainee's release

ARGUS

22/2/78

329

THE fiancée of Mr Peter Manning, detained Swapo official, has asked Western embassies in Cape Town to press for his release and to make his detention internationally known.

Miss Anne Murray-Hudson of Gaborone, Botswana, was a University of Cape Town student until last year and was to marry Mr Manning, who was detained in Windhoek early last month under Section 6 of the Terrorism Act.

Before coming to Cape Town, Miss Murray-Hudson wrote to Mr Justice M T Steyn, Administrator General of the territory, claiming that Mr Manning's detention cast serious doubts on the credibility of the free elections.

TOLD TO WAIT

She also applied to the police for permission to marry Mr Manning and was told she should wait for Mr Manning's trial.

Miss Murray-Hudson said she came to Cape Town in the hope of bringing Peter's detention and those of other detainees to international attention.

After speaking to the British, German, Canadian, American and French representatives, she said she was optimistic about their support.

Spokesmen for the embassies would not comment today on the meetings with Miss Murray-Hudson.

A spokesman at the Canadian embassy said he had reported the meeting with Miss Murray-Hudson to his Government.

Meanwhile, Miss Murray-Hudson has visited Mr Manning briefly and is concerned about his health.

She was due to fly back to Windhoek today.

23/2/82

Between 1968 when Saso was founded and February 1973 when the first move against it were made, the student body

	Person and Position
1968/70:	Steve Biko, President
1970/1:	Barney Pityana, President
1971/2:	Tembisa Sono, President
	Barney Pityana, Secretary-General

Muntu Myeza, President
 Theo Moatshe
 "Ouza" Khotabe
 Oukgopotse Ramothibi Tito, Organiser
 Pandelini Nefolowhodwe, President
 Mosoua Lekota, Organiser
 Ruben Hare, Vice-President

en
in
er
on
sn
th
ad

It was welcomed unofficially in Government circles because of its

Banned February 1973, at present in exile, based in Botswana.

Under preventative detention a present.

criticisms against white liberals and the non-racial policies of organisations

Banned December 1973.

at present.

like the National Union of South African Students (Nusas). Pro-Government

Banned March 1973, in exile in

bodies saw Saso as a vindication of the policies of separation. The

Zealand.

banned June 1971.

Afrikanse Studentebond publicly praised the formation of Saso and the ex-

Banned Feb. 1973 and exiled.

Banned and all subsequent issues

ecutives or both bodies held at least two formal meetings with each other.

•

Died in detention.

The new body was permitted to operate on black markets from which

ile,

Child preventive services:

Nusas had been banned. It seemed initially that there would be unofficial accep-

Banned August 1973 and in exile

Banned May 1977

tance of the new body
The honeymoon did not
last long, however, and b

Revised December 1973

In exile overseas..

February 1973 it had turned into open antagonism

self-help organisation

banned, from October in preve

Government action against Saso is listed in the accompanying table.

1



Henry Isaacs, President
Jeff Bagwa
John Issel
Mervyn Josie
Ben Langa
Welle Nhlano
Reuben Philip
Hamilton Gambela, President
Soma Reddie

1977:
Fatu Matiaopane, President
Silumko Sokupa, Organiser
Silbonie Kutheka, Typist
Gilbert Mabale, Cultural Director
Mkotsazana Dlamini, Vice-President
Deborah Mashoba, Executive member
Terrence Tyron, Secretary-General

me
we

GEWELD ONVERMYDELIK, HET BIKO GESÊ

Van Ons Korrespondent

JOHANNESBURG.
HOEWEL Steve Biko deur liberalistiese Suid-Afrikaanse koerante as 'n gematigde bestempel is wat ekonomiese druk as primêre wapen teen blanke heerskappy bepleit het, het hy tog geglo dat geweldadige optrede op die lange duur in Suid-Afrika onvermydelik is.

Dit blyk uit 'n onderhoud wat die Suid-Afrikaanse verteenwoordiger van die New York Times, Jonathan Burnes, verlede jaar op 2 Augustus in King William's Town met Biko gevoerd het. Donald Woods as Biko se verteenwoordiger, het Biko se bewys moet gewees het, bet Woods as Biko se verteenwoordiger verkondig van sy Swart Mag-ideale opgevoel. Biko was 'n leier van die Swart Mag-beweging en opgevoel in die Black People's Convention (nou verbode) en voorsitter van die swart studentebeweging Saso (nou verbode). Hy was in beheer van die gemeenskapsprogram (Black Community Programme), op King William's Town.

MAN VAN GEWELD

Wat Biko van geweldadige optrede en van Donald Woods gedink het, kom duidelik aan die lig in 'n onderhoud wat hy met die verteenwoordiger van die New York Times gehad het. 'n Getroue weergawe van die gesprek is uit swart nasionalistiese bronne verkry.

Biko het oor Woods gesê: "Ons dink hy is nou genoeg bewys daarvan dat ons nie na hom sal kap omdat hy wit is nie. Ons haat hom nie eintlik nie, behalwe dat ons aan hom te kenne wil gee. Jy kan op 'n kritieke oomblik 'n stok in die wiel steek, omdat jou niggie dalk in die huis woon wat ons van plan is om in die lug te blaas."

Grepe uit Burnes se onderhoud met Biko is in September verlede jaar deur die New York Times geplaas. Daartoe geskryf dat Biko 'n man van geweld was.

"Mnr. Biko is sedert sy dood in liberalistiese wit koerante beskryf as 'n gematigde, en moontlik as die laaste en beste

hoop vir 'n vreedsame versoening tussen die rasse. Maar sy opmerkings in die onderhoud suggereer 'n minder tegemoetkomeende gesindheid."

Volgens Burnes het Biko aan hom gesê: "Swartmense gaan uit hul woonbuurte beweeg om 'n rooier te vrees en brand te stig. 'n Gesigse gesig van 'n rooier vrees, sal baie groter geveldens, 'n onveiligheid skep as 'n georganiseerde militêre mag wat op die grens kan konfronteer en verslaan."

Dit was egter nie naasteby alles wat tussen Biko, Burnes en Jonathan Burnes gesê is nie. Uit swart nasionalistiese bronne is 'n ander belangrike relaas van die onderhoud verkry. A. Biko is gevra watter soort gemeenskap hy in Suid-Afrika tot stand wil sien kom. Hy het geantwoord: "Ons is seer sekerlik ten gunste van een mens, een stem. Dit moet 'n samelewing heeltemal vry wees van rassisme."

NIE IN MARXISME GEGLO

Maar het hy bygevoeg: "Ons glo nie in waarborgte aan minderheids-groepe nie, want ons erken nie mense op grond van kleur nie."

Biko het in die onderhoud sterk klem geleë op die uitwissing van die partypolitieke prosess. Die regering moet in diens van die volk staan.

Hy het gesê dat hy nie totaal in die Marxisme glo nie. Die Marxisme is vreemd aan Suid-Afrika, omdat dit nie kleur ken nie. Kleur is 'n wesenlike probleem in Suid-Afrika, en hy wat Biko is, kan nie 'n natuurlike alliansie met die wit werker vorm nie.

Biko het van Suid-Afrika as "Azanie" gepraat en dit betreur dat die A.N.C. en P.A.C. nie hier toegelaat word om te help met die politieke evolusie nie.

Sy organisasie gee voorkeur aan die A.N.C., wat 'n breër grondslag het. Die P.A.C. se benadering is beperkend nasionalisties, maar dit kan 'n teenhanger wees vir die A.N.C., wat onder Nelson Mandela en Robert Sobukwe is deur sy organisasie as leiers aanvaar.

Oor stem aan die opstandsbeweging het Biko gesê: "Hulle het swaar in die jeug geleë." Dit is 'n mors van tyd om enige man bokant verlig te probeer oorreed om sy wet te verander. . . . Maar jy kan die hoër skole, universiteite en die jeug beheer en dan het jy 'n gevestigde bevoegdheid."

Op die vraag hoe lank hy meen dit gaan duur voordat "die kritieke punt" in Suid-Afrika bereik word, het Biko geantwoord dat hy nie van 'n rooster kan praat nie, maar van 'n ketting van gebeurtenisse. "Rhodesië moet gaan, Zimbabwe val en Namibië gaan. Dit verbreed die grense, dit bevry Botswana en dit word op die gedagtes van blankes afgedruk dat dit dan veel nader aan die hart van Kaapstad en Pretoria kom."

"Daar sal sporadiese uitbarstings van geweld soos in Soweto deur swartmense wees. Met verloop van tyd sal dit verander van sporadiese opstande tot georganiseerde oproerigheid. Dan kom die kritieke tyd, waar blankes moet besluit of hulle moet onderhandel of met geweld moet antwoord. Wat daarna gebeur, sal afhang van die opsigte wat die blankes kies."

KRISIS OOR 4 JAAR

"Ek dink die regte krisispunt sal oor drie of vier jaar kom," het Biko aan Burnes gesê.

Oor die posisie van blankes in Suid-Afrika onder 'n swart regering het Biko aan Burnes gesê: "Ons sluit blankes van ons stryd uit vanweë die inherente teenstrydigheid wat die deelname van enige witmens in die proses van verandering omgewe."

Hy het bygevoeg dat "ons nie bruikbare koalities met wit individue en/of groepe uitluit nie, op voorwaarde dat dit beteken dat hulle nie in die frontlinie staan nie."

"My besondere beswaar teen deelname van blankes gaan om die mate wat dit die natuurlike groei van swart leierskap afsny. "Ek is geneig om te dink dat blankes nie 'n belangrike faktor in die veranderingsproses is nie. . . . Hulle is sekerlik belangrik in 'n hupgewende en die enigste rol wat hulle kan vervul, is as rug op daardie vlak."

Dan, kom sy verwysing na Woods: "Ek meen dit word so

deur linkse blankes aanvaar. Sekerlik nie deur liberale blankes soos Donald Woods nie, wat altyd in 'n oorlog met my gewikkel is oor sake soos dat hy nie 'n lid van die Black People's Convention en so aan kan wees nie."

Van Woods se kant gesien, was die band egter só sterk dat hy ná Biko se dood 'n toespraak voor studente van die Universiteit van Kaapstad gaan hou het.

SKREEU DIT UIT

Op 15 September verlede jaar het Woods aan U.K.-studente gesê: "Ek is in staat om julle die verskoring te gee dat hierdie die groot een is wat die een van hulle nie kan wegkom nie. Dit is die dood wat hulle nie sal kan wegverduidelik nie."

"Hulle is aan die hoek met hierdie een. Die aas is lank gelede aangestit en dit is heeltemal gestuit, en nou word dit opgetrek. En die plukke kom van oral! Van oor die ganse wêreld."

"Wat ek daarmee bedoel, is dat Steve en ek geweet het dat sy aanhouding 'n gedurige risiko was. Ons het ook besef dat daar 'n moontlikheid was . . . dat hy in aanhouding kan sterf. Daarom het ons 'n reëling gehad dat indien enige vier redes aangegee word vir sy dood, ek sal weet dis onwaar. Een van hulle is nou beweer."

Die vraag is, het Woods gesê, hoe die reaksie op die dood van Biko gekanaliseer moet word. "Ek dink in die eerste plaas dat die manier om my reaksie te kanaliseer, is om dit uit te skeur aan die land en aan die wêreld. En om aan te hou om alle middelle te gebruik om dit te doen — rasioneel. Ek is nie teen emosionele reaksies nie, op voorwaarde dat dit langs die loop af en gertig is."

"Laat ons nie pogings verspil nie. Nie alleen dit aan die land en die wêreld uitreik nie, maar dit opvolg. Om jagger te wees! Ons moet jag. Ons moet hierdie Regering plattek! Ons moet hierdie Regering plattek!"

* Lees mére die volgende artikel in die reeks.

21/2/78 (329)
Photographer detained

DURBAN — A photographer for Scope magazine and two other men have been in police custody since they were arrested for attempting to enter Swaziland with 500 rounds of ammunition and a Rhodesian army uniform last week.

The men were stopped at border post near Piet Retief, on Thursday night last week and are being held in the Eastern Transvaal town of Amsterdam.

The Johannesburg-based photographer is Mr Hugo Merckx, a Belgian who has lived in South Africa for about two

years. The men arrested with him are a driver, known only as Griffiths, and believed to be employed by Scope, and a West German.

Mr Merckx was to do a photographic assignment in Swaziland.

Brig C. F. Zietsman, head of the Security Police, said last night investigations against the men were continuing.

He declined to give further details but said it appeared the men wanted to enter Swaziland, and possibly Mozambique, in connection with the recruiting of so-called mercenaries. — DDC

Bikos claim

R90 000

Pretoria Bureau

STAR 21/2/76
The Biko family will claim R90 000 damages from the Government, according to papers now filed with the Supreme Court, Pretoria.

Mrs Nontsikelelo Margaret Biko, widow of the dead black consciousness leader, Steven Biko, will sue for R72 000 on behalf of herself and her two children, Dumisani and Samora.

Mr Biko's mother, Mrs Alice Nokuzola Biko, will claim R18 000 from the Minister of Police, Mr Jimmy Kruger, and the Minister of Health, Dr S W van der Merwe.

STAR
23/5/74
(328)

Ex-Island prisoner detained

A former Robben Island political prisoner, Mr Reggie Vandayar (46) has been detained by Security Police, his family said today.

Mr Vandayar was detained on Monday along with Mrs Zai booth Moothosamy (31) at their caravan home in Lenasia.

Mrs Moothosamy was, however, released yesterday with five other relations of the Vandayar family who were also detained.

Mr Vandayar was released from Robben Island in 1973 after serving 10 years.

Mbulelo James (17) Riot. Ass. Act.

11/11/77 DO.
Tues. - shot while trying to
escape. P.E.

Asthma killed detainee

HOUSE OF ASSEMBLY — A Port Elizabeth man, held by the police in detention last year, died of asthma, the Minister of Police, Mr Kruger, said yesterday.

He was referring to Mr Mzukizi Nobhandula of New Brighton who was detained on December 14.

The Minister was reply-

ing to questions asked by Mrs Helen Suzman (PFP, Houghton).

Mr Nobhandula, he said, was arrested on a charge of perjury and he died on the night of December 19.

"The pathologist's findings at the inquest was that he died of natural causes — asthma," Mr Kruger said. — PC.

DA 231878
519

PAC trial man suing Kruger

JOHANNESBURG — One of the accused in the Bethal PAC Terrorism Act trial is suing the Minister of Justice, Mr Kruger, for R20 000 for allegedly being assaulted and pushed out of a window while he was detained last year.

Mr Johnson Nyathi, 32, of Krugersdorp, sent a letter of demand to the Commissioner of Police, Gen Gert Prinsloo, last week.

If this demand is not met within 30 days, summons will be served on Mr Kruger.

Mr Nyathi — who is charged with 17 other alleged members of the banned PAC with participating in terrorist activities, alternatively

furthering the aims and objects of the outlawed organisation — was detained under Section 6 of the Terrorism Act at Krugersdorp prison in January last year.

The assaults, which were allegedly inflicted between January and September last year, include threats, blows to the body and pushing Mr Nyathi out of a window causing him to fall some distance to the ground, according to the letter sent to the Commissioner of Police.

Mr Nyathi was detained for almost a year before he was brought to trial on December 5 at the Bethal Circuit Court. He has attended hearings on crutches. — DDC

Journalist freed

DURBAN — A former Daily News reporter, Mr. Wiseman Khuzwayo, who was detained under Section 6 of the Terrorism Act on November 22 last year, has been released by the Special Branch.

Two other Section 6 detainees — Mr Pascal Gwala and Mr Martin Thusini — were also released.

The senior Durban Public Prosecutor, Mr B. Shonfeldt, said yesterday the Attorney-General had declined to take legal action against the three men.

Mr Gwala, 32, a poet and writer, was detained on November 14.

A Daily News reporter, Mr Quraish Patel, who was detained on December 11 last year under Section 6 of the Terrorism Act, is still in detention. — SAPA

The Star

Tuesday February 28 1978

Sobukwe: a symbol of lost opportunity

THE death of Robert Sobukwe at the age of 54 leaves unresolved a key question of contemporary South African politics. What kind of role would the Pan-Africanist Congress leader be playing today had he not been politically neutralised since the early 1960s?

The question is by no means merely theoretical. For clearly Mr Sobukwe's philosophy — the precursor of Black Consciousness — is still alive and influential among a new generation of black youth. Though the movement he founded is banned, and the leader silenced and restricted these many years, ideas are less easy to ban. The inspiration is still there. Today, however, its following is largely underground and more extreme. No open leadership has been allowed to survive that might give it direction or restraint.

Mr Sobukwe was a man much feared by the Nationalist Government of the 1960s, as evidenced by his status (through the "Sobukwe Act" specially passed to detain him after completion of his sentence) as South Africa's only acknowledged "political prisoner." Since then South Africa has had no means of knowing his political thinking. What was known previously is that he was a leader of strength, integrity and balance; certainly no communist; a man with whom a less frightened government might well have negotiated fruitfully for peaceful change. The wasted political life of Robert Sobukwe stands as an indictment of those sledgehammer politics. It symbolises all the opportunities lost through nullifying the black people's real leaders, rather than talking to them.

Harand S, cols

264- 266

1/3/78

Detention of persons in terms of Terrorism Act

The MINISTER OF POLICE replied to Question #17, by Mrs. H. Suzman:

329

Question:

14. Waar slaap d

(1) Whether the South African Bar Coun-

has werk?

15. Kry hulle en
werk? Ind

cil recently made representations to him in regard to the conditions of detention of persons detained in terms of section 6 of the Terrorism Act; if so,

alle op u plaas

(2) whether he intends to amend or alter these conditions; if so, in what respects; if not, why not.

Wat is die w

Reply:

is?

(1) Yes.

(2) Yes.

16. Gaan u diese
nie?

After reviewing all the instructions in regard to the safe custody of persons detained for interrogation in terms of Security Legislation, it has been decided to appoint in each province one or more retired jurists of esteem to visit such detainees at all reasonable times, with due observance of the circumstances. This decision will be implemented as soon as it is practicable. The visiting jurists will be at liberty to bring any matter concerning a detainee directly to the attention of the Minister.

gebruik?

Waarom/Waarom

17. Is daar op d

It has further been decided that wherever possible, district surgeons shall examine persons in this category who are being detained in police cells, once a month. Where it is justified in the circumstances the surgeon shall compile a report concerning individual detainees, and prescribe treatment and medicine. These measures are supplementary to existing instructions which require that the services of a doctor must in each case be obtained immediately a detainee so requests owing to indisposition, or whenever a detainee shows any sign of illness.

orders?

18. Dink u so 'n
wel, waaro

If a person is being detained in a prison, he attends sick parade daily or as often as it is held, where he receives the necessary examination and treatment. In the larger prisons these parades are held daily by the district surgeon, while in smaller prisons this takes place once or twice a week. On the days on which the district surgeon does not visit the prison, the medical orderly attends to

ontwikkell?

Indien

Hoe gaan u h

the complaints and if necessary, arranges for the sick person to be taken to the district surgeon.

Mrs. H. SUZMAN: Mr. Speaker, arising out of the hon. the Minister's reply, will he tell us whether these new regulations will ensure that the instructions given by district surgeons are not overruled by members of the Special Branch?

The MINISTER: Mr. Speaker, I am not prepared to reply to such a scurrilous suggestion. [Interjections.]

Mrs. H. SUZMAN: What is scurrilous about it? It is true. . . [Interjections.]

Mr. SPEAKER: Order!

Ncokazi health concern

UMTATA — Mrs. Nomsa Ncokazi, wife of the detained Democratic Party leader Mr. Hector Ncokazi, is concerned about her husband's health.

He was suffering from a kidney complaint when he was arrested.

According to a letter received by Mrs Ncokazi from her husband, who is being held under the Transkei Public Security Act, Mr Ncokazi says he was supposed to see Dr B. Mbambis, of Engcobo, on January 17 for a check-up, but was prevented from doing so as he was detained the day before.

"I am not feeling well because this kidney trouble has been aggravated by the cold stony floors of this prison," Mr Ncokazi says in his letter.

Mrs Ncokazi has not been allowed to see her husband. All she knows is that the district surgeon had seen him and referred him to a specialist.

Other members of the DP detained are Mr Marelane Joyi and Mr Anderson Joyi, the vice-chairman of the party. They were detained in September last year.

The head of Transkei's Security Police, Maj Martin Ngceba, could not be contacted for comment yesterday. — DDR.

Kruger's story is *Cape Times 3/3/78* crazy, says Woods 328

THE FORMER editor of the Daily Dispatch, Mr Donald Woods, said yesterday he had never heard of a crazier story than the statement this week

by the Minister of Justice, Mr J.F. Kruger, about the T-shirt incident involving his daughter.

"I have never heard of a

crazier story in all my life. It is completely untrue.

"That is all I would like to say in reply to Mr Kruger," Mr Woods said after the minister's full statement in the House of Assembly was read to him when he was contacted in California.

In the statement, Mr Kruger said that an unnamed East London businessman had revealed that Mr Woods had approached him about a chemical substance to repel thieves who attempted to steal clothes off his washing line.

The minister said a small parcel was delivered to the Daily Dispatch on or about November 23 for Mr Woods.

Mr Kruger was replying to Mrs Helen Suzman (PFP, Houghton) who had asked for details about the Biko T-shirt, sent to the Woods' home, injuring five-year-old Mary Woods when she put it on.

Mr Kruger could not be contacted for permission to quote Mr Woods on Wednesday night, but yesterday gave authorization after he was shown Mr Woods's reply.

Mr Woods's wife, Wendy, said yesterday: "Kruger and his cohorts' attempts to smear Donald are now assuming such ludicrous proportions that one can only shake one's head in disbelief. It is fascinating to hear their stories becoming more and more fanciful as they feel more threatened by the truth and the truth is that two security policemen (here Mrs Woods mentioned two names) put the acid on the T-shirt."

Kruger may free some detainees

Star 3/5/68
328

Political Correspondent

CAPE TOWN — The Minister of Justice, Mr J T Kruger, confirmed today that the release is being considered of some of the 62 people detained in the security swoop of October 19 last year.

He also confirmed that he visited and talked to some of the detainees in the Modder Bee Prison and the Johannesburg Fort last Friday.

They included the editor of the banned World and Weekend World newspapers, Mr Percy Qoboza, the chairman of the banned Committee of Ten of Soweto, Dr Nthato Motlana, and some other members of the committee.

Mr Kruger said he was not in a position to say when it would be decided who would be released.

DR MULDER

Mr Kruger's announcement follows representations made to him by the Minister of Plural Relations and Development, Dr Connie Mulder, after his talks with homeland leaders and also following the failure of the first round of the Soweto Community Council elections.

But asked whether the reconsideration of some of the detainees' position had anything to do with Dr Mulder's requests in this connection, Mr Kruger replied: "It follows the normal course of administration".

Asked if he could consider bringing those to court who were not released, he said: "No."

Mrs Helen Suzman, the Progressive Federal Party's chief justice spokesman, said today it was to be hoped that "it will not remain at consideration".

"I am sure the release of the detainees would make a major contribu-

tion to the return of normality to township life, because the holding of these people is at present one of the major grievances."

NO CASE

Mr D Malcomess, the New Republic Party's spokesman in Parliament on Justice, said that while welcoming Mr Kruger's statement that some detainees might be released, it underlined the point made by the Opposition that the Government had no case against these people because if they did they would charge them in court.

3 2 18 328 20

Defamation — out of court settlement

JOHANNESBURG — The Trade Union Council and its general secretary, Mr Arthur Grobbelaar, are to pay damages to three banned persons and issue a public apology to them in terms of an out of court settlement of a defamation action reached in Johannesburg yesterday.

The three — Mr Loet Douwes-Dekker, Mr Eric Tyacke and Mrs Jean Tyacke — were among the people involved with the black trade union movement who were banned in terms of the Internal Security Act in November 1976.

Their defamation suit resulted from a statement by Mr Grobbelaar about the bannings after he had seen the Minister of Justice, Mr Kruger.

At the time of their banning, Mr Douwes-Dekker and Mr and Mrs Tyacke were the chairman, secretary and administrator of the Urban Training Project, a service organisation to black trade unions.

Mr Douwes-Dekker, who lectures at the University of the Witwatersrand, previously served as assistant general secretary of Tusa. — DDC.

EXPERT LISTS HAFFEJEE'S INJURIES

Court Reporter

Baffled by 50 bruises

A GOVERNMENT pathologist could not explain the cause of multiple injuries on the body of a political detainee found hanging in his cell, an inquest magistrate in Durban heard yesterday.

Professor I. Gordon said 40 to 50 bruises on the body of Dr. Hoosen Haffeejee were not peculiar in themselves. Bearing in mind their grouping, shape and distribution however, he could not think of a way in which they could have been caused.

Pathologist in Durban was giving evidence before Mr. T. L. Blunden at an inquest on the 26-year-old dentist.

Dr. Haffeejee was found hanging from his cell door at the Brighton Beach police station on August 3 last year. He had been arrested the previous day in connection with "subversive activities" and interrogated until midnight.

The professor said the injuries could have been caused by a booted foot, fist or a fall against a hard object.

He could not affirm or deny the police version that Dr. Haffeejee must have injured himself when he was being bundled into the back of a vehicle.

Working on the estimate that Dr. Haffeejee died about 3 a.m. or 4 a.m. on August 3, the possibility that he had been injured in a struggle at 8 a.m. the previous day was on the outer limits of the microscopic findings.

All bruises were of such a superficial nature they might not have left scars on healing, Professor Gordon said.

Dr. D. H. Biggs, an orthopaedic surgeon, consulted by the Haffeejee family, said he examined the dentist's body after the post mortem.

In his report he stated death had been caused by a tight constricting band around the neck.

Mystified

Marks on the neck were divided into two bands of equal width with a strip of normal-looking skin in between.

He said he was completely mystified by marks on the body and had never seen similar ones on other persons.

Earlier Mr. Blunden ruled that documents shown to Dr. Haffeejee before his death were admissible.

Dr. W. E. Cooper, SC, who is appearing for the Haffeejee family, had objected to the production of the documents, one of which might prove to be in the dentist's handwriting, on the grounds they were irrelevant and served only to put Dr. Haffeejee in a bad light.

Mr. Blunden said there could be no doubt that in-

quest proceedings were intended to bring a person into disrepute.

Evidence might have effect but that was no reason for excluding it.

The documents proposed a general insurrection with a view to the establishment of a socialist people's republic in South Africa.

Explosives

They dealt in detail with the manufacture of explosive devices and how death and destruction could be brought about by their use.

Dr. Haffeejee had denied having possession of the documents.

He died an unnatural death in the custody of the police, so it was to look to the police for explanation. Nobody had an end to his life with good reason, the magistrate said.

It may be that has seen that the police had documents, the dentist believed the jig was up. The prospect of the years ahead loomed so large he despaired and took his own life.

That was one explanation, but the Haffeejee family believed there might be more sinister explanations.

Mr. Blunden ruled that the contents of the documents should not be made public.

The hearing continues today.

Mr. B. Schonfeldt is leading evidence. Mr. Cooper is assisted by Mr. H. Pienaar and Mr. A. B. Mahomed (instructed by A. K. Sanyal and Company). Mr. Willem Booysse SC and Mr. Jan Combrink are appearing for the police.

Throttling?

Professor Gordon said that when he examined Dr. Haffeejee's body the question foremost in his mind was whether the detainee could have died from some cause other than hanging and had been suspended after his death.

He looked specifically for evidence of throttling but could find none.

A demonstration given by a police forensic expert had proved a man could hang himself from the cell doors with his trousers twisted about his neck.

Professor Gordon said he had come to the firm conclusion that death was consistent with hanging.

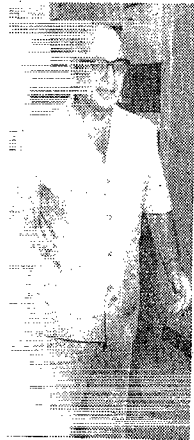
Dr. Haffeejee had had other multiple injuries.

There was extensive bruising of the scalp, caused by trauma. There were no visible external injuries to the head but Dr. Haffeejee had had a shock of hair which made it difficult to see properly.

Bruises

Professor Gordon said he had no doubt the bruising was caused before death, although he had not taken scalp tissue for microscopic examination.

There were also bruises on the detainee's back, hip, knees, elbows, chest, feet, breast and stomach wall. They were mostly superficial and consistent with the application of force.



CHIEF Government pathologist in Durban Professor I. Gordon.

The Chief Government

Police quizzed on dead detainee's injuries

DURBAN — A Special Branch policeman said yesterday it was ridiculous to suggest that 40 to 50 abraded bruises found on the body of a dead detainee had been inflicted during excessive interrogation.

Lt J. B. Taylor was giving evidence at the inquest into the death of Dr Hoosen Haffeejee who was found hanged in his cell at Brighton Beach Police Station on August 3.

Lt Taylor was surprised to hear of the abraded bruises on the body of the 26-year-old dentist who died shortly after his arrest.

Dr Haffeejee was suspected of subversive activities and was bundled into a car by two policemen who spent the day interrogating him.

Lt Taylor described how Dr Haffeejee had taken them to a pier where he told them he had thrown some books into the sea. He then refused to get back into the car and had to be forced in with the help of three other policemen.

Lt Taylor conceded under cross examination by Dr W. W. Cooper Sc, who is representing the Haffeejee family, that the detainee's efforts were "futile in the extreme."

He denied that the struggle was a figment of his imagination.

Back at Brighton Beach Police Station Dr Haffeejee was interrogated further and at about 11 pm shown documents, some of which were in his handwriting.

"It was immediately evident these were a shock to Dr Haffeejee. He shut himself off completely and either evaded or absolutely refused to answer further questions," Lt Taylor said. The interrogation was halted.

Lt Taylor said they believed Dr Haffeejee had knowledge of explosives and was associated with a subversive organisation. They wanted to find out the names of members of his organisation.

They had not used third degree methods when he refused to answer

questions.

He had been seated during the interrogation and not made to stand or run around. He had not bumped into anything.

Shown a picture of Dr Haffeejee's injuries, Lt Taylor said he had seen similar injuries on accident victims.

Dr Cooper: Would it surprise you to know lieutenant that medical experts are completely baffled as to how these injuries were caused? Experienced medical men who have seen victims in motor accidents say they cannot relate these injuries to the kind sustained in an accident.

Lt Taylor: I said they appeared to be similar. It is difficult to tell from photographs.

The lieutenant said he could not say how any specific injury had been caused by any specific incident. They could have been caused when Dr Haffeejee refused to enter the car.

Dr Cooper: Would you be surprised to know that the people who examined the body found 40 to 50 abraded bruises on it?

Lt Taylor: I would, yes. It would appear not to fit in with my story but I cannot comment on that.

Dr Cooper: But you are being asked to comment. You were the custodians of the body in these fateful hours. The senior pathologist found the injuries were sustained within four to 12 hours before the death. What do you say to that?

Lt Taylor: If that is what he found I would go along with it.

Dr Cooper: I would suggest that these injuries were inflicted during excessive interrogation of the deceased.

Lt Taylor: ridiculous. The hearing continues today. — DDC.

Commerce call: free leaders

PRETORIA — The Federated Chamber of Commerce has again appealed to the Government to release from detention blacks recognised by the people of Soweto as community leaders and consult them.

The chamber warned that no system of black local government would work, including the community council system, unless it was seen to be a policy agreed to by acknowledged black urban leaders.

The lack of interest in the recent Soweto elections proved this beyond doubt.

The chairman of the chamber, Mr. Sam Motsuenyane, said the leaders in whom the black people had confidence were now behind bars.

They were not allowed to take part in recent council elections, and because of this the elections, and the people elected, were of little consequence to Johannesburg's urban blacks. — DDC.

How Biko and Woods met

LONDON — Mrs Wendy Woods, wife of the former Editor of the Daily Dispatch, described to the Oxford Union last night how Steve Biko had sized up her husband and herself at their first meeting with him "with a fox terrier-like intensity."

Guest speaker at the university, Mrs Woods recalled the day they had been invited to the Zanempilo Clinic just outside King William's Town.

"When we arrived we were ushered into the lounge of the doctors' quarters and the talking started — mainly between Steve and Donald. We were squashed into that tiny lounge. There were seven of us (Mr and Mrs Woods and their five children) and about eight to 10 of Steve's political colleagues.

"As the talking proceeded I realised we were being sized up with a fox terrier-like intensity. We were fed cues and we declared ourselves on many issues. One sensed the odd tail-wag as we made it on one question, and a stillness as we didn't quite measure up on another."

From then on the

Woods family met Biko and his friends fairly regularly — "getting more and more involved in their lives."

"It was a totally new experience for us. We had never known people who spent their lives going in and out of jail and then sat around chatting happily about it, and making jokes about their common experiences."

After Biko's first spell of solitary detention, for 101 days, Donald and Wendy Woods went to see him in the backyard of the BPC offices in King William's Town. Because Biko was banned and could not speak to more than one person at a time, he and Mr Woods sat on the grass under a tree while Mrs Woods sat in the car drawn up close enough to join in the conversation.

"I have indelibly imprinted on my visual memory the image of these two sitting there, one young and the other older, the older one (Donald Woods) with a noticeable air of deference to the younger, both arguing amiably on ideological issues," Mrs Woods said. — DDC.

Aangedenees nog beter

DIK BURGER 28/2/78

329

beskerm

Van Ons Politieke Beriggewer

NUWE stappe om te verseker dat mense wat ingevolge Veiligheidswetgewing aangehou word, behoorlik beskerm word, gaan so gou moontlik ingestel word, het-mnr. J. T. Kruger, Minister van Justisie, Polisie en Gevangenis, gister aan Die Burger gesê.

Vir eers gaan 'n afgetrede regsgeleerde van aansien in elke provinsie aangestel word om aangehoudenenes te eniger tyd te besoek. Hulle sal geregtig wees om regstreeks verslae oor aangehoudenenes aan die Minister te stuur indien hulle dit nodig ag.

'n Tweede nuwe maatregel is dat distriksgeneeshere, waar moontlik, aangehoudenenes een keer per maand sal ondersoek. Indien nodig sal die aangehoudenenes behandel word en sal distriksgeneeshere 'n verslag oor die toestand van aangehoudenenes kan opstel.

Min. Kruger het gesê die nuwe maatreels is bykomend tot die huidige reëlings wat vir aangehoudenenes geld.

Die bestaande gebruik is dat mense wat ingevolge die Wet op Terrorisme aangehou word, in politiese of in gevangenis aangehou word. Diegene wat in gevangenis aangehou word, woon elke dag die gebruiklike mediese parades by, waar aandag gegee word aan klage.

Tevrede

In groter gevangenis word die mediese parades elke dag deur 'n distriksgeneesheer bygewoon. In kleiner gevangenis behartig distriksgeneesheer die parades een of twee keer per week. Op die ander dae is mediese ordonnans in bevel, wat reëlings tref dat aangehoudenenes wat klage het, na distriksgeneesheer vir ondersoek en behandelings gebring word.

Mense wat in politiese aangehou word, kan te eniger tyd klage onder die owerheid se aandag bring. Reëlings word dan getref dat 'n distriksgeneesheer hulle besoek.

Min. Kruger het gesê hy wil beklemtoon dat hulle

'n deeglike ondersoek heeltemal tevrede is dat daar in werklikheid geen rede tot klage is nie. Die nuwe reëlings word ingestel om hom en die publiek tevrede te stel dat geen onreëlmatighede plaasvind nie. Daarby sal die nuwe stappe die Polisie ook teen ongeregtigde kritiek beskerm.

„Ek hoop dat die nuwe maatreels die publiek tevrede sal stel dat ons alles in ons vermoë doen om aangehoudenenes behoorlik gedurende hul aanhouding te beskerm,” het hy gesê.

(328) 28/7/8 DJ

Mvovo breaks down in jail

(32)

EAST LONDON — A King William's Town man detained under Section 10 of the Internal Security Act, Mr Mxolisi Mvovo, 30, has suffered a nervous breakdown in prison and is being treated at the Komani Hospital in Queenstown.

Mr Mvovo, the banned former national vice-president of the Black Peoples Convention and a brother-in-law of Mr Steve Biko was taken from his home on October 19 and has been in prison in King William's Town since that time.

His wife, Mrs Bandi Mvovo, who has been visiting him in jail twice a week since his detention, said she received a telephone call from the Prisons Department 10 days ago to say her husband wanted to see her urgently.

When she arrived at the jail a Mr Du Plessis told her her husband had suffered a nervous breakdown. He was moved to Komani on Thursday.

"I visited him on Saturday and spoke to Dr Russell. My husband was still under observation," Mrs Mvovo said.

She had noticed a change in him since a visit on February 13. He had been behaving strangely and had not been making sense when he spoke.

She said a prison official, whom she believed to be the second in command at King William's Town, had told her her husband had been play acting and was not ill. He had said this was the opinion of the doctors.

Her husband had not been in solitary confinement at the prison, but in a cell with other prisoners and she said the only factor which had been playing on his nerves was a question of housing for her.

Since his detention there had been a question of her moving into a state house and she had been unable to get a house through the state.

"The security police told him I had been offered a home and refused to move into it in an attempt to set him against me," she said.

They had been married nine years and Mr Mvovo had not suffered from any mental illness during this period, though his wife thought there might have been some incident prior to this. — DDR.

Cape Times 28/2/78

Dentist hanged himself, inquest told

(329)

Own Correspondent

DURBAN. — A dentist, detained in connection with "subversive activities", hanged himself in his police cell about 20 hours after being bundled into a car in a quick and unobtrusive arrest, an inquest court here heard yesterday.

Extensive bruising was found on the body of 26-year-old Dr Hoosen Haffjee and death was consistent with hanging, the inquest heard.

Lieutenant J B. Taylor of the security police told the magistrate, Mr T L Blunden, that on August 2 last year he stationed himself at the junction of Stanley Copley Drive and Crescent Street, Durban.

When Dr Haffjee drove past about 8am, he followed and forced the doctor's car to pull up. He approached the dentist, who had got out of his car.

"I identified myself and told Dr Haffjee to turn around and place his hands on the roof of his vehicle and submit himself to a search," the lieutenant said.

"I didn't tell him why he had to do so because I wanted to search him as quickly as possible for weapons. The information at our disposal was that this man was a member of a dangerous organization and was trained in certain fields."

Lieutenant Taylor said Dr Haffjee started to protest, became truculent, and seemed to be annoyed.

When the policeman tried to take hold of his hands, the doctor withdrew from his grasp with a violent movement. Another security policeman, a Captain Du Toit, approached from the rear, caught Dr Haffjee in a "full Nelson" grip, and pushed him against the car to be searched.

Dr Haffjee was told he was being detained in connection with alleged subversive activities and was being taken to a police station.

He refused to accompany the policemen, although Captain Du Toit "took the trouble" to repeat what he had said, and "a measure of force" had to be used to get him into the back of his car.

Weighed 59 kg

The two policemen pushed the dentist into the back of the car and held him down. He did not try to strike them, but grabbed at the car door and kicked out.

Lieutenant Taylor said he did not think anyone was injured in the struggle.

Captain Du Toit weighed about 105 kg and Lieutenant Taylor about 82 kg, the court was told. Dr Haffjee weighed 59 kg and was slightly built, but they had difficulty in subduing him, the lieutenant said.

The dentist was taken to the Brighton Beach police station and was told he was being held under the Criminal Procedures Act and could not see a lawyer for 48 hours.

Lieutenant Taylor said Dr Haffjee's family was not informed of his arrest as a great deal depended on no news of his detention leaking out. It had been necessary to arrest him as quickly and unobtrusively as possible and to get information from him.

He was interrogated through the day about his past and schooling in South Africa and overseas, a trip to India, and his liaison with certain organizations which included the ANC.

Lieutenant Taylor said Dr Haffjee was cooperative up to a point but was evasive about his personal life.

He was also questioned about subversive literature that had been found when police searched his apartment.

At one stage they accompanied Dr Haffjee into the centre of the city and an Indian residential area where he pointed out

Four policemen were involved

When they returned to the police vehicle Dr Haffjee refused to accompany them and force had to be used again to get him into the car.

Lieutenant Taylor said four policemen were involved in this struggle at various times. Although he had been interrogated for a lengthy period the dentist was again difficult to subdue. Dr Haffjee refused to answer further questions and was taken to a police cell at 12.20am after his personal particulars had been entered at the Brighton Beach police station.

Lieutenant Taylor said he inspected the cell with Captain Du Toit and instructions were given to the policemen on duty. At no stage during the day had Dr Haffjee complained of injuries.

He then went home, where he was told at 5.30am that the detainee had hanged himself.

Later that day he made a statement to his commanding officer, a Colonel Stadler, who wanted to know how any injuries on Dr Haffjee's body had been caused.

The lieutenant said he still did not know where the injuries were situated on Dr Haffjee's body.

"I was surprised and wondered where the marks had originated," he said. "Nobody implied there had been an assault."

The chief State pathologist in Durban, Professor I Gordon, said he examined Dr Haffjee's body in a cell at Brighton Beach at 7am on August 3.

Dr Haffjee was on his buttocks with his lower limbs on the floor. His trunk was upright and suspended from the grille door. He was wearing a vest, shirt and underpants. His head had been passed through the V of his pants, which were twisted and tied to the grille with the aid of a handkerchief. Death had taken place about three to four hours previously, he concluded.

When he conducted a post-mortem he found ligature marks on the dentist's neck, multiple superficial injuries on the surface of the skin and other deeper injuries. There was bruising of the elbow, knees, ankles and ribs, and a mass of bruises between the buttocks, loin and lower margins of the shoulder blades.

Professor Gordon thought most of the bruises had been caused about four to 12 hours before death, between about 3pm and midnight the previous day.

In a videotape recording shown to the court, Brigadier L P Neethling, of the Forensic Science Laboratories in Pretoria, reconstructed how he thought the dentist might have died.

The brigadier tied the legs of a pair of pants to the bars of a cell with the aid of a handkerchief, put his head in the V of the pants at the crutch and twisted himself around.

As the legs of the pants twisted they brought pressure on his neck. He said if he had kept up the motion he would have lost consciousness.

The hearing continues today.

Mr B Schonfeldt is leading the evidence. Dr W E Cooper SC, Mr H Plamen and Mr A B Mahomed are appearing for Dr Haffjee's family, instructed by A K Essack and Company. Mr W Booysse SC and Mr J Combrink are appearing for the SAP.

28/2/78

SP 'PUSHED' DENTIST 329 N.M. 28/2/78 INTO CAR

Court Reporter

A DENTIST detained in connection with "subversive activities" hanged himself in his police cell about 20 hours after being bundled into a car in a quick arrest, an inquest court in Durban heard yesterday.

Extensive bruising was found on the body of 26-year-old Dr. Hoosen Haffeejee. Death was consistent with hanging.

Lt. J. B. Taylor of the Security Police told the Magistrate, Mr. T. L. Blunden, that on August 2 last year he stationed himself at the junction of Stanley Copley Drive and Crescent Street in Durban.

When Dr. Haffeejee drove past at about 8 a.m. he followed and forced the other car to pull to the side of the road. He then approached the dentist who was standing by his car.

Search

"I identified myself and told Dr. Haffeejee to turn around and place his hands on the roof of his vehicle and submit himself to a search," the lieutenant said.

"I didn't tell him why he had to do so because I wanted to search him as quickly as possible for weapons. The information at our disposal was that this

man was a member of a dangerous organisation and was trained in certain fields."

Lt. Taylor said Dr. Haffeejee started to protest loudly, asking what it was about. He became truculent and seemed to be annoyed.

When the policeman tried to grab hold of his hands, he withdrew from his grasp with a violent movement. Another Security Policeman, Captain du Toit, then approached from the rear, caught Dr. Haffeejee in a "full Nelson" grip, and pushed him against the car to be searched.

Detained

Dr. Haffeejee was told he was being detained in connection with alleged subversive activities and was being taken to a police station.

He refused to accompany the policemen, although Capt. du Toit "took the trouble" to repeat what he had said. "A measure of force" had to be used to get him into the back of his car.

The two policemen pulled and pushed the dentist into the back of his car then held him down. He did not try to strike them but grabbed at the car door and kicked at the air.

Lt. Taylor said he did not think anyone received any injuries in the struggle.

Difficulty

Capt. du Toit weighed about 105kg and Lt. Taylor about 82kg, the Court was told. Dr. Haffeejee weighed only 59kg and was slightly built, but they had difficulty in subduing him, the lieutenant said.

The dentist was taken to the Brighton Beach police station and was told he was being held under the Criminal Procedures Act and could not see a lawyer for another 48 hours.

Lt. Taylor said his family were not informed of his arrest as a great deal depended on no news of Dr.

was taken to a police cell at 20 minutes past 12 after his personal particulars had been entered at the Brighton Beach police station.

Inspected

Lt. Taylor said he inspected the cell with Capt. du Toit and instructions were given to the policemen on duty.

At no stage during the day had Dr. Haffeejee complained about any injuries and he did not note any.

Lt. Taylor then went home where he was told at 5.30 a.m. that the detainee had hanged himself.

Later that day he made a statement to his commanding officer, Colonel Stadler, who wanted to know how any injuries on Dr. Haffeejee's body had been caused.

The lieutenant said he did not to this day know where the injuries were situated on Dr. Haffeejee's body. He had realised the seriousness of getting involved in the investigation and nobody had canvassed the point with him.

Examined

The chief government pathologist in Durban, Professor I. Gordon, said he examined Dr. Haffeejee's body in a cell at Brighton Beach at 7 a.m. on August 3.

Dr. Haffeejee was on his buttocks with his lower limbs on the floor. His trunk was upright and suspended from the grille door. He was wearing a vest, shirt and underpants. His head had been passed through the v of his pants which were twisted and tied to the grille with the aid of a handkerchief.

Death had taken place about three to four hours previously, he concluded.

When he conducted a post mortem examination he found ligature marks on the dentist's neck, multiple superficial injuries on the surface of the skin and other

It had been necessary to arrest him as quickly and unobtrusively as possible and to get information from him.

Schooling

He was interrogated through the day about his past and his schooling in South Africa and overseas, about a trip to India and his liaison with certain organisations which included the ANC.

Lt. Taylor said Dr. Haffee was co-operative up to a point but was evasive about persons he knew.

He was also questioned about subversive literature that had been found when police searched his home.

At one stage they accompanied Dr. Haffee into the centre of the city and an Indian residential area where he pointed out places to them.

Lt. Taylor said investigations were still proceeding and would be prejudiced if he revealed names and addresses.

Pointed

At 8 p.m. they went to the beachfront where Dr. Haffee pointed out other places.

When they got back to the police vehicle Dr. Haffee refused to accompany them any further and force had to be used to get him into the car.

Lt. Taylor said four policemen were involved in this struggle at various times. Although he had been interrogated for a lengthy period the dentist was again difficult to subdue.

Dr. Haffee refused to answer further questions and

Bruising

There was bruising of the elbow, knees, ankles and ribs and a mass of abraded bruises between the buttocks, loin and lower margins of the shoulder blades.

Prof. Gordon thought most of the bruises had been caused about four to 12 hours before death, between about 3 p.m. and midnight the previous day.

In a videotape recording shown to the Court, Brigadier L. P. Neethling of the forensic science laboratories in Pretoria, reconstructed how he thought the dentist might have died.

The brigadier tied the legs of a pair of pants to the bars of a cell with the aid of a handkerchief, put his head in the v of the pants at the crutch and twisted himself around.

As the legs of the pants twisted they brought pressure on his neck. He said if he had kept up the motion he would have lost consciousness.

The hearing continues today.

28/2/78

Dentist hanged with pants inquest told

28/9/78
3200

DURBAN — A dentist detained in connection with "subversive activities" hanged himself in his police cell about 20 hours after being bundled into a car in a quick and unobtrusive arrest, an inquest court here heard yesterday.

This was disclosed at the inquest into the death of Dr Hoosen Haffeejee, 26, who was found dead in a police cell after being detained by the Security Police on August 3 last year.

Lt J. B. Taylor of the Security Police said he and other members of the branch had waited outside Dr Haffeejee's flat on August 2. At about 8 am he had seen him in his car and followed him.

He had signalled Dr Haffeejee to stop. He had not stopped and eventually he forced Dr Haffeejee's car off the road, identified himself to Dr Haffeejee and told him he was under

arrest.

Dr Haffeejee adopted an insolent attitude and refused to allow himself to be arrested or get into Lt Taylor's car. There was a struggle until Capt P. L. du Toit arrived on the scene and helped Lt Taylor get Dr Haffeejee into the car.

Lt Taylor said Dr Haffeejee's family were not informed of his arrest as a great deal depended on no news of his detention leaking out. It had been necessary to arrest him as quickly and unobtrusively as possible and to get information from him.

Dr Haffeejee was taken to the Brighton Beach police station and interrogated from about 9 am until about 11 am. They then drove about the central area of Durban and an Indian residential area until returning to the police station at about 1.30 pm.

Lt Taylor refused to say where they had driven. He said investigations into other matters were proceeding. If he gave the information it might prejudice the investigations.

At about 8 pm he, Capt Du Toit and two other policemen, had gone to the beach area with Dr Haffeejee as a result of information from Dr Haffeejee.

Dr Haffeejee had pointed out certain points to them. After this he had refused to re-enter the police car. There had been another struggle to push him into the back of the car.

They had returned to the Brighton Beach police station and continued the interrogation. The police had confronted Dr Haffeejee with certain documents.

Lt Taylor said it had been clear to him that Dr Haffeejee had been upset about the documents. Dr Haffeejee had refused to answer further questions.

Dr Haffeejee had been taken to a cell and left in it after Lt Taylor and Capt Du Toit inspected it.

Lt Taylor then went home where he was told at 5.30 am that the detainee had hanged himself.

Later that day he made a statement to his commanding officer, Col

Stadler, who wanted to know how any injuries on Dr Haffeejee's body had been caused.

Lt Taylor said that at no time during the day had Dr Haffeejee reported any injuries. He had also seen no injuries on the dentist.

Cross-examined by Dr Cooper, Lt Taylor said he weighed 82 kg. Capt Du Toit was a big man weighing about 104 kg. He agreed Dr Haffeejee was slightly built.

Prof I Gordon, chief state pathologist in Durban, said death had been consistent with hanging.

He had examined the body in the cell at 7 am. The body had been dressed in a shirt and underpants.

The trouser legs had been twisted and bound tightly around Dr Haffeejee's neck. The trouser ends had been tied with a handkerchief and bound to the bars of the grille door of the cell.

The body had been found with the buttocks and legs on the floor. Prof Gordon said he estimated the time of death at between 3 am and 4 am.

In a detailed report he said he had found numerous small bruises on Dr Haffeejee's back. There had been other bruises on the legs and ribs.

He estimated these bruises had been caused four to 12 hours before death.

There had also been ligature marks on the neck.

The hearing continues today. —DDC-SAPA.

Cape Times 1/3/78

329

Interrogator denies Haffejee was injured

DURBAN. — A security policeman was surprised to hear that 40 to 50-abraded bruises were found on the body of a 26-year-old detainee who died soon after his arrest. He had seen similar injuries on accident victims, he told an inquest court here yesterday.

Lieutenant J B Taylor said he could not comment on the fact that the injuries described did not tally with his story to the court.

He denied that they had been inflicted during excessive interrogation of dentist Dr. Hoosen Haffejee. Lieutenant Taylor was giving evidence before Mr T L Blunden at an inquest into the death of Dr Haffejee. The detainee was found hanging by his trousers from bars in a cell at Brighton Beach police station on August 3, less than 24 hours after his arrest by security police.

At an earlier hearing Lieutenant Taylor said Dr Haffejee was arrested about 8am on August 2 and held under the Criminal Procedures Act.

He was suspected of subversive activities and bundled into a car by two policemen who spent the day interrogating him.

Lieutenant Taylor said when questioned about subversive literature, Dr Haffejee said he had thrown some books into the sea, and took the policeman to the North Pier area and pointed out a rock.

"Back at the car he stopped abruptly and said he had co-operated with us enough," the lieutenant told the court. "He said he had told us all we wanted to know and insisted on being charged and let out on bail."

"We argued for two to three minutes, then told him to get into the car. The captain took him by the arm and gently pulled him towards the open car door. He did not grab him."

"I can remember pushing him at the same time. He was struggling and wriggling to free his arm." After a "hectic" strug-



TOP: Dr Haffejee's parents, Mr and Mrs M Haffejee, who are attending their son's inquest. BOTTOM LEFT: Dr W E Cooper, SC, appearing for the Haffejee family. BOTTOM RIGHT: Professor I Gordon, the chief government pathologist who conducted the post-mortem on Dr Haffejee's body.

gle three other policemen with Haffejee had "a certain fitness" as far as he was concerned. As far as he knew, nobody's clothes were torn.

Lieutenant Taylor said "Dr Haffejee could have been

injured by striking his legs and arms against the car. He was not hurt deliberately.

Lieutenant Taylor conceded under cross-examination by Dr W E Cooper, SC, representing the Haffejee family, that the detainee's efforts were "futile in the extreme". He denied that the struggle was a figment of his imagination.

Back at Brighton Beach police station Dr Haffejee was interrogated further and about 11pm shown documents, some of which were in his handwriting.

"It was immediately evident that these were a shock to Dr Haffejee. He shut himself off completely and either evaded or absolutely refused to answer further questions," Lieutenant Taylor said.

Dr Cooper: "Would you be surprised to know that the people who examined the body found 40 to 50 abraded bruises on it?" — "I would, yes, it would appear not to fit in with my story, but I cannot comment on that."

Dr Cooper: "But you are being asked to comment. You were the custodian of the body in these fateful hours. The senior pathologist found that the injuries were sustained within four to 12 hours before the deceased's death. What do you say to that?" — "If that is what he found I would go along with it."

Dr Cooper: "I would suggest that these injuries were inflicted during excessive interrogation of the deceased." — "Ridiculous."

Mr Harry Pitman and Mr A B Mahomed (instructed by A K Essack and Company) appeared with Dr Cooper. Mr Booysen was assisted by Mr J Combrink and Mr S Schonfeldt led evidence.

Wednesday,
March 1, 1978

JANUARY

11/3/78 02

(329)

Snap visits to detainees soon

CAPE TOWN — Surprise visits are to be made to jails by senior legal men to check on the treatment of detainees.

This was announced by the Minister of Justice, Mr. Kruger, yesterday.

In an interview on plans to introduce new measures concerning security detainees, he said where possible district magistrates would also make surprise visits to jails apart from the regular medical "parades" and health checks.

He said the "snap" visits by retired legal men who had held senior positions would operate together with existing checks.

"The idea is that whoever is appointed will go to any prison at any time to make his inspection and nobody need know his coming," Mr. Kruger said.

"His report will be directly to me, independent of any other department."

"Only I will know what is in the report and if necessary will be able to act swiftly and accordingly."

Mr. Kruger said he was still going into the whole question of who would be appointed and what their service conditions would be.

Both the Progressive Federal and the New Republic Parties said the

Government's proposals to protect detainees did not go nearly far enough.

The Ppp's spokesman on civil liberties, Mrs. Helen Suzman, said "nothing short of the complete abolition of the detention section Six of the 1966 Act would really protect the people arbitrarily detained."

The NRP's spokesman on justice, Mr. John Malcomess, while welcoming the proposals as an improvement, said the measures were "a cosmetic change to a system which is an abrogation of the rule of law."

Mrs. Suzman said: "What we want is the return to habeas corpus in detention areas. Then all these measures provided by the Minister would

become redundant. Since the Minister insists on retaining the drastic power of detention without trial in solitary confinement for interrogation purposes, it is outrageous that legal and frequent visits to people not in any way connected with the police is the only way any sort of protection can be provided."

"Leaving it to the judges who would have to visit detainees on duty time is insufficient," Mrs. Suzman said.

She was surprised at the Minister's description of sick "parades" for detainees. "Certainly no detainee I have ever met has ever mentioned one of these," Mrs. Suzman said.

Mr. Malcomess said anything which was done to improve the position of detainees should be welcomed.

"I hope the new rules will improve the situation

and that the responsible lawyers and district magistrates will take their seriously to ensure the adequate protection of detainees."

The new arrangements were a "tiny step forward," Prof. J. H. Mathews, head of the Department of Law at the University of Natal, said yesterday.

"But they are too small to give anyone the assurance that the problems of the past will be removed," Prof. Mathews added.

Prof. Mathews criticises Mr. Kruger's plan that the legal expert be responsible only to the Minister. "There has to be some check on any Minister and the check I would like to see is an independent court. If the legal expert finds any signs of ill treatment, he should be in a position to place it before a court."

He also proposed visits to detainees by their own doctors. —

Haffeejee court to rule on ^{star 1/3/78} ⁽³²⁹⁾ bomb notes

DURBAN — Bombs which had been found in buildings in South Africa were the same as those described in notes in Dr Hoosen Haffeejee's handwriting, a Durban inquest court was told today.

Mr W H Booysen, SC, for the police, made this statement when he submitted that Dr Haffeejee committed suicide while in detention after he was confronted with the allegedly subversive documents.

Dr Haffeejee (25), a dentist, was found hanged in a cell at Brighton Beach police station on August 3 last year.

Yesterday the court heard evidence that Dr Haffeejee was shocked when the police confronted him with allegedly subversive documents.

Mr Booysen has applied for the documents to be admitted as exhibits in the inquest.

The legal advisers of the Haffeejee family have opposed the admission of the documents.

Mr Booysen said the documents were relevant as they provided a motive for Dr Haffeejee to commit suicide. He said there were notes in Dr Haffeejee's handwriting on how to make explosives, detonators, timing devices, booby traps and grenades.

BRIDGES

There were also notes on how these devices should be used to blow up buildings, ships, vehicles, aircraft, bridges and oil refineries.

Among the documents was a manual for organising terrorism and revolution in South Africa and giving targets.

Mr Booysen said an explosives expert would say, if he gave evidence, that bombs found in South African buildings were the same as those described in Dr Haffeejee's notes in his handwriting.

Dr N E Cooper, SC, for the Haffeejee family, argued that, should the court accede to the police counsel request, it would turn the inquest into a criminal trial of an accused who was already dead.

The Magistrate, Mr T L Blunden, said he would give a ruling on the admissibility of the documents, possibly later today.

TERROR NOTES 'CAUSED SHOCK'

Court Reporter

INCRIMINATING handwritten notes on urban terrorism and the making of explosives could have induced detainee Dr. Hoosen Haffjee to commit suicide, an inquest magistrate in Durban was told yesterday.

Time bombs found in buildings recently were made in a manner described in documents shown to Dr. Haffjee (26) shortly before his death, Mr. Willem Booysen, SC, said.

The documents, some of which were in the dentist's handwriting, were produced by Security Police while the detainee was being interrogated after his arrest last August 2 in connection with alleged subversive activities.

Police evidence at the inquest into Dr. Haffjee's death had been that the dentist showed signs of shock when confronted with the documents and refused to answer further questions.

He was taken to a cell where he was found hanging by his trousers from the grille door a few hours later.

Addressing argument on the admissibility of the documents Mr. Booysen, for the S.A.P., said the main question was whether Dr. Haffjee died by hanging himself or whether he died as the result of the activities of others.

Motive

The Court had to inquire whether there had been undue interrogation which might have led to his death, causing it directly or giving him a motive to hang himself.

It was therefore relevant to inquire into any motive he

They wanted answers to their questions."

Mr. Booysen said he proposed leading evidence that bombs found in buildings recently were made in a manner described in the documents.

Answer

Replying to Mr. Booysen's argument Dr. W. E. Cooper, SC, for the Haffjee family, said the dentist was dead and not in a position to answer the allegations made by Mr. Booysen and which he said should be inferred from the documents.

"The mere production of a document does not make its contents evidence against him and a question of what weight should be drawn from his silence or conduct would depend on the totality of the evidence," Dr. Cooper told the Court.

"What weight are you going to attach to the fact that at 11.30 p.m., after a day's interrogation, Dr. Haffjee wished to remain silent?"

Dr. Cooper said he could not see how evidence of recent bombs exploded in urban areas could be relevant to the hearing.

"It looks like a case where the deceased is being put on trial in this forum for an offence on which he was never charged and to which he cannot answer.

"I say with respect that to permit this forum to be used for this exercise would not be fair. I wish to emphasise that to admit the documents will be to turn this forum into a criminal trial in respect of an accused who is deceased."

The documents held by the police were highly incriminating. They showed that the persons who compiled them had made notes on how to derail trains, blow up buildings and sabotage aeroplanes — among other things.

They dealt with the theory and practice of sabotage and urban terrorism and contained detailed instructions on how to make various explosive devices like Molotov cocktails, fuses, detonators and grenades.

The police were not trying to prove the truth of what was contained in the documents, but wanted to produce them as original evidence that they had shocked Dr. Haffjee and this could have constituted a motive for suicide, Mr. Booysen said.

Exposure

"We submit that the deceased now knew that he would probably face a public trial and consequent exposure as a saboteur, especially equipped or trained for urban terrorism. He would face a conviction and lengthy period of imprisonment. If he remained in detention, on the other hand, he would run the risk of exposing possible accomplices, having to give evidence in court against them and being branded as a collaborator."

The documents showed the dentist's involvement in the activities of an organisation. They set out targets for sabotage and showed how to go about doing it.

"They showed his involvement in matters of a criminal nature which is also relevant to the question of whether the police would have had a motive to cause his death," Mr. Booysen said.

"We submit that Dr. Haffjee was worth far more to the police alive than dead.

Mr. T. L. Blunden, who is presiding, said he would give his decision at a later stage.

Cross-examined about bruises found on Dr. Haffjee's knees Captain P. L. du Toit of the Security Police said it was possible that the dentist fell to his knees on the ground while being placed in the back of a car.

He did not see that happen, but could only provide the Court with possibilities. He did not see any marks on the detainee.

Captain du Toit said he last saw Dr. Haffjee after midnight on August 3 when he and four other policemen took him to his cell. He had been instructed by his head office to accompany the detainee and inspect the cell to see if everything was all right.

Dr. Haffjee appeared worried and nervous but otherwise normal. He was fully clothed apart from his tie which had been removed at an earlier stage.

He was told early the next morning that the detainee had hanged himself.

Material

He immediately went to the police station and looked into Dr. Haffjee's cell. There was material round the grille and it looked as if the same material was around the detainee's neck.

Captain du Toit said he did not go into the cell as it was not his duty to do so. Other policemen were there for this. He accepted that Dr. Haffjee was dead.

He had not asked where injuries found on Dr. Haffjee were situated as he was not curious about them.

He was not surprised to hear that the detainee had these injuries.

The hearing continues today.

Mr. B. Schonfeldt is leading evidence. Dr. Cooper is assisted by Mr. Harry Pitman and Mr. A. B. Mahomed (instructed by A. K. Essack and Company). Mr. Booysen appears with Mr. Jan Combrink.

2 Mar '78

Haffejee sought revolt, court told

ARGUS 2/3/78 329

The Argus Correspondent

DURBAN. — Documents allegedly possessed by Dr Hoosen Meer Haffejee, 25, advocated a general revolution to set up a socialist peoples' republic in South Africa, it was stated in the Magistrate's Court today.

Mr T L Blunden ruled that the documents were admissible as evidence at the Haffejee inquest.

Mr Blunden is conducting the inquest into the death of Dr Haffejee, who was found hanged in his cell at the Brighton Beach police station in the early hours of August 3 last year.

The court has heard that Dr Haffejee, a dentist, was arrested by the Security Police about 8.30 am on August 2. He was interrogated for most of the day and placed in a cell just after midnight.

He was found hanged about four hours later.

Giving his ruling, Mr Blunden said he had been asked by Mr W H Booyen, SC (for the police), to admit the documents mentioned in evidence by police witnesses as evidence at the inquest.

Dr W E Cooper, SC (for the Haffejee family), had objected on the grounds that the documents were irrelevant and tended only to show Dr Haffejee in a bad light.

Mr Blunden said it was sufficient at this stage to say that, taken together, the documents advocated a general revolution in South Africa and the setting up of a socialist peoples' republic.

A GUIDE

They provide a guide for doing this and gave detailed instructions as to how death and destruction could be brought about by the use of home-made bombs and detonating devices.

Mr Blunden ordered that the documents and their contents should not be made public at this stage.

He said inquest proceedings were never intended to bring dead people into disrepute.

Evidence might have that effect, but that was not a ground for excluding it.

Dr Haffejee was in the custody of the police when he died an unnatural death. It was natural to look to the police for an explanation.

Mr Blunden said it could be accepted that no person put an end to his life without good reason. (Proceeding).

Chute champ

PRETORIA. — Army Sergeant Anton Retief won the senior accuracy competition with 24.59 points at the Defence parachuting championship. — Sapa.

D.D. 28/78
(327)

Inquest told of incriminating documents

DURBAN — Incriminating handwritten notes on the waging of urban terrorism and the making of explosives could have induced detainee Dr Hoosen Haffeejee to commit suicide, an inquest magistrate here was told yesterday.

Time bombs found in buildings recently were made in a manner described in documents shown to Dr Haffeejee, 26, shortly before his death, Mr Willem Booysen, SC, said.

The documents, some of which were in the dentist's handwriting, were produced by Security Police while the detainee was being interrogated after his arrest on August 2 last year in connection with alleged subversive activities.

Police evidence at the inquest into Dr Haffeejee's death has been that the dentist showed signs of shock when confronted with the document and refused to answer further questions.

He was taken to a cell where he was found hanging by his trousers from the grille door a few hours later.

Addressing argument on the admissibility of the documents, Mr Booysen, who is appearing for the police, said the main question was whether Dr Haffeejee died by hanging himself or whether he died as a result of the activities of others.

The court had to inquire whether there had been undue interrogation which might have led to his death, causing it directly or giving him a motive to hang himself.

It was therefore relevant to inquire into any motive he might have had to commit suicide and his state of mind before his death.

The documents held by the police were highly incriminating. They showed that the persons who compiled them had made notes on how to derail trains, blow up buildings and sabotage aeroplanes among other things.

The police were not trying to prove the truth of what was contained in the documents, but wanted to produce them as original evidence that they shocked Dr Haffeejee and could have constituted a motive for suicide, Mr Booysen said.

"We submit that the deceased now knew that he would probably face a public trial and consequent exposure as a saboteur, especially equipped or trained for urban terrorism. He

would face a conviction and lengthy period of imprisonment. If he remained in detention on the other hand he would run the risk of exposing possible accomplices, having to give evidence in court against them and being branded as a collaborator."

The documents showed the dentist's involvement in the activities of an organisation. They set out targets for sabotage and showed how to go about doing it.

"They showed his involvement in matters of a criminal nature which is also relevant to the question of whether the police would have had a motive to cause his death," Mr Booysen said.

"We submit that Dr Haffeejee was worth far more to the police alive than dead. They wanted answers to their questions."

Mr Booysen said he proposed leading evidence that bombs found in buildings recently were made in a manner described in the documents.

Replying to Mr Booysen's argument, Dr W. E. Cooper, SC, who is appearing for the Haffeejee family, said the dentist was dead and not in a position to answer the allegations made by Mr Booysen and which he said should be inferred from the documents.

"The mere productions of a document does not make its contents evidence against him and a question of what weight should be drawn from his silence or conduct would depend on the totality of the evidence," Dr Cooper told the court.

Mr T. L. Blunden, who is presiding at the hearing, said he would give his decision at a later stage.

Capt P. L. du Toit of the Security Police said he last saw Dr Haffeejee after midnight on August 3 when he and four other policemen took him to his cell.

Dr Haffeejee appeared worried and nervous but otherwise normal. He was fully clothed apart from his tie, which had been removed at an earlier stage.

He was told early the next morning that the detainee had hanged himself.

He immediately went to the police station and looked into Dr Haffeejee's cell. There was material round the grille and it looked as if the same material was around the detainee's neck.

The hearing continues today. — DDC.

EDITORIAL OPINION

Not enough, Mr Kruger!

The Minister of Justice, Mr Kruger, hopes to reduce the risk of political detainees being maltreated through appointing retired legal men to carry out snap checks on the situations in prisons where detainees are held.

Depending on the calibre of the people he appoints, the check system could discourage interrogators and others from going too far in their efforts to extract information from people detained for security reasons.

To that extent, the Minister's action is a step in the right direction. It will enable detainees to make complaints to these outside jurists who, in turn, will have direct access to the Minister to put the position to him.

One weakness of the plan is that it limits contact with detainees to "appointed" people, which presumably means people approved by the Minister. Another weakness is that these visitors' reports will have to go confidentially to the Minister.

But the Minister, in circumstances of political detention, is also the jailer and a person regarded by detainees as being hostile to them. What confidence can Mr Kruger really expect detainees to have in such a system of communication?

All he has done by introducing this system of checking is to add to the

burden of his own awesome responsibility for the welfare of detainees. If things continue to go wrong even more blame will be laid at his door than has been the case up to now.

Mr Kruger, in his own interests as well as the detainees' interests, should opt for a system of independent checks — by a detainee's doctor, by his lawyer, by his next-of-kin — with the provision that relief can be sought through the courts.

In other words he should abandon holding detainees incommunicado and restore the courts' rights of habeas corpus.

Support them!

Transvaal cricket fans haven't got over it. First they criticised Border for building their innings slowly. Then they grumbled about their own batsmen's impatience at the crease. They couldn't believe it when Border shot their vaunted eleven out twice to win by an innings.

Now it's one match to go for Border and a cup to win. This home game, starting tomorrow, deserves local support. Fill the ground!

Cape Times 3/3/78
**Kruger sees
Qoboza on
prisons tour** 329

Political Staff

THE Minister of Justice, Mr J T Kruger, has seen the newspaper editor, Mr Percy Qoboza, and the chairman of the Soweto Committee of Ten Dr Nathato Motlana, who are in preventive detention in Modder Bee prison.

Mr Kruger visited all Section 10 detainees in Modder Bee and in the Fort in Johannesburg over the weekend to check on their conditions and facilities.

He confirmed that he is considering the release of certain detainees.

Mr Kruger's visit comes in the midst of intense speculation about the coming by-elections for the Community Council in Soweto which is to be granted full municipal status.

Last month Dr Connie Mulder, Minister of Plural Relations and Development, said he would discuss the possible release of members of the Committee of Ten in view of Soweto elections.

Approaches

Yesterday Mr Kruger emphasized he did not visit the prisons specifically to see members of the Committee of Ten and said he had discussions with Mr Qoboza and Dr Motlana and others about their welfare.

Dr Mulder had made approaches to him about releasing some of the detainees.

"We are considering the matter at this stage. It is delicate and I cannot say anything further," said Mr Kruger.

He said he was satisfied at the conditions in which the 62 detainees are being held.

Television

"There is a television in one of the large cells in Modder Bee and all of the detainees have radios," said Mr Kruger. "All are sleeping on beds, there are plenty of blankets and they are receiving their food from outside. There are also plenty of games for them."

He said that he spoke to several of the detainees among whom were Mr Qoboza and Dr Motlana.



Mr Kruger

Police Cape Times 3/3/78 detain 329 research worker

By SIMON BARBER
and JANE ARBOUS

SECURITY POLICE early yesterday morning detained Mr. Tim Jenkin, 29, a research associate at the University of the Western Cape's Institute for Social Development. It is believed more arrests were made.

Colonel Henric Kotze, head of Cape Town security police, last night refused to comment. The Minister of Justice, Mr J. T. Kruger, was unavailable.

The detained man's father, Dr. P. Jenkin, last night confirmed that his son had been arrested.

"I was on my way to work yesterday morning when police stopped me outside my house. They told me to stay at home and talk to no one," he said.

He then called a security police colonel who told him he could go to work because he had a number of operations on his schedule. Later in the morning, he said, a police officer visited his wife and told her that their son had been detained. He received no further information.

Tim had been staying at a flat in Observatory, his father said, and was last seen by his mother on Tuesday.

The director of the Institute for Social Development, Mr. P. O. Kloote, said:

"There was an arrangement that he should work at home, so I wasn't surprised not to see him," Mr Kloote said.

Mr Jenkin was working on a major housing project funded by the Human Sciences Research Council, he said. The project concerned coloured housing in the Cape area. Mr Jenkin had been interviewing coloured leaders and officials.

Mr Kloote described Mr Jenkin as a "very quiet person who worked very well".

Qoboza, others held ^{ARGUS} 3/3/78 ³²⁹ may be freed

The Argus Parliamentary
Staff

THE Minister of Justice, Mr J T Kruger, confirmed today that the release is being considered of some of the 62 people detained in the security swoop of October 19 last year.

He also confirmed that he visited and spoke to some of the detainees in the Modder Bee Prison and the Johannesburg Fort last Friday.

They included Mr Percy Qoboza, the Editor of the banned World and Weekend World newspapers; Dr Nthato Motlana, the chairman of the banned Committee of Ten of Soweto; and some other members of the committee.

NOT DECIDED

Mr Kruger said he was not in a position to say when it would be decided who would be released.

Mr Kruger's announcement follows representations made to him by the Minister of Plural Relations and Development, Dr C P Mulder, after his talks with homeland leaders and also following the failure of the first round of Soweto Community Council elections.

'NO CASE'

Mr D Malcomess, of the New Republic Party said, while welcoming Mr Kruger's statement that some detainees might be released, that it underlined the point made by the Opposition that the Government had no case against these people because if they did they would charge them in court.

He therefore had to repeat the call that the detainees should be charged or released.

AK403 3/3/78

4 held under Terror Act

329

AT least four people were detained in Cape Town this week by Security Police under section 6 of the Terrorism Act.

They are Mr Tim Jenkin, 29, a research associate at the University of the Western Cape's Institute for Social Development; University of Cape Town library assistant Miss Daphne Smith; UCT sociology student Mr Steven Lee and Miss Peroza Ebrahim, who worked in a Cape Town dress shop.

It is believed that more people have been detained but their identities are not yet known.

LATER

A Cape Town Security Police spokesman said this morning they would probably be in a position to confirm or deny the arrests later today.

Mr Jenkin's mother, Mrs P Jenkin, said today she was told by a Security Police colonel yesterday that her son was being detained. She had had no further word from him.

Miss Smith's sister, Miss Erna Smith, said she had asked permission to visit her sister but permission had been refused.

PARLIAMENT

Kruger visits detainees

HOUSE OF ASSEMBLY — Mr. Kruger, Minister of Justice, has seen banned newspaper editor, Mr. Percy Qoboza, and the chairman of the Soweto Committee of 10, Dr. Nathato Motlana.

They are in preventive detention in Modder Bee prison, Boksburg, and at The Fort in Johannesburg.

Mr. Kruger saw them last weekend to check on their conditions and facilities.

He confirmed that he is considering the release of certain detainees.

Mr. Kruger's visit comes in the midst of intense speculation about the coming by-election for the community council in Soweto which is to be granted full municipal status.

Last month, Dr. Connie Mulder, Minister of Plural Relations and Development, said he would discuss the possible release of members of the Committee of 10 in view of Soweto elections.

Yesterday Mr. Kruger emphasised he had not visited the prisons specifically to see members of the Committee of 10 and said he had had discussions with Mr. Qoboza and Dr. Motlana and others about their welfare.

Dr. Mulder had made approaches to him about releasing some of the detainees.

"We are considering the matter at this stage. It is delicate and I cannot say anything further," said Mr. Kruger.

He said he was very satisfied at the conditions in which the 62 detainees are being held.

"There is a television set in one of the large cells in Modder Bee and all of the detainees have radios," said Mr. Kruger.

"All are sleeping on beds, there are plenty of blankets and they are receiving their food from outside.

"There are also plenty of games for them." — PC.

Body bruises called mystery

DURBAN — A Government pathologist could not explain the cause of multiple injuries on the body of a political detainee, who was found dead in his cell less than 24 hours after his arrest, an inquest magistrate heard here yesterday.

Prof I. Gordon said there were 40 to 50 abraded bruises on the body of Dr Hoosen Haffjee. He could not think of a way in which they could have been caused.

He was giving evidence before Mr T. L. Blunden at an inquest into the 26-year-old dentist's death.

Dr Haffjee was found hanging from his cell door at the Brighton Beach police station on August 3 last year. He had been arrested the previous day in connection with subversive activities and interrogated until midnight.

Prof Gordon said he had looked specifically for evidence of throttling, but could find none.

Marks similar to those found above the ligature mark on the dentist's neck were not infrequently seen on people who hanged themselves, he said.

A demonstration given by a police forensic expert has proved a man can hang himself from the cell doors with his trousers twisted about his neck.

Prof Gordon said he had

come to the firm conclusion that death was consistent with hanging.

Apart from the neck injuries, Dr Haffjee had had other multiple injuries.

Prof Gordon said some bruising on the scalp was caused before death. There were also bruises on his back, hip, knees, chest, feet, breast and stomach wall. They were mostly superficial and consistent with the application of force.

Dr D. Biggs, an orthopaedic surgeon, said to explain the marks on the dentist's neck he conducted experiments on pieces of skin from dead dogs with a special pair of pliers. They produced marks similar to those on the body.

The hearing continues today. — DDC.

M 3/3/78

329

DENTIST WELL, COURT TOLD

Court Reporter

AN hour before he was found hanging in a police cell, political detainee Dr. Hoosen Haffeejee was well and resting on his bed, an inquest Court in Durban heard yesterday.

Constable H. D. Naude said he saw the 26-year-old dentist in the custody of security policemen when he came on duty at the Brighton Beach police station on August 2.

Dr. Haffeejee had been arrested that morning and interrogated all day in connection with alleged subversive activities.

There was nothing wrong with the detainee when he

was taken to a cell shortly after midnight, both Constable Naude and Constable S. Madlala stated.

He was wearing a pair of pants and matching jacket and an open-neck shirt.

Awake

The two constables checked the cells at 3 a.m. on August 3. Dr. Haffeejee was awake and lying on his back on his bedding matting.

"I asked him if he had any complaints but he just shook his head to indicate that everything was all right. He did not speak to me," Constable Naude said.

After checking the cells the constable put the cell door keys in the charge office safe and kept the keys to the safe in his possession, the Court was told. It would not have been possible for anyone to get to the detainee.

When the constables checked the cells again at 4 a.m. they found Dr. Haffeejee lying on his side against the grille door. He was hanging from the door by his trousers, which were twisted around his neck.

Constable Naude immediately shut the cell door and told the station commander that Dr. Haffeejee was dead.

Blood

A specialist surgeon consulted by the Haffeejee family, Dr. T. G. Lorentz, said it was likely that extensive extravasation of blood on the dentist's head was caused by a direct blow of some significance.

"From the nature of the injury one would have expected it could hardly have gone unnoticed," the doctor said.

"One might have expected the deceased to be dazed or concussed."

Dr. Lorentz said if the head injury had been caused by more than one application of force it would have diminished the chance of concussion.

The police had stated that Dr. Haffeejee might have hit his head against something when he was being bundled into a police car in a struggle. In his opinion no satisfactory explanation had been given for the injury.

An injury to the abdominal wall might have been caused by a blow from a fist or Dr. Haffeejee falling against a hard object. It had probably winded the dentist and should not have gone unnoticed.

Of all the injuries found on the body, this should have been regarded as potentially serious.

The only significance of superficial bruises on various parts of the body was their distribution and number.

Dr. Lorentz said he would find it difficult to account for all the injuries, bearing in mind the large number of the lesions and the severity and extent of the deep bruises, having been sustained in two struggles described by the police.

Manhandled

"I would say the struggles described here were of short duration. A man of small stature was manhandled or subdued into entering a car fairly rapidly."

He thought most of the injuries were inflicted before the second of the two incidents described, about six hours before the dentist's death.

He did not think injuries to the knees were consistent with the deceased falling on gravel or tarmac. It looked as if they were produced by a more direct force, but he could not reject the possibility of the fall.

Dr. Haffeejee's trousers showed no signs of tearing or scuffing.

Dr. Lorentz said his opinions on the mechanism of the injuries were personal views. He could not produce

evidence that could refute police statements.

"I just said it was unlikely that the injuries could have been sustained in their multiplicity during the struggles."

The bruising could have been caused by the detainee's body coming into contact with hard surfaces.

Tissues

The Court was told that two experts for the police, Professor J. D. Loubser and Professor I. W. Simson, and two doctors consulted by the Haffeejee family, Dr. J. Gluckman and Dr. Lorentz, had come to an agreement after inspecting tissue taken from Dr. Haffeejee's body.

They found that about two-thirds of the tissue examined indicated that bruises had been caused eight to 24 hours before the detainee's death, and the remainder four to six hours before death.

This was on tissue examined that could not be completely representative.

Earlier, under cross examination, Lieutenant I. B. Taylor of the Security Police said the police wanted Dr. Haffeejee alive.

At the time of his arrest they were thinking of charging other people and needed information from him. His death was a serious setback in a nation-wide investigation.

The other policeman who interrogated Dr. Haffeejee, Captain P. L. du Toit, said he was surprised to a certain extent to hear that the dentist had 40 to 50 abrasions on his body, but he heard that some were only the size of a pin-head, a quarter of a centimetre.

The hearing adjourned to March 8.

4/2/78 M/329
3 UCT
students
detained

CAPE TOWN — Two German nationals — both students at the University of Cape Town — have been detained under the Terrorism Act. The German Government is to be notified.

Mr K. Hartmut and Mr H. Hirt were detained during a Security Police swoop in which at least four other people were also detained.

Col Hennie Kotze, head of Cape Town Security Police, confirmed the detentions.

The German Consul-General, Dr K. Ruscher, said he had been informed of the arrests.

The others detained are: Mr Tim Jenkin, 29, a research associate at the University of the Western Cape's Institute for Social Development, Miss Daphne Smith, a librarian at UCT, Mr Steven Lee, a UCT sociology student, and Miss Feroza Ebrahim, who worked in a Cape Town dress shop. — DDC.

Cape Times 4/3/78 329

Haffejee's death was setback to probe — police

DURBAN.— The death of Dr Hoosen Meer Haffejee, 25, was a serious setback to security police investigations into a matter with nation-wide implications, a security policeman said at the Haffejee inquest here yesterday.

Lieutenant J B Taylor was giving evidence before Mr T L Blunden, who is conducting the inquest into the death of Dr Haffejee. The dentist was found hanging in his cell in the Brighton Beach police cells in the early hours of August 3.

He had been arrested by security policemen on the morning of August 2 and interrogated for most of the day. He was locked into the cell at about midnight.

Lieutenant Taylor said it was important to the security police that Dr Haffejee stayed alive. "This man was in possession of a great deal of information which we had yet to obtain to complete the investigations. The implications were nation-wide.

"We contemplated charging other persons at an early stage of the investigations. The death of Dr Haffejee was a serious setback," said Lieutenant Taylor.

Captain P L du Toit, of the security branch, said he made a draft statement to Lieutenant-Colonel Stadler, chief of security in Durban, on the morning of August 3.

He then went to Dr Haffejee's flat with other members of the force. They took possession of books, a pamphlet and personal letters. The receipt they issued for these items was dated August 3 at 1pm.

Questioned by Dr W E Cooper SC (for the Haffejee family), Captain Du Toit said he could not say why the typescript of the statement he made to Lieutenant-Colonel Stadler was purported to have been signed by him at 1pm that same day.

Questioned by Mr W H Booysse SC (for the police) Captain Du Toit said the incriminating documents shown to Dr Haffejee a few hours before his death had been removed from his flat by security police in about April.

Photostat copies were made and the original documents were then returned to Dr Haffejee's flat so that he would not realize they had been removed.

Constable H D Naude said in an affidavit read at the inquest he was on duty at the Brighton Beach charge office when Dr Haffejee was put into a cell at about midnight.

No-one could have entered

He made visits of inspection to the cells every hour. The constable said he saw Dr Haffejee lying in his cell when he made a visit at 3am. Dr Haffejee was awake but they did not speak.

He found Dr Haffejee dead when he visited the cell at 4am. Constable Naude said the keys to the cell were kept in the safe. He had the key to the safe and no-one could have entered the cell without his knowledge.

Mr T G Lorentz, a fellow of the Royal College of Surgeons and a practising surgeon for 20 years, was then called by Dr W E Cooper SC (for the family) to give evidence on the injuries found on Dr Haffejee's body.

Dealing with the head injury, he said he found difficulty in accepting the evidence of Lieutenant J B Taylor and Captain P L du Toit that the extensive extravasation of blood in the subcutaneous tissues of the scalp could have been caused during Dr Haffejee's struggle with the police.

"In my view, the mechanism of the injury in this case would be likely to have been caused by a direct blow to the head," he said. The nature of the injury was such that it could "hardly" have gone unnoticed in that he would have expected Dr Haffejee to be dazed or concussed.

"In my opinion no satisfactory account has been given to the court by Lieutenant Taylor or Captain Du Toit to explain the injury to the head," he said.

Dealing with deep bruises found on Dr Haffejee's body, Mr Lorentz said these were likely to have been caused by direct blows such as from a fist.

The abdominal injury he said was potentially serious. He also found it difficult to attribute the number of superficial lesions and the severity and extent of the deep bruising on Dr Haffejee to any of the events described in the court.

"The struggles were of short duration, a man of short stature was subdued and manhandled into a car fairly rapidly on both occasions. I find it difficult to accept that all these injuries were sustained during these two struggles."

Questioned by Mr W H Booysse SC (for the police), Mr Lorentz agreed it was impossible on any scientific ground to refute incontrovertibly or to affirm the cause of Dr Haffejee's injuries.

He could not dispute that the head injury could have been caused by a blow or blows against the body of a car. "If more than one blow had been sustained in this way and at different times, the possibility of concussion would be diminished," Mr Lorentz said. At the conclusion of this evidence the inquest was adjourned to March 8 for legal argument. — Sapa

Durban dentist had blueprint for revolt claim security

By PENNY SWIFT

DURING the first five days of Dr Hoosen Haffjee's inquest this week, the body was able to explain 50 to 50 bruises found on his corpse.

Although his death was found to be consistent with hanging, there were many bruises — some only in-point marks, others much deeper.

These bruises were widely distributed over the corpse but were concentrated on the knees, elbows and back. The scalp-tissue was also bruised.

The police said he must have been bruised while they were struggling to get him into motor vehicles on two occasions before and after his arrest on August 2 last year. But several experts said this was highly unlikely. They remained mystified about many of the injuries but believed some could have been caused by fists or boot feet.

Dr Haffjee, 26, who was found dead in a Brighton Beach, Durban, police cell on August 3, was apprehended by 3 security police on his way to work the day before. His family was not notified and he died about 19 hours later.

The dentist had been interrogated by security policemen for an entire day before he was found hanging in his cell.

The police claimed he was involved in a subversive organisation and had had extensive training on the use of explosives and sabotage. And this week they were successful in admitting as inquest evidence detailed documents they say was written by Dr Haffjee.

Motive

According to Mr Willem Booysen, SC, for the police, this evidence would be highly incriminatory if not explained and could provide a motive for the dentist's suicide.

The documents showed an involvement in matters of a criminal nature and could prove Dr Haffjee was trained for urban terrorism.

They described the manufacture of time bombs like those recently found in South African buildings. Formulae were given for other explosive devices, many of which

could be made from readily available items like soap and sugar, Mr Booysen said.

The documents covered a wide field and also commented on coding and invisible ink which could be made from brandy, milk and onion juice. And they showed how substances, including napalm — used to make fire bombs — could be manufactured.

They also set out targets for sabotage which would lead to extreme unrest in South Africa.

When Dr Haffjee saw that the police had copies of the documents — some of which were in his handwriting — he was shocked and this could have driven him to suicide, said Mr Booysen.

Dr Wilfred Cooper, SC, appearing for the Haffjee family, argued that the acceptance of the documents as evidence would be tantamount to putting the dead man on trial. This would not be fair as he was not able to answer the allegations against him.

The magistrate, Mr T. L. Blunden, who described the documents as a pro-

position for "a general insurrection" which would lead to the establishment of a people's republic, accepted them as evidence but ruled that they should not be made public.

Although the family believed there was a more sinister explanation, it was possible that when Dr Haffjee realised the police had these documents he believed "the jig was up" and in his despair took his own life, he said.

The Haffjee family — the dentist's parents, his brother and sister — were present throughout the hearing in Durban this week.

'Curious'

Cross-examination by Dr Cooper focussed largely on the many "curious" injuries found on the dead man's body.

He asked two security policemen who interrogated the dentist at length on August 2 to account for about 50 bruises found during the post mortem examination.

Captain Robert de Vries

and Lieutenant James Taylor said he could only have been injured during two tussles with the police.

On the first occasion Dr Haffjee had to be bundled into a car in a quick arrest when he refused to go with them to the police station. And later he again refused to get into a police car after pointing out certain things to them.

Lieutenant Taylor denied that they had resorted to third degree methods during interrogation. They wanted the dentist alive and his death was a serious setback for their investigation.

The chief Government pathologist, Professor Isadore Gordon, who did the post mortem examination, said he was puzzled by the grouping and situation of the bruises.

There was no doubt that the dentist could have hanged himself but it was not his function to speculate whether this was suicide, accidental hanging or hanging up of the body

He said he looked for evidence of throttling during the examination and found none.

However, the bruises some of which were examined microscopically were not caused by hanging. Most were superficial injuries and appeared to be between four and 12 hours old.

"The only safe conclusion you can reach is that force was applied to the body of the deceased at some period between four or 12 hours before death."

Mystery

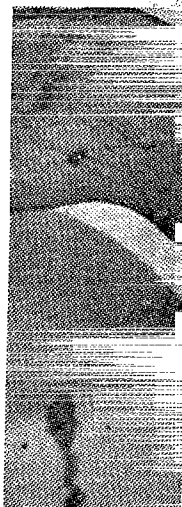
He agreed that some of the injuries could have been caused by a boot foot. Some were consistent with fist blows.

Dr D. H. Biggs, an orthopaedic surgeon who examined the corpse at the request of the Haffjee family, said he was puzzled by the mysterious injuries which appeared in pairs and were circular.

By experimenting the skin from dead



Some of the mystery bruises ... the small of Haffjee's back



Close-up of some bruising

PUZZLE OVER BRUISES



Death agony for a dentist . . . Haffeejee hangs from the bars of his cell

produce similar marks with a pair of special pliers.

A Johannesburg surgeon, Mr Theo Lorentz, said bruising of the scalp tissue was likely to have been due to a direct blow to the head. It was an injury which could hardly have gone unnoticed and he would have expected the dentist to have been dazed or concussed.

The most serious bruising

was an injury to the abdominal wall likely to have been caused by a fist blow.

The superficial bruises were not serious, but striking and significant because of their number and distribution, he said.

"I find it difficult to accept that all the injuries were sustained during the struggles described by the police," he said.

The last person to see

the 1.75 metre, 49 kilogram, dentist alive was Constable Hugh Naude who had custody of the cell keys.

He said he checked the cell every hour and Dr Haffeejee was alive and well at 3am.

At 4am he found him dead — hanging from the grille door, his trousers around his neck.

The inquest was adjourned until Wednesday.

NOT ENOUGH...

5/13/78
Sunday
T.M.W.
329
LET US accept that the Government will not give up the right to detain without trial. The purpose of this detention — in theory at least — is to illicit important information, though one cannot but suspect that the purpose is often to intimidate and to withdraw inconvenient persons from circulation.

There are two features of this detention which are irreconcilable with any democratic or Christian or humane view of the rights of persons in society. One is the long period of detention that often elapses before either a charge is preferred or no charge is preferred and the person is released. The second, and totally unacceptable, feature is that hitherto no person has had any right of access to the detainee except the people who are detaining him. That this can lead to barbaric abuses is now incontestable.

The decision by the Minister of Justice to allow surprise visits to detainees by retired "jurists" is to be welcomed.

But this does not go far enough. The word "jurist" should be defined. It might conceivably include retired prosecutors, and we intend no personal reflection when we say that prosecutors are not the most suitable class of persons to guard the interest of detainees. The jurist must be a judge.

What is more, the close relatives of the detainee should have reasonable access to the judge.

The State has a duty to maintain law and order, as the Prime Minister has often told us. But it also has a duty to guard the safety and security of its citizens, and that includes those of its citizens who are suspected of some offence. That is what habeas corpus means, and habeas corpus is the very foundation of liberty in the western world.

Consul acts on detention of Germans

Mercury Correspondent

CAPE TOWN — The German Embassy had contacted its Government about the detention under Section Six of two German nationals last week, the German Consul-General, Dr. K. Ruscher, said yesterday.

Dr. Ruscher said his Government was awaiting further developments.

Mr. K. Hartmut and Mr. H. Hirt, both biochemistry students at the University of Cape Town, were arrested early on Thursday morning during a Security Police swoop in which four other people are known to have been detained.

The Consul-General confirmed that members of his staff had been allowed to visit the two detainees. Mr. Hartmut had been seen on Friday and Mr. Hirt would be visited today.

The police had given him no reasons for the arrests, Dr. Ruscher said on Friday, and had offered no indication as to whether the Germans would be charged.

"As far as I am aware this is the first time that anything like this has happened," he said.

Mr. Hartmut and Mr. Hirt both lived near the university. Mr. Hartmut was said by his family to have been in South Africa for two years. He was a close friend of Mr. Hirt and was soon to become his brother-in-law.

Concern has been expressed about one of the other detainees, Miss Feroza Ebrahim, because she has lost both her parents.

Brigadier C. Zietsman, head of the Security Police, said in Pretoria on Friday: "I only give information about detainees to those who have to know — people like their parents, wives and children."

Colonel Kotze, head of the Security Police in Cape Town, said he would be unable to comment until this week.

6/2/78
mm
329

ARGUS

6/3/78
329

Father visits detainee son, finds him well

MR HERMAN HARTMUT, father of Mr Klaus Hartmut who was detained last Thursday under Section 6 of the Terrorism Act, said today he had visited his son yesterday and found him in good health.

'As yet I have no complaint against the police,' he said. 'He was in good health, was being treated well, and I was allowed to take him food and to change his clothes.'

Mr Hartmut, 22, who is a biochemistry student at the University of Cape Town, was detained last week with Mr Harry Hirt, 22, also a biochemistry student from Germany.

Four others were detained on Thursday and are being held under Section 6.

INNOCENT

'Not only am I convinced that my son is innocent,' said Mr Hartmut, 'but so are all his friends.'

'I am aware that under the Terrorism Act even innocent people may be detained, if the police want to extract information from them.'

He said he was distressed to hear his son's detention was publicised on television and in newspapers in Germany.

He and his family have been in South Africa about two years.

Mr Hartmut said he had also visited Mr Hirt, who was a good friend of his, and had found him healthy and well.

Dr K. Rushceer, German Consul-General, said today that although he had contacted the German Government about the detentions, there had been no further developments.

24th 1948 (22)
**Invitation
for Qoboza**

Own Correspondent

DURBAN — Mr Percy Qoboza, detained former editor of the banned newspaper The World, has been invited to the annual Press Assembly of the International Press Institute in Australia next week.

Mr Qoboza was detained in October under Section 10 of the Internal Security Act and is being held in Benoni's Modderbee Prison.

229 7/3/77
**Writer
detained
again**

PORT ELIZABETH — Playwright Mr Khaya Mqhayisa has been redetained under Section 10 of the Internal Security Act only three days after being released from Section Six of the Terrorism Act according to his mother.

Mr Mqhayisa is married and has a six-months-old child who was only two days old when he was first detained.

His mother, Mrs L. Mqhayisa, said her son's detention was causing hardship in the family.

"He was my right hand and we depended on his salary. Now the only person in the family who is working is Khaya's younger brother and he only started working as a salesman late last year," she said.

Mr Mqhayisa is a staunch Anglican and worked for The Voice newspaper before he was detained. — DDC.

Copy Times 7/3/78

German student released

(329)

By SIMON BARBER

ONE OF the two German nationals detained by the security police on Thursday was released last night. It is believed that the other is also to be set free.

The German consul-general, Dr K Ruscher, confirmed last night that Mr Klaus Hartmut had been allowed to go by the police after interrogation. He was

confident that Mr Harry Hirt would also be released.

"Mr Hartmut had been released with no strings attached, and allowed to go on with his studies. The police interrogated both detainees and are apparently satisfied that they are innocent."

Mr Herman Hartmut, the released man's father, said his son had been told to say nothing in public about his interrogation.

Klaus had found the police "kind and friendly" at the time of his arrest early on Thursday morning. Mr Hartmut said.

Both young men are studying biochemistry at the University of Cape Town, and, according to Mr Hartmut, are good friends. They were arrested under section six of the Terrorism Act with four others still thought to be in custody.

Police release German students

329

ARGUS 7/3/78

TWO German students who were among six people detained in Cape Town by Security Police last week were released yesterday.

They are Mr Klaus Hartmut and Mr Harry Hirt, both University of Cape Town biochemistry students.

Mr Hartmut's father, Mr Herman Hartmut, said today he had been telephoned by police at Caledon Square yesterday at 4 pm and told he could fetch his son.

Mr Hartmut had been allowed to visit his son and Mr Hirt while they were being detained.

'Klaus seems to be in very good shape and will be continuing his studies today,' he said.

Klaus had been told to say 'nothing about what the police thought he had been involved in'.

Mr Hartmut and Mr Hirt were detained on Thursday last week with four others, and were held at Caledon Square under section six of the Terrorism Act.

The other four are still being held.

They are Miss Daphne Smith, a librarian at UCT, Mr Steven Lee, a UCT sociology student, Mr Tim Jenkin, a research associate at the University of the Western Cape's Institute of Social Development, and Miss Feroza Ebrahim, a city fabric shop employee.

Cape Times 7/3/78

German student released (329)

By SIMON BARBER

ONE OF the two German nationals detained by the security police on Thursday was released last night. It is believed that the other is also to be set free.

The German consul-general, Dr K Ruscher, confirmed last night that Mr Klaus Hartmut had been allowed to go by the police after interrogation. He was

confident that Mr Harry Hirt would also be released.

"Mr Hartmut had been released with no strings attached, and allowed to go on with his studies. The police interrogated both detainees and are apparently satisfied that they are innocent."

Mr Herman Hartmut, the released man's father, said his son had been told to say nothing in public about his interrogation.

Klaus had found the police "kind and friendly" at the time of his arrest early on Thursday morning. Mr Hartmut said.

Both young men are studying biochemistry at the University of Cape Town, and, according to Mr Hartmut, are good friends. They were arrested under section six, of the Terrorism Act with four others still thought to be in custody.

9/13/78 58
32

Boss man on Biko

LONDON — Gen Hendrik van den Bergh, director of Boss, was quoted in the London Times yesterday as saying he knew nothing about the Steve Biko case, but it was unnecessary to take him to Pretoria when there was a perfectly good hospital in Port Elizabeth.

Gen Van den Bergh made the remark in an interview with Mr Louis Heren, deputy editor and foreign editor of The Times, who is visiting South Africa.

Mr Heren also quotes an unnamed Cabinet Minister as saying he was terribly sorry for Biko, but the police would not have behaved as they did if the doctors had told them that he was ill. — DDC.

VEILIGHEIDSPOLISIE

Die Burger

8/3/78

LAAT

329

STUDENT VRY

EEN van die mense wat verlede week deur die Veiligheidspolisie ingevolge Artikel 6 van die Wet op Terrorisme in hegtenis geneem is, is eergistermiddag vrygelaat.

Hy is mnr. Klaus Hartmut (22), 'n Duitse student in biochemie aan die Universiteit van Kaapstad. Hy en nog 'n Duitse student in biochemie aan die universiteit, mnr. H. Hirt (22), is Donderdagoggend in hegtenis geneem.

Volgens mnr. Hartmut se vader, mnr. Herman Hartmut, is sy seun gesond. Hy is omstreeks 3.30 nm. vrygelaat.

Dr. K. Ruscher, Wes-Duitse konsul-generaal in Kaapstad, het gisteraand aan Die Burger gesê hy hoop mnr. Hirt sal ook binnekort vrygelaat word.

Die ander aangehoudenenes is, na verneem word, twee woonstelmaats van Observatory, mnr. Tim Jenkin (29) en Steven Lee (26), asook Tim se ouer broer, mnr. Michael

Lee (30), 'n biochemikus van Johannesburg. Volgens 'n Kaapstadse middagblad is die ander meji. Daphne Smith, 'n biblioteek-assistente van die Universiteit van Kaapstad, en Feroza Ebrahim, 'n werker by 'n klerewinkel in die stad.

Volgens dr. P. Jenkin, Tim en Michael se vader, is Tim in goeie gesondheid. Hy was eergister saam met lede van die Veiligheidspolisie by sy ouerhuis. 'n Onbekende persoon het hom Vrydagaand opgebel en gesê Michael is ook in hegtenis geneem. Die Veiligheidspolisie het dit op hul besoek bevestig.

229 8/3/78

Biko inquest magistrate under fire

Trip was
needless
— security
chief

The Star Bureau
WASHINGTON — A distinguished American lawyer, sent to South Africa last year by the Lawyers' Committee for Civil Rights Under the Law to observe the Biko inquest, sharply criticised the inquest magistrate, Mr M J Prins, in a report released yesterday.

Professor Louis Pollak, dean of the University of Pennsylvania's School of Law, also said he was left "with no doubt" that Steven Biko's death was caused by injuries inflicted by unidentified members of the Security Police.

"ASTONISHING"

He said the magistrate's verdict failed to shed any light on the factual issues.

Professor Pollak added: "It merely declares a result. Offering no rationale, it can stake no claim to advancing anyone's understanding of the matter at issue."

Professor Pollak also criticised the magistrate for having made remarks to the Press shortly after having passed his verdict.

"Most English and American lawyers — even those particularly sensitive to the imperatives of

a free Press — would tend to look somewhat askance at a judge who granted an interview to a reporter and discussed a case he had recently decided."

"But Magistrate Prins did exactly this, on the afternoon of the day the inquest ended, and so managed to deliver one of the very first assessments of the verdict he had just pronounced in the matter of the slain black leader."

Prof Pollak quoted Mr Prins as having told the New York Times: "To me, it was just another death. It was a job like any other."

Professor Pollak found this remark "astonishing to one who, sitting in court, had heard the magistrate put to witness and lawyer alike, question after question which seemed to reflect a conscientious, if not overly penetrating, resolve to clarify the tangled factual issues confronting him."

Prof Pollak criticised the police for their "failure to mount and pursue a meaningful and vigorous investigation prior to the inquest as to the full and true circumstances."

The Star Bureau

LONDON — It was unnecessary for the police to have taken Steve Biko to Pretoria as there was a perfectly good hospital in Port Elizabeth, the head of the Bureau for State Security, General van den Bergh, has been quoted here as saying.

In an interview with Louis Heren, deputy editor of The Times, the general denied reports of police brutality and said that after "an Indian" had flung himself from a sixth-floor window he had ordered the security police to hold interrogations on the ground floor.

HANGED

After another prisoner hanged himself in his cell the general ordered that political prisoners should always be held in cells with two other prisoners, Mr Heren reports.

General van den Bergh "indicated that the subsequent deaths of political prisoners would have been avoided if the security police had followed his standing orders."

Mr Heren also quoted a Cabinet Minister as saying the police would not have behaved as they did had the doctors told them Mr Biko was ill.

Transkei release detainees

8/3/78 DB
328

UMTATA — Eighteen tribesmen from the Mputi location here who were detained by the Security Police under the Transkei Public Security Laws on September 23 last year, were released on March 3.

A spokesman for the tribesmen said members of the Transkei Battalion and Transkei Police besieged and invaded the Mputi location on September 20 last year. More than 200 men were taken in police vans to the Umtata police camp.

A list of 24 names was read out and only 18 people responded to their names. The rest of the tribesmen whose names were not on the list were sent home and the 18 men were detained by the Security Police.

"We were told that we conducted night meetings with a view to overthrowing the Government. We were then detained under Proclamation R400 and that was written on our

prisons card," the spokesman said.

The men released were, Chief Bamgilizwe Joyi, Chief Anderson Joyi, representative of Paramount Chief Sabata Dalindyebo in the Transkei National Assembly, Mr William Nelani, Mr Apolis Joyi, Mr Hlofane Dotsha, Mr Gengele Qobotwana, Mr Lorry Qobotwana, Mr Pikani Tiya, Mr Maboyi

Vulindlela, Mr Makeheleni Vulindlela, Mr Maside Bisiwe, Mr Stanford Hlangane, Mr Hudson Nwelende, Mr Xajane Mayekiso, Mr Lucas Mkoba, Mr Nozenenkabi Mangquku, Mr Sidelo and Mr Mpisekhaya Ngaku.

The head of the Security Police, Maj Ngebeba, yesterday confirmed the release of the tribesmen. He would not make any comment. — DDR.

Own Correspondent

DURBAN — Judgment will be given next Wednesday at the inquest on Dr Hoosen Haffejee. After hearing legal argument by Dr W E Cooper (for the Haffejee family) and Mr W H Booysen (for the police), magistrate Mr T L Blunden reserved his decision to March 15.

Earlier, Dr Cooper submitted that the Security Police belief that Dr Haffejee was a trained urban terrorist and a member of a dangerous subversive organisation, provided a "powerful motive for excessive and over-zealous interrogation."

The 25-year-old Durban dentist was found hanging in his cell at the Brighton Beach police station at 4 am on August 3 last year.

Dr Haffejee was detained by Security Police at 8 am the previous day.

BRUISE

Dr Cooper dealt at length with the numerous bruises and marks found on Dr Haffejee's body at the post mortem. He said the police theory that these injuries were sustained during two struggles to get Dr Haffejee into the police vehicle was not acceptable.

He said both Lieutenant J E Taylor and Captain P L du Toit of the Security Police could not point to any specific occasion during these struggles in which any of the injuries could have been inflicted.

Dr Haffejee was a slightly built man and much weaker than the policeman who subdued him. Their evidence was that both struggles were of short duration and not excessively violent, said L. Cooper.

He submitted that Dr

Haffejee result on March 15

IN COURT

Haffejee would have been overawed by the size of the policemen and would not have dared to resist them.

"Even assuming that fear of possible detention and trial was such that it would have anaesthetised caution, the question is whether he would have

been able to put up much resistance," said Dr Cooper.

Dr Haffejee was still neatly dressed when he arrived at the police station. "It is not suggested that his clothes were torn or that he even lost a button in the struggle of that morning."

US report on Biko inquest

The Argus Bureau

ARGUS 8/3/78

329

WASHINGTON. — A distinguished American lawyer sent to South Africa last year by the Lawyer's Committee for Civil Rights Under the Law to observe the Biko inquest, sharply criticised the inquest magistrate, Mr M J Prins, in a report issued today.

Professor Louis Pollak, Dean of the University of Pennsylvania's School of Law, who was one of the two international observers at the inquest, also said he was left with no doubt that Steve Biko's death was caused by injuries inflicted by uniden-

tified members of the Security Police.

He said the magistrate's verdict failed to shed any light on the factual issues.

'It merely declares a result. Offering no rationale, it can stake no claim to advancing anyone's understanding of the matter at

issue. As an aid to determining what happened to Biko, the verdict has no probative significance.

Professor Pollak criticised the police for their failure to mount and pursue a meaningful and vigorous investigation, before the inquest as to the full and true circumstances.

'The demonstrable pattern of conditioning of the deceased for interrogation renders it improbable, in the face of the callousness involved throughout, that actual violence would have been abhorrent and absent.

The oral evidence of the police was unconvincing and for the most part probatively unacceptable.

NO EXPLANATION

The police, in whose custody the deceased had been when he was held incommunicado, advanced no explanation as to how he could have sustained a blow to his forehead, consistent with the brain damage subsequently disclosed.

Summarising his own findings, Professor Pollak said: 'I was left in no doubt that Mr Biko died as a result of brain injury inflicted on him by one or more unidentified members of the Security Police at some time prior to and reasonably proximate to 0715 hours on the morning of September 7, 1977.

A blow or blows no doubt intended only to hurt, caused brain damage which resulted in death.

HOSPITAL

'If within the first few hours of sustaining the injury, the full and true facts had been given to doctors, and they had been allowed to place Mr Biko in a provincial hospital, with all the advantages of the excellent and experienced medical services available in South Africa, Mr Biko might still be alive.

'After the first few hours, as the autopsy...

Kruger facing 17 actions for damages

Cape Times 9/3/78 Political Staff (329)
HOUSE OF ASSEMBLY. — The Minister of Justice, Mr Jimmy Kruger, and members of the police force are facing 17 separate actions for damages brought by Terrorism Act detainees or their next-of-kin.

Among the plaintiffs whose names were disclosed by Mr Kruger are the widows of two blacks who died in detention — the black consciousness leader Mr Steve Biko and the Saso organizer Mr Mapetla Mohapi.

The minister released the names in response to a question from Mrs Helen Suzman (PFP Houghton).

The 17 are: N B Pityana, A Xaba, W Khanyile, J Mene, C Ndhlovu, T Magubane, J Nduli, N Mohapi, R Cooper, S Cooper, S Dhlamini, M Ramphela, X S Mene, L Marai, B J Cekisani, A N Biko, and M Magubane.

Mr Kruger also disclosed that no actions brought by people detained in terms of section six of the Terrorism Act — or their next-of-kin — had been settled out of court over the past four years.

329

The Cape Times, Thursday, March 9, 1978

5

Detainees: Kruger to decide — report

A NUMBER of black leaders detained in the South African Government's crackdown on black consciousness movements last October may be released by the end of March, government sources said yesterday.

Among about 50 people being held in terms of Section 10 of the Internal Security Act are the leader of the Soweto Civic Body, the Committee of 10, Dr Nthato Motlana, and the editor of the World, Mr Percy Qoboza.

The World was 'closed down' by the Minister of Justice, Mr J. T. Kruger, on October 19 last year.

Mr Kruger told the Afrikaans newspaper the Vaderland yesterday that he would decide this week about the continued detention of some of the black leaders.

He refused to go into details. The sources said the minister might decide to release some of the members of the Committee of 10.

Mr Kruger visited Dr Motlana and Mr Qoboza in the Modder Bee prison, Benoni, last year.

9/3/78 DD 329

PARLIAMENT

Kruger faces 17 claims

THE ASSEMBLY — The Minister of Justice, Mr Kruger, and members of the police force are facing 17 separate actions for damages brought by Terrorism Act detainees or their next-of-kin.

Among the plaintiffs whose names were disclosed by Mr Kruger are the widows of two people who died in detention — black consciousness leader Steve Biko and Saso organiser Mapetla Mohapi.

The Minister released the names in response to a question from Mrs Helen Suzman (PFP, Houghton).

The 17 are: N. B. Pityana, A. Xaba, W. Khanyile, J. Nene, C. Ndhlovu, T. Magubane, J. Nduli, N. Mohapi, R. Cooper, S. Cooper, S. Dhlamini, M. Ramphela, X. S. Mene, L. Marai, B. J. Cekisani, A. N. Biko and M. Magubane.

Mr Kruger also disclosed that no actions brought by people detained in terms of

Section 6 of the Terrorism Act — or their next-of-kin — had been settled out of court over the past four years.

The people named by the Minister are believed to include Mrs Nosidima Pityana, the wife of the Port Elizabeth black consciousness leader, Barney Pityana, both of whom are at present in detention; five people who were convicted of terrorism in the Pietermaritzburg terrorism trial on July 25 last year — Anthony Xaba, John Nene, Cleophas Ndhlovu, Truman Magubane and Joseph Nduli; the banned black consciousness leader, Revebalan Cooper, and his brother, Saths, who is serving a sentence under the Terrorism Act; and the former black community programmes worker, Dr Mamphela Ramphele, who has been banished to the Eastern Transvaal. — PC.

1978 01/27/80 1321

ANC shift ex-Fort Hare man

LONDON — Several high-level changes have taken place in the external wing of the African National Congress. Former Fort Hare student Mr Thami Mhlambiso has been replaced after many years service as the ANC United Nations representative.

He will be recalled to ANC headquarters in Lusaka and from there directed to take up a new appointment within the organisation.

A new editor of the ANC mouthpiece Sechaba has also been appointed. He is Mr Francis Melli who is also the ANC director of information in Europe.

Several blacks who fled South Africa in recent years have been placed in ANC appointments somewhere in Africa but the organisation will not disclose the nature of their appointments or where they have been based. — DDC.

DL - 1

Cape Times 10/3/78 (329)

Second German detainee freed

THE SECOND of two German nationals detained by security police last Thursday, Mr Harry Hirt, was released yesterday. The first, Mr Klaus Hartmut, was set free on Monday.

The German Consul-General, Dr K Ruscher, confirmed this last night. Mr Hirt was detained longer than Mr Hartmut, the consul said, because he had more questions to answer.

"As far as the German authorities are concerned, the case is now closed," Dr Ruscher said. He added that both detainees had been treated well by the police.

Mr Hirt, a biochemistry student at the University of Cape Town, would not be interviewed at his home in Wrensch Road, Observatory.

Mr Hirt's parents live in Germany. It is understood that his mother is suffering from a heart ailment.

The 22-year-old German student had just returned to Cape Town after a Christmas holiday with his family, when he was arrested, Dr Ruscher said. He had been at his Observatory address for only a week.

Mr Hirt and Mr Hartmut were detained under Section Six of the Terrorism Act with four others. The four are believed to be still in detention.

Colonel H. Kotze, head of the security police in Cape Town, last night refused to comment.

Qoboza free?

It is believed that Mr Percy Qoboza, Editor of The World, and other Soweto detainees may be freed in the next few days. S/A 10/5/78 (243)

(329)

Gobboza speaks

11 March '78

*gets
rease*

Tells of his talk with Kruger

Cliff Scott

Mr Percy Gobboza, editor of the banned newspaper, The World, has been released from detention unconditionally and will decide within the next few weeks whether he will take up the editorship of the Transvaal edition of the newspaper, Post.

This edition filled the vacuum created by the banning of The World almost five months ago — at the same time that Mr Gobboza and other prominent people in Soweto were taken into detention. Mr Gobboza stepped out of prison late yesterday afternoon after his release by the Minister of Justice, Mr Enslin. He was accompanied by his wife, Anne, and his children. Looking thin — he appears to have lost 4 kg in jail — Mr Gobboza said:

World organisations and Press bodies have welcomed the rise of former World newspaper editor, Mr Percy Gobboza and nine other detainees.

The Natal Union of Journalists in London commended the release. A spokesman, Mr Ron Knowles, said it is a union hope that now Gobboza was free he would be able to get on with his journalist career without any further hindrance.

"Our pleasure may be tempered with some fears for the future of the Press in South Africa since the Government has yet to display the normal regard for Press freedom that most democracies enjoy," he said.

Mr Mike Terry, leader of the British Anti-Apartheid movement said he welcomed the news but still wanted details as to what Mr Gobboza's future would be. Amnesty International in England announced it was pleased with the move but said it was too soon to say.

To Page 3, Col 1

Happiness is freedom

Mrs Ellen Kizwayo, Soweto social leader who was released yesterday, was mobbed by singing children as she left the Johannesburg Fort after nearly five months in detention. Members of Mrs Kizwayo's family were also released. She said the greatest challenge facing her now was to decide on her future.

At the home of Mr V Kral, there was also a lot of celebration. Mrs Kizwayo said:



Eyes filled with joy and relief, Mrs Anne Gobboza, son Vusi, and the twins Mangi and Ntuli welcome home their father who has spent almost five months in detention. Picture: Frank Black

Kruger visit

Mr Hewitt said: "Obviously we are glad to have Mr Qoboza back with us at last. He will be taking some leave, and when he returns we will discuss the future of the black newspaper market with him."

Mr Hewitt also said that Mr Qoboza's detention had cost South Africa "more, politically and financially, than anybody could ever calculate."

Mr Qoboza said in his first interview after release that he still did not know why he had been detained, or why his newspaper had been banned.

He intended to seek an interview with Mr Kruger to "try to find out the specifics of why this action was taken against us."

He said he and the other detainees arrested on October 19 had been visited in jail without warning by Mr Kruger, and that some of them had been called to interviews with the Minister in prison.

He asked me if I would do anything to undermine law and order if I was released.

"I told him that in my entire life I had done nothing to undermine law and order."

He then asked me if I would do anything personally that would make other people break the law.

"I told him I had never done anything to encourage people to break the law."

Mr Qoboza said Mr Kruger then told him that the Government was trying

treated while in detention and had not been interrogated.

In an exclusive interview, Mr Qoboza said he knew of no reason why he should not take up the editorship of a newspaper again.

But he first planned to take a short break with his family, during which he would assess the current situation — "No conditions have been laid down by anybody about my release, and the decision will be entirely my own."

The managing director of the Argus Company, Mr C. L. C. Hewitt, said last night that the company was looking forward to Mr Qoboza resuming his job after he had taken a short holiday.

friends and neighbours travelled to Johannesburg to welcome her release.

"I just cannot believe I am back home. I feel both excited and overwhelmed with joy. What really touched me was the warm welcome I received from my neighbours, particularly the children," she said.

"It is during such times that you realise what you mean and how people feel about you."

Interviewed today, Mrs Kuzwayo said she had shared a cell with three other women, including

chairman of the Soweto Traders Association and also a Committee of 10 member.

About 52 people are still in detention, among them members of the Committee of 10.

Other prominent Soweto leaders who are still in detention are Mr Leonard Mosala, Mr Lehau Mathabathe, Mr D Lolwane, Mr Sedupe Ramogopa, and the Reverend Mashobado Mayathula. The editor of the banned weekend World, Mr Aggrey Klaaste, is also still detained.

11 March '78

boza goes free Soweto 'cools'

NM

11/3/78

329

Qo
as

ORMANDE POLLOK

Political Correspondent

CAPE TOWN — Mr. Percy Qoboza, the detained former newspaper editor, and nine other Security Act detainees were released unconditionally yesterday.

Announcing their release, Minister of Justice Mr. Jimmy Kruger said that the release of other detainees, including that of Dr. Nihato Motlana, chairman of the Soweto Committee of 10, would be reconsidered at regular intervals and would depend on "circumstances."

Mr. Qoboza was freed on the personal recommendation of Mr. Kruger while the release of the other nine was recommended by a review committee appointed by the State President.

Apart from Mr. Qoboza also released were: Mr. Moses Chikane, a Saso member from Mamelodi, Mrs. Ellen Khuzwayo, former chairman of the Black Women's Federation and a member of the Soweto Committee of 10, Mr. Vela Kraai, a businessman from Soweto and a member of the Committee of 10, The Rev. Justice Legotto, a Lutheran priest from Pretoria; Mr. Mortimedi Malaka, a former chairman of the Black People's Convention at Sibaza; Mr. Kenneth Matima, a former Saso member from Atteridgeville; Mrs. Rebecca Musi, from Soweto, Mr. T. V. Sehume, a former BPC member, and Mrs. Beauty Pityana, wife of Mr. Barney Pityana. She was a former youth programme organiser of the Institute of Race Relations.

Mr. Kruger said that the position of the 52 other people in preventive detention in terms of Section 10 would be reviewed from time to time.

Asked if there were any conditions attached to yesterday's releases, Mr. Kruger said: "They are at liberty to do what they like."

He said, however, that Mrs. Pityana, who had been banned before being detained, would remain banned.

Mr. Kruger said too that he could not give any undertakings that action would not be taken against anyone released yesterday, depending on their own actions.

Mr. Kruger said that the situation in Soweto had improved since the crackdown on October 19.

Mr. Colin Eglin, Leader of the Opposition, welcomed the fact that some people had been released, but said that it should not be forgotten that they had been held in detention without trial for close to five months and that 52 others were still being held.

System

"The whole system of detention without trial is fundamentally wrong," he said.

A Mercury reporter writes that six detainees held in custody for the past eight months under the Terrorism Act have been freed by Security Police without charges having been brought against them.

One was Mr. Leonard Mdingi (56) a founder member of the Pondo People's Party, later renamed the Democratic Party.

The others were Russell Mphanga, Hella Phungula, Delase Ciliza, Gladys Manzi as well as Shadrack Maphumulo, an employee of the University of Natal Applied Social Science Centre.

LAURENCE

Others may soon be freed

By Tos Wentzel

MORE detainees may be released soon, according to the Minister of Justice and Police, Mr J T Kruger.

Announcing the release of 10 people who were detained on October 19, Mr Kruger said the release of more detainees would depend on circumstances. About 52 are still in detention.

Mr Kruger emphasised that the releases are un-

conditional and that those from Soweto were free to take part in by-elections for the Community Council there if they so wished.

He said Mr Percy Qoboza, the Editor of the banned newspaper the World, was free to resume his career as a journalist.

NEWSPAPER BAN

The Minister said he had not considered lifting the ban on the newspaper.

Mr Kruger also made it clear, however, that, depending on circumstances, people could be redetained.

The release of nine of the 10 people followed investigations by a review committee in terms of the Internal Security Act but in the case of Mr Qoboza, Mr Kruger said he himself had decided to release him.

Mr Kruger said he hoped circumstances would improve in such a way that the other detainees would also be released.

The others released yesterday were Mr M M Chikane, a member of Saso at Mamelodj; Mrs N E K Khuzwayo, chairman of the Black Women's Federation;

Mr V L Kraai, a Soweto businessman who was a member of the Committee of Ten; Mr K J Legotlo, a minister of religion and member of the Pretoria Pastors' Federation; Mr M G Malaka, a former chairman of the Black People's Convention at Sibasa; Mr R K Matima, a former member of Saso at Attetridgeville; Mrs R Musi of Soweto, Mrs B N Putyana of Port Elizabeth; and Mr T V Sehume, about whom Mr Kruger had no information.

(Continued on Page 4, col 9)

Joyful family welcome freed editor



IT was a joyous reunion for freed newspaper editor Mr Percy Qoboza and his family

QOBOZA WANTS TO QUIZ KRUGER

Weekend Argus Correspondent

JOHANNESBURG. — Mr Percy Qoboza, World editor freed from detention, wants to know why he was jailed.

Released late yesterday after nearly five months' detention without trial, Mr Qoboza, 40, said he intended to ask the Minister of Justice, Mr J. T. Kruger, why action was taken against us.

Reunited with his wife Anne and two of his children an hour after being freed, Mr Qoboza said he had told Mr Kruger that he had done nothing to undermine law and order.

Mr Qoboza said that if he took up editorship again, it would be after a break of a couple of weeks.

He said that he and the other detainees, arrested on October 19 were visited without warning by Mr Kruger and that some of them had been called to interviews with the Minister.

He asked me if I would do anything to undermine law and order if I was released.

'Within law'

I told him that in my entire life I have done nothing to undermine law and order. Whatever I had done was within the law.

He then asked me if I would do anything personally that will make other people break the law.

I told him I had never done anything to encourage people to break the law.

Mr Qoboza, freed unconditionally, said Mr Kruger then told him that the Government was trying to do everything within its power to meet the aspirations of the urban black people and people such as the Committee of Ten. (Most leaders of the Committee of Ten remain in detention.)

Mr Kruger said people like the Committee of Ten, they can speak for themselves. But I have been listening increasingly in the past few weeks to the Prime Minister and the noises the Minister of Community Development has been making, and I find their pronouncements and the Committee of Ten's are identical.

Mr Qoboza said Mr Kruger interrupted him to say: 'And that made you happy?'

The future

The detention of Mr Qoboza and the banning of the World had cost South Africa more, politically and financially, than anybody could ever calculate, Mr C. L. C. Hewitt, managing director of the Argus Group said last night.

Obviously, we are delighted to have Mr Qoboza back with us at last.

He will be taking some leave and when he returns we will be discussing the future of the black newspaper market with him, he said.

Mr John Patten, president of the South African Society of Journalists, said that while he was 'obviously delighted' with Mr Qoboza's release, he would have liked it to happen a long time ago.

I hope that Mr Kruger will now lift the ban on the World as well and that Percy will soon be back in journalism.

The others

Mr Kruger said he decided personally on the release of Mr Qoboza, while the release of the others had been recommended by a review committee which had not yet considered Mr Qoboza's case.

The others who were released were: Mr Kenneth Matima, associated with the Black People's Convention (BPC), Mr V Kraai, president of the Soweto Traders' Association, Mrs Ellen Kuzwayo, social worker and aide to the Urban Foundation, G Malaka, a BPC member for Sibasa, Thabe Sibume of Pretoria, a member of the Black Community Project, Mrs Elizabeth (Beauty) Pitso, wife of the general secretary of Saso, Mr Moses Chikwane of the BPC, Rebecca Musi of Soweto, and the Rev E Zekgotso of the Pretoria Lutheran Church.

● Leading article. — Page 16.

N/L ARGUS
11/3/78

329

More freed if all stays quiet—Kruger

11/3/78 329

Mr Kruger, Minister of Justice, said in a statement yesterday he had decided personally on the release of Mr Qoboza while the release of the other nine had been recommended by a review committee which had not yet considered Mr Qoboza's case.

The others who were released were: Mr Kenneth Matima, Mr Vila Kraai, president of the Soweto Traders' Association, Mrs Ellen Kuzwayo, social worker and aide to the Urban Foundation, Mr G Malaka, of Sibasa, Mr Thaba Sihume, of Pretoria, Mrs Elizabeth (Beauty) Pityana, Mr Moses Chikyane and Mrs Rebecca Musi of Soweto.

Mr Kruger said on TV the position of the detainees had been reviewed



Released — Mr Villa Kraai, president of the Soweto Traders' Association.



Released — Ellen Khuzwayo, social worker and aide to the Urban Foundation.

and they were released on the recommendation of the review committee.

At the time Mr Qoboza had not been on the list when the Minister visited Modder Bee Prison and spoke to a number of the detainees.

"As a result of speaking to them, I added Mr Qoboza to the list," he said.

Asked by his interviewer if there would be any conditions to their release, Mr Kruger said:

"No conditions at all.

They have been released as they went in — they are free to do as they want."

Questioned about the continued detention of others since the crack-down on October 19, the Minister said he would review their cases as time went on.

"I will ask for reports from the review committee and the police from time to time," he said.

Mr Kruger said the release of the detainees was considered in the light of prevailing circumstances. More of the remaining 52 detainees would be released if he believed it was justified.

"The situation has been quiet since last October 19.

"That does not mean there has not been a certain amount of undermining movements going on, but it is definitely quiet."

Not 10/3/79 328

Qoboza tells of Kruger interview

►► From page 1

ing to do everything in its power to meet the aspirations of the urban black people and people like the Committee of Ten (Most leaders of the Committee of Ten remain in detention).

Mr Kruger said people like the Committee of Ten should be taking part in the community council elections.

"I said I could not speak for the Committee of Ten. They could speak for themselves. But I had been listening increasingly in the past few weeks to the Prime Minister (shortly before the general election) and the noises the Minister of Community Development had been making, and I found their pronouncements and the Committee of Ten's were identical."

Mr Qoboza said Mr Kruger interrupted him to say: "And that made you happy?"

"I answered: No. I was distressed that you could have people in different camps who believed in the same things, and yet could still misunderstand each other.

"If they would only go out of their way to find the points of agreement instead of the points of division it would make a tremendous difference."

Mr Qoboza said many of the statements made by Dr. Connie Mulder tilted towards the philosophy of the Committee of Ten. But as far as the community councils were concerned, "it is very difficult for me to project my attitude.

"I still maintain that the ultimate ideal for our country is to get away from the concept that white will legislate for black. There must be some acceptable way for black and white to sit at the conference table and decide together what is good for us all.

"As I have said again and again, the ultimate solution to our country's problems must be decided around the conference

Mr Qoboza deplored the recent bomb explosions, and said: "That woman who died in Port Elizabeth is not just a number. She is a human being and might also have children.

"If her death can arouse the conscience of the nation to the urgency of our problem, then one can only hope that with God's help such incidents can be avoided in the future."

10/3/79 328
World
greet
release

►► From page 1

overdue. Amnesty International also called on the South African Government to give "urgent attention" to other detainees under the Internal Security Act and the Terrorism Act.

● Mr Derek Bok, president of Harvard University in the United States, of which Mr Qoboza is an alumnus, sent telegrams of appreciation to Mr Vorster and to the SA Ambassador in Washington, Mr David Sole.

● Mr Sanford Ungar, American journalist and editor of Foreign Policy magazine, who is in Johannesburg on a fact-finding mission, said he welcomed the release but he said he hoped it was not "an isolated gesture."

● The leader of the Opposition, Mr Colin Eglin, said that while the detainees' release was welcomed, it should not obscure the fact that more people were in detention and that those who were released had been held without trial.

● In Cape Town, Mr Vause Raw, leader of the New Republic Party, today welcomed the release of Mr Qoboza and other detainees but said the harm to South Africa's image had already been done.

● Mr John Patten, president of the South African Society of Journalists (SASJ), said in Cape Town that while he was "obviously delighted" with Mr Qoboza's release he would have liked it to have happened a long time ago.

PERCY QOBOZA, NOG 9 VRYGELAAT

Die Burger Van Ons Politieke Beriggewer. (329)
Mnr. PERCY QOBOZA, redakteur van die verbode
koerant The World, en nog nege swartmense wat
ingevolge die Wet op Binnelandse Veiligheid aange-
hou was, is gister onvoorwaardelik vrygelaat.

Mnr. J. T. Kruger, Minister van Justisie, het op 'n perskonferensie in Kaapstad gesê nog ongeveer 52-mense word aangehou. Hul gevalle sal van tyd tot tyd heroorweeg word en sodra omstandighede dit toelaat, sal ook hulle vrygelaat word. Hy hoop dit sal mettertyd kan gebeur.

Sewe van die aangehouenes wat gister vrygelaat is, is mans en drie vroue: Twee van die vrygelatenes, mnr. V. L. Kraai en mev. N. E. K. Khuzwayo, is lid van Soweto se Komitee van Tien.

BETER

Die ander is mnr. M. M. Chikane, gewese lid van Sasò, mnr. K. J. Legotlo, Lutherse predikant van Pretoria, mnr. M. G. Malaka, gewese voorsitter van die B.P.C. op Sibasa, mnr. R. K. Matima, gewese lid van Sasò in Atteridgeville, mev. R. Musi, 'n vrou van Soweto, mnr. T. V. Sehume en mev. B. N. Pityana, 'n vrou van Port Elizabeth.

Geeneen van die vrygelatenes is in hierdie stadium ingeperk nie, behalwe mev. Pityana, wat voor haar aanhouding ingeperk was. Min. Kruger het op vrae gesê dit staan die vrygelatenes vry om aan die verkiesing vir die gemeenskapsraad in Soweto deel te neem as hulle wil.

Die toestand in Soweto is

ongetwyfeld beter en dit is sedert 19 Oktober betreklik stil. „Dit beteken nie dat geen ondermyning sedertdien plaasgevind het nie, maar die toestand is heslis stil.”

Min. Kruger het gesê die Wet op Binnelandse Veiligheid magtig hom om mense te laat aanhou wat aan bedrywighede deelneem wat die veiligheid van die staat of die handhawing van die openbare orde in gevaar bring. Ingevolge dieselfde wet het die Staatspresident 'n hersieningskomitee aangestel om sy optrede te hersien.

AANVAAR

So 'n hersiening moet so gou moontlik plaasvind, maar nie later nie as twee maande ná aanhouding. Daarna moet die aanhoudings by tussenpose van hoogstens ses maande ondersoek word. Afgesien van hierdie hersienings oorweeg die Minister gereeld self ook die moontlikheid om aangehouenes vry te laat.

Min. Kruger het gesê die hersieningskomitee het op 1 Maart vanjaar die gevalle van 'n aantal aangehouenes oorweeg en daarna die vrylating van nege aanbeveel. Die aanbeveling is deur hom aanvaar en hy het self besluit dat mnr. Qoboza ook vrygelaat moet word.

Gevra waarom die hersieningskomitee
• VERVOLG OP BL. 4 •

TS AT UK WE ER AL

12/3/78 Sunday
Express
329

RIO SOB FUN

Buthelezi spat on-'get him' chants crowd

A SCREAMING, militant mob chanting "Kill the pig" chased and stoned Chief Gatsha Buthelezi of KwaZulu when he arrived at Robert Sobukwe's funeral in Graaff Reinet yesterday. His bodyguard drew a revolver and fired twice into the air as the surging mob pushed and jostled the chief and his entourage out of the showgrounds area.

A 14-year-old boy was shot and injured as more bullets were fired into the air and flying stones hit several people, injuring many, as the funeral crowd grew to a massive 7 000.

Chief Buthelezi was forced to leave — and then the angry crowd turned on other Black political leaders, including the Transkei's Ambassador to South Africa, Professor M Njisane, Coloured Labour Party boss Sonny Leon, and the Rev Abel Hendrickse.

By 2.00pm yesterday nearly 10 000 mourners had gathered for the Sobukwe memorial service.

As the mob turned on Chief Buthelezi, Blacks warned foreign TV crews to stop filming the proceedings — and rushed at local photographers.

Among the Whites already seated at the time for the service was Mr William

Express Reporters

Bowdler, the American Ambassador to South Africa.

A young Black boy, Ernest Malgas, 13, staggered away from the milling crowd with a wound in his chest, apparently from a stone.

On a hill 3 km away South African policemen were on standby, patrolling streets, and observing the emotion-charged service with telephoto camera lenses mounted on tripods.

While the procession went

Rioting at Sobukwe funeral—Gatsha leaves before service starts

● From Page 1.

down Market Street thousands of Blacks hurled abuse at White shopowners, singing liberation songs and waving clenched fists as they passed by.

Dozens shouted at Whites: "Your time is finished Whitey."

At the showgrounds, where the service was held, 500 youths rushed forward at Chief Buthelezi screaming: "Get off."

Pandemonium broke loose with Chief Buthelezi shouting back: "I am prepared to die here."

After it became clear the mob would not stop, church leaders on the VIP stand conferred hurriedly with the chief — and asked him to leave. One of the chief's bodyguards pulled out a revolver and fired two shots to disperse angry militants after one of the youths kicked at Chief Buthelezi.

Earlier, several Afrikaans reporters were asked by Black youths and men wearing the gold and black of the banned Black Peoples' Convention (BPC) to leave.

As Chief Buthelezi's party reached the showgrounds exit, a hail of rocks rained down — a half brick struck White photographer Mr Evert Smith of Port Elizabeth. He fell, blood streaming from his face, and was rushed to hospital.

Youths then spat at the chief, pelting him with small stones. The chief hit out with a small stick as he struggled to reach his car.

South African riot police, in camouflage and carrying

shotguns and riot equipment, kept out of sight inside various buildings inside the town.

Still the crowd chanted at Buthelezi: "Kill the pig . . . kill the pig."

At that stage Chief Buthelezi reacted strongly to a group of foreign journalists. He told them, in answer to a question about what his next move would be:

"It is because you take me for a kaffir, a nigger. Why are you harassing me? You could not do this to John Vorster if he told you to go away from here."

He then compared the spitting at his face to that done to Christ. "They spat on Christ and now they are

doing it to me. Next week is the week of the crucifixion."

Then a stand in the grounds collapsed and two youths were injured.

Chief Buthelezi reached his car and told journalists: "This is a disaster. It does not augur well for our liberation."

The crowd then turned on Mr Leon and the Rev Hendrickse, asking them to leave, together with Mr Lennox Monzi, a former PAC executive member.

As church officials escorted them through the crowd, pleading "please don't harm them", Blacks yelled "stooges" and "sell-outs".

12/3/78 Sunday Tribune 379

Comment

Release of some Soweto internees

WE welcome Percy Qoboza, Editor of the banned World and Weekend World, back to society after his lengthy detention at Modderbee. With him we welcome back to society the nine other Soweto residents held since October 19.

According to the Minister of Justice they have been released "unconditionally." He says that Mr Qoboza and the others are as free to go about their lives as they were before they were picked up: he is imposing no new conditions on their freedom.

That much we suppose he expects South Africa and the free world to be grateful for. But to suggest that Mr Qoboza and the others who were released are free in the society to which they have returned is misleading in the extreme.

That society is only as free as it was on October 19, the day on which they were detained. On October 19 the Minister demonstrated to the world at large that freedom in South Africa is freedom only on the Government's terms.

And in case there were those among the released who read the word "unconditional" too literally there is added the rider — by none other than the Minister himself — "but if circumstances change they will be reconsidered as far as banning orders are concerned. I will watch them. I can't say they will never be banned."

That "but" is a hefty "but" that all the world will understand only too clearly. It is a "but" that will perpetuate the grave damage done to South Africa when the detentions were made on October 19: the damage that will continue while others remain in detention, under whatever law without trial.

loch's survey on training facilities for be widened to include Coloured. He was that he had already sent out. Next year y commissioned by the Anglo-American re demand for highly skilled black

From all the evidence available to us it is clear that Mr Qoboza and the others were innocent of any act which warranted their being jailed — and it is monstrous that some should continue in jail when there is no case against them.

South Africa is paying too heavy a price for the actions of Mr Kruger and the security laws under which he is operating.

ANY REPRIEVE IS WELCOME

ATTEMPTING to rape and then by murdering an innocent teenage girl, former Durban city policeman Brian Spark placed himself beyond the pale of human decency and compassion. If he never again walks free in the society he outraged, few people will sympathise with him. And it is right that it should be so, for he does not deserve any better.

Sympathy is what a civilised society should feel for the victim and her family, the parents who lost a daughter and will be haunted for the rest of their lives by the manner of her going: sympathy, too, for the innocent family of the killer, thrust into the hell he has created for them.

Nevertheless, we welcome the news this week of Spark's reprieve from the gallows. We understand the clamour for revenge, for the blood of the killer. But we cannot agree that judicial killing, in the last quarter of the 20th Century, is the way in which a civilised society's anger should be assuaged.

We, like the women's action group, Action 75 Aksie, would like to know the reasoning behind the State President-in-Council's decision to let Brian Spark live.

And whether the same reasoning will be applied to stop South Africa's almost continuous stream to the hangman's noose — in many cases for crimes less brutal than Spark's.



Mr Percy Qoboza, his wife, Anne, and three of their five children, twin girls Ntuli and Mange, 7, and son Vusi, 10.
Picture: ANDRZEJ SAWA

Qoboza 'itching' to be back at work

SUN TIMES 12/3/78
329

By ROB HUDSON

MR PERCY Qoboza yesterday spent his first day out of detention relaxing — but itching to get back to work.

The editor of the banned newspaper, *The World*, was released unconditionally on Friday afternoon after nearly five months in detention, and he spent the day playing with three of his five children.

A very much slimmer Mr Qoboza — "I've lost about 5 kg" — told me that he had been well treated "from the material point of view". He said that he had wanted to lose weight. "I was far too fat."

"But the distressing thing is that we shouldn't have

Apart from his family, Mr Qoboza missed his newspaper most. "I just can't wait to get back to work," he said.

However, he is taking a holiday before going back to work.

He said he was not sure what position he would take up when he returned to work.

The *Star*, the Johannesburg daily owned by the Argus Company, which also published *The World*, reported that Mr Qoboza would decide in the next few weeks whether to take up the editorship of *Post*.

The managing director of the Argus Company, Mr C. L. C. Hewitt, told the *Sunday Times*: "We will discuss the position with him after his holiday. It very much depends on what his feelings are."

Mr Qoboza was detained on October 16 and was held at Modderbee Prison, near Benoni.

Before his release the Minister of Justice, Mr J. T. Kruger, asked him if he would do anything to undermine law and order and if he would do anything to make other people break the law.

"I told him I had never done anything to undermine law and order nor had I

encouraged anyone to do so," said Mr Qoboza.

He still does not know why he was detained.

Mrs Anne Qoboza was reunited with her husband an hour after his release on Friday afternoon.

"We're so relieved. I can't tell you.

"We're taking a holiday before Percy goes back to work as he needs to relax for a while," she said.



Mr Percy Qoboza, his wife, Anne, and three of their five children, twin girls Ntuli and Mange, 7, and son Vusi, 10.

Picture: ANDRZEJ SAWA

Freed editor itching to start work

MR PERCY Qoboza yesterday spent his first day out of detention relaxing — but itching to get back to work.

The editor of the banned newspaper, The World, was released unconditionally on Friday afternoon after nearly five months in detention, and he spent the day playing with three of his five children.

A very much slimmer Mr Qoboza — "I've lost about 5 kg" — told me that he had been well treated "from the material point of view". He said that he had wanted to lose weight. "I was far too fat."

"But the distressing thing is that we shouldn't have been detained in the first place."

Apart from his family, Mr Qoboza missed his news-

By ROB HUDSON

paper most. "I just can't wait to get back to work," he said.

However, he is taking a holiday before going back to work.

He said he was unsure what position he would take up when he returned to work.

Decision

The Star, the Johannesburg daily owned by the Argus Company, which also published The World, reported yesterday that Mr Qoboza would decide in the next few weeks whether to take

up the editorship of Post, which replaced The World.

The managing director of the Argus Company, Mr C. L. C. Hewitt, told the Sunday Times: "We will discuss the position with him after his holiday. It very much depends on what his feelings are."

Mr Qoboza was detained on October 16 and was held at Modderbee Prison, near Benoni.

Before his release the Minister of Justice, Mr J. T. Kruger, asked him if he would do anything to undermine law and order and if he would do anything to make other people break the law.

"I told him I had never

"In every letter they asked if their father was home again."

Mrs Qoboza was reunited with her husband an hour after his release on Friday afternoon.

"We're so relieved. I can't tell you."

"We're taking a holiday before Percy goes back to work as he needs to relax for a while," she said.

He still does not know why he was detained.

Mr Qoboza's two eldest children, Pinkie, 14 and Thoroko, 12, are away at boarding.

en Pinkie ear and I my two gain."

za said:

Sunday Times

THE PAPER FOR THE PEOPLE

Qoboza is free, but...

THANK heavens Mr Percy Qoboza, the former editor of The World, has been released from prison with nine other detainees. He has spent 4½ months in jail although he was convicted of no crime, nor accused of breaking any law, nor sent for trial, nor permitted to face his accusers, nor allowed the right of cross-examination, nor given access to counsel — in short, his incarceration was the arbitrary exercise of power. His release from prison at least puts an end to that injustice.

The Minister of Justice will perhaps complain that our pleasure at his release does not match our outrage at his detention, and the Minister would be right. Pleasure at the release of Mr Qoboza, the man, does not wash away the outrage caused by a system that uses power like a blunt instrument.

It is all very well for Mr Kruger to say that, while a review board recommended the release of the other nine detainees, he personally decided to release Mr Qoboza.

Is that how we are to be ruled? The Minister will decide when a man is to be locked up, and when he is to be released? Is the Minister infallible that he is given this right to command the lives of men? Is he so noted for his good judgment, for his wisdom, for his omniscience, that he should replace prosecutor and defence counsel and judge? Will he personally stand in for an entire system of law developed over a period of more than 2 000 years?

We can do no better than to quote the recent observation by Professor

Van der Vyver of Potchefstroom University that the system is a disgrace to Western civilisation run by men who don't seem to understand that civilisation.

Nor is that the only qualification to our pleasure at the release of a colleague and his fellow detainees. When Mr Kruger jailed Mr Qoboza he also banned his newspaper, ending South Africa's claim to having a free Press. All South African newspapers now live under the shadow of the threat that they can be shut down, and see their editors jailed, if the Minister of Justice sees fit. No charges need be brought; no trial held, no conviction obtained in a court of law. South African newspapers, already hemmed in by dozens of laws that prevent them from bringing all the news to the public, must now live under the shadow of arbitrary action.

Consequently, Mr Qoboza emerges from prison into a world quite unlike the one he left last October. His newspaper is gone, and the only man who can tell him why — the Minister of Justice — will not risk putting the issue to the test in a court of law.

Percy Qoboza is free, and that is cause to rejoice. But his release from prison does nothing to ease a tyrannical system. It does not restore a free Press. It does not undo any of the harm done by his arbitrary incarceration. And it doesn't protect other newspapers from the fate of The World.

We still live under a system that desperately, urgently, needs to be changed.

EDITORIAL OPINION

Undoing some of the harm

The weekend release of 10 of the people detained during the October 19 clampdown last year, welcome though they are, challenges the question once more: why were they held in the first place?

None was charged with any offence during the 142 days of detention and all, except one, have been released unconditionally, meaning they can resume the activities in which they were previously engaged.

The one exception, Mrs Beauty Pityana of Port Elizabeth, is still stuck with an earlier banning order which restricts her freedom, but she too has not been charged with any offence. Why then is she still banned?

Among the nine released unconditionally is Mr Percy Qoboza, Editor of the World newspaper. His detention, even more than the others, caused international concern. He owes his freedom now to the Minister of Justice, Mr Kruger, who has revealed that he made a personal recommendation after speaking to Mr Qoboza and after the editor's name had been omitted from the review committee's recommendations.

The Minister's action will be appreciated, but it also underlines the extent of his authority — awesome

powers for an individual.

The one reassuring development at the moment is that Mr Kruger seems to be using his authority to undo some of the harms of October 19, 1977, experienced as a result of his signing so many banning and detention orders on that day.

Maybe he can yield a little more now by lifting the ban, for example, on Mr Qoboza's newspaper. That would make the editor's release from detention more meaningful.

For our own part, the Daily Dispatch would also remind Mr Kruger that one of our staff members, Miss Thenjiwe Mtintso, has now suffered 17 months of detentions and house arrests and should surely also be entitled to unconditional release, not having been found guilty of any offence during her long ordeal.

Detained first in King William's Town on August 18, 1976, Miss Mtintso was released four months later, only to be served with a house arrest order restricting her to Orlando East, hundreds of kilometres from her home and her place of employment. She was detained again six months later, then released again under restriction and, finally, detained again in October last year.

Cape Times 14/3/78 (329)

Top actors seeking parts in Biko film

INTERNATIONALLY famous actors are reported to be asking for parts in the film of Mr Steve Biko's life to be made by American award-winning director, Carl Foreman.

Mr Foreman is writing the screenplay based on the book by self-exiled South African editor, Mr Donald Woods:

The Biko film will be different from most, however. A strict condition imposed by Mr Woods and accepted by his publishers, Paddington Press of London, and by Mr Foreman, is that there should be no profit motive in the film.

Mr John Marqusee, managing director of Paddington Press, who has concluded negotiations with Mr Foreman, said: "The entire theme of this film is integrity and honesty. The budget is modest in the extreme — less than R90 000.

"That means that many famous people will be working for nothing. Donald Woods in particular won't get a brass farthing."

Mr Marqusee denied a report in a South African newspaper that Mr Woods had sold the film rights as part of a multi-million dollar contract.

Mr Foreman declined to name the actors he was considering for the main roles in the film.



Steve Biko . . . dead

The civil death of bannings

It is hard for anybody who has not been banned to comprehend just to what extent the official order disrupts and inhibits normal life. When it is, as it was in the case of several of the blacks banned, combined with a house arrest order operating from 6 pm to 6 am and over weekends from 1 pm to 6 pm on Saturdays at 6 am, it can become an almost intolerable restriction.

The banning orders issued on the 16 prevented them from leaving the magisterial districts to which they were confined, from entering any educational institutions, from contributing to the publication of any material, from attending "gatherings" (a gathering being more than one person), from communicating with another banned person, from teaching any person other than their own children.

In practice this meant: People who had been close friends and colleagues could no longer talk to one another. Paul Pretorius and Paula Ensor, who lived in the same community house could not even greet each other if they

met in one of the rooms. They could not join the others in the house for a meal.

Neville Curtis and Christopher Wood were charged with and convicted of playing a game of bridge.

None of those who had been registered for undergraduate or post-graduate degrees could complete their studies at residential universities without permission.

Clive Keegan was charged with attending the party given to launch his new bookshop (he was acquitted on appeal). Jerry Modisane could not communicate with his superior because the man, Robert Sobukwe, was also banned.

Paula Ensor was refused permission to travel to Durban to consult her mother about plans for her forthcoming wedding. She was also refused permission to travel to Kimberley to meet her fiancé's parents.

Richard Turner could no longer earn his living as a lecturer. None of them could take a holiday away from home without permission and permission is very rarely given. Pat Schwartz reports.



Rick Turner . . . dead

Heavy toll of the 1973 crackdown

Five years ago, 16 young, involved South Africans were banned. They were black and white, men and women.

Today two are dead, eight in exile, two are in detention, two have been banned and only six are restricted in South Africa and out of prison.

Then in 1973, most of them were still in their life, finishing university in degrees. All of them were involved in their country. They came from differing backgrounds and had differing ambitions.

The one thing they all had in common was a contempt for injustice, a desire for change. All of their lives were

changed by a blow from the Government which cut them off from what most people consider a normal life. It came in the form of restriction orders against which they were powerless.

The blow fell on the eight whites — six students, one permanent secretary to Nusas and a February 27, 1973, as a direct result of the report of the Schabas Commission into the mission into the histories of certain organisations.

On March 8, eight black members of Saso and the Black People's Convention were known out of action by knocking and house arrest orders. On March 31 (five years and one month later) the

banning orders expire. Whether they are allowed to do so or are reimposed is only through force of circumstance, a matter of supreme indifference to most of the 16.

Who were these young people, and where are they now? The five have, posthumously, become international symbols of all that is reviled about the country's security laws, and racial bigotry.

Their names — Steven Biko and Richard Turner. Both died by violence. One of brain damage in a prison cell, the other a night attack on his home. Of those who are left the country for exile abroad, only one left legally, on a one-way exit permit. He

was Philippe la Roux, vice-president of Nusas and secretary-general of the cultural branch of the organisation.

Before he left he served six months in prison for trying to have the country without a passport and for could travelling his banning order. He is now believed to be in North America.

Also out of the country are: Neville Curtis, a former Nusas president who left South Africa for Australia in September 1974, and an American passport belonging to someone else. He is now working actively with anti-apartheid organisations in Australia.

Paula Ensor, vice-president and secretary-general of Naiswel (Wellfare), who left the country via Botswana in 1976, was now involved in trade union work in London.

Christopher Wood, former Nusas executive member who "skipped" to Botswana in October 1976. His present whereabouts are unknown.

Jerry Modisane, president of Saso, who was, after his banning, working as an article clerk in Kimberley. He vanished in April, 1976, and was granted asylum in Lesotho. Harry Nengwenkulu, Saso's permanent organiser, left for Botswana and is currently

in Europe working for the Black People's Convention (now banned in South Africa).

James Bokwe Matuna, journalist, and Black Community Party member, who left for Botswana after serving a three-month sentence in 1973 for contravention of his banning order.

Drake Koka, trade unionist and the oldest of the group who left for Botswana in November 1976 and is now lobbying in Europe for withdrawal of foreign investments. The rest? Shella Lapinsky, still restricted, lives in Cape Town and works for a large chain store group. She is the only one of the 16 who will await March 31 with any

degree of anticipation. She may, on that day be released from her restrictions.

Luckier was Paul Pretorius who was president of Nusas in the first of Schabas. His restrictions were lifted in December 1976, "on compassionate grounds". He is now a practising advocate in Durban.

Lucky, too, was Clive Keegan, a former Nusas executive member, whose ban was lifted in February, 1976. He is still running the bookshop he opened during his banned period.

In detention — Barney Pitsoana, secretary-general of Saso. He was detained in August last year for the

second time and nothing has been heard of him since. The only criminal conviction against him are those of treason, his banning order.

In prison, too, Sirri Moodley and Sirri Cooper, Saso and BPC officials. They and Philippe la Roux are the only three of the 16 who have criminal conviction relating to anything other than contraventions of banning orders. Both are serving terms on Robben Island having been convicted under the Terrorism Act after the mammoth "Saso Trial" in 1976. In many ways, the story of the 16 is the tale of this country in the last five years and the destruction of extra-parliamentary organisation.

ANYONE reading Mr Lionel Phillips's letter to the Editor of The Argus on March 7 would think that I went out of my way to attack Mr Donald Woods, whereas it was Donald Woods who first attacked me.

Mr Woods was at one time my friend. He even asked me to deliver a paper on the federal formula at a conference he organised at Bulugha near East London in 1973. He has a right like all of us to change friends and to be more enamoured of his new friends than his old ones. He acquired new friends and after that no one else mattered as far as the black struggle for liberation was concerned.

Mr Woods first sniped at me in an article he wrote for OPTIMA on the Transkei long before he left South Africa. I wrote to him a personal letter as a friend, expressing my disapproval that he should try to build up his friends politically at my expense in the manner he did in the article.

Pros, cons

Mr Woods told the United Nations that all 'real leaders' of black people in South Africa supported disinvestment. I then raised the issue before an audience of about 20 000 black people in Soweto on January 29. I did not attack Mr Woods; I discussed the pros and cons of disinvestment and let the people react to my prodding them on the question.

The audience's reaction was against disinvestment.

Then Mr Woods appeared on a BBC television programme in which disinvestment was discussed. He advocated disinvestment in South Africa. When someone referred to the Soweto reaction of my audience to the disinvestment issue Mr Woods told his TV audience that I was not representative of black people.

It was pointed out that at my Soweto rally I had asked for a short period of silence in honour of Biko and others who had died in the Soweto unrest and in other parts of South Africa. Mr Woods then said my call for silence was an exploitation of Biko's name. There you have it, Mr Phillips!

I questioned Mr Woods's right to arrogate for himself the right to consecrate leaders for black people of South Africa. I denied exploiting Steve Biko's name when I asked for the silence.

I do not need either Mr

ship with them is not based on any cheap bargaining as to what my friends can do for my cause in South Africa. They are my friends in spite of their political impotence.

My movement, Inkatha, has never received support of any kind from any liberals. For their own

sake, I do not expect them to give it such support. The Progressive Federal Party talks to us and we talk to them, that's all. I value our conversations with them, but only in the interest of a peaceful change.

I have received no support from white 'liberals' for Inkatha, apart from a

My reply to Woods

ARGUS 14/3/78



Chief Gatsha Buthelezi

CHIEF GATSHA BUTHELEZI replies to a letter in The Argus last week attacking his recent criticism of Donald Woods.

few friends, who include Dr Beyers Naude. He has never hesitated to take a joint stand with me in the past (when this was possible) on the international platform on South African issues. He has in many ways suffered much more ostracism by his people and has paid much more for his convictions than any 'liberal' I know in recent times.

Mr Woods is free to attack me, as he has done. He has the whole world as his audience at this time. I don't know what Mr Phillips is talking about when he says Donald Woods is banned, and that I had ample opportunity to criticise him while he was here. I am merely defending myself from his unprovoked attacks made on me at important international forums.

If, as Mr Phillips claims, I have disappointed my friends and admirers, I would rather be without such tenuous friendships if they mean not defending my integrity when it is attacked without provocation by liberal friends or liberal former friends.

I could write a lot on Mr Phillips's statements that my cause in South Africa today desperately needs men of the calibre of Donald Woods, and that by alienating this support my movement will suffer. I choose not to do so. My only comment is that my real friends who are liberals are powerless. They are my friends in spite of that. My friend-

leadership. I was sincerely paying respects to my dead brothers and sisters who included Biko as the latest victim of death in detention.

Exploiting

I said that on the contrary, Mr Woods was the one who was exploiting Mr Biko's name, and referred to the reported R100 000 which will accrue to him from the book he is writing on Steve Biko. I referred to his income, reported to have been more than R30 000 when he was in South Africa, and wondered how much of it he used for black development or how much of the Biko book's royalties would go to the Biko family or to black development.

All this was in response to Mr Woods' attacks on me because it is a gross insult in my culture to accuse me of exploiting the name of a deceased black brother such as Steve Biko.

fact 15/3/78
SA iustice
'hit' by
Biko death

Own Correspondent

It could not be denied that the reputation of the South African administration of justice had "suffered immensely" as a result of Steve Biko's death.

This is said in the editorial in the latest issue of 'De Rebus', Procuratoris, the South African attorneys' journal.

The editorial discusses the new Criminal Procedure Act, calling it a "modern piece of legislation" — but says it was perhaps the more ironical that a few months after the introduction of the Act, South African administration of justice should be the focal-point of international outrage over the circumstances of Biko's death.

How do you act to solve these pr

23. What problems do you have with

How did you negotiate it?

What was the change?

22. When was the last change in yo

kind

rates x sheep etc.)

Weekly earnings - cash (hourly rates x hours x sheep

21. Is your payment fixed per sheep, per hour, per day?

20. Do all the farmers pay these rates?

How are they fixed?

19. Do you have fixed rates of pay?

Who pays for your transport?

From one farm to another?

18. How do you get from your home to the farms?

17. How much of the year do you spend at home?

16. Do you go home between jobs on each farm?

S H E A R E R S
 Questionnaire to shearers (2)

Biko film rated best

LONDON — A British television film on the late black consciousness leader, Mr Steve Biko, has won the praise of French television writers and critics.

The French journalists judged it the best news film at the international television festival of Monte Carlo.

The award was not an official festival prize, according to a spokesman for the Grenada group, the company which made the film.

World in Action: The Life and Death of Steve Biko, was screened in Britain late last year.

It has since been bought for screening in Belgium, Finland, Holland, Iceland, Jamaica, New Zealand and Nigeria, as well as a number of stations in the United States.

It has been nominated as the best documentary programme in the British Academy of Film and Television Arts awards for 1977 to be made next Thursday.

15/3/78 329
According to Granada, the film crew was sent secretly to South Africa soon after Mr Biko's death in police custody last September.

They filmed interviews in the black townships with the leaders of the movement Biko founded, the Black Peoples' Convention, and Mr Biko's widow.

The Granada spokesman did not know what form the French writers' award took. — SAPA.

Werkers

10378 M 100
**Siyo supporter
detained** 329

329

15. Aantal afhanklikes
wie werke moe so
- as of èrens anders vir

- (a) Name (eerste name
alleenlik)
- (b) Verwantskap aan werke
- (c) Ouderdom
- (d) Geslag
- (e) Woonplek
- (f) Skooljare, voltooi
- (g) Nou op skool?
- (h) Skool (naam, soort,
distrik en afstand
van plaas)
- (i) Werk wat vir boer
gedoen word (b.v.
gedurende skool
vakansies)
- (j) Jaarlikse tydperk
gewerk (dae of weke)
- (k) Jaarlikse betaling:
kontant

ander

EAST LONDON — An
Mdantsane green-produce
hawker, Mrs Lindiwe
Jamela, once an ardent
supporter of Chief Sebe's
Ciskei National
Independence Party and
now a staunch supporter
of Mr L. F. Siyo's National
Labour Party of South
Africa, was detained un-
der the Ciskei emergency
regulations on Tuesday
morning.

A friend said Mrs
Jamela was picked up by
two members of the
security police at the Pon-
toon Road bus terminal,
here. — DDR

3 4 5 6

Werkerbesonderhede (4)

15. Aantal afhanklikes (gesinslede op plaas
wie werker moe sorg)

- (a) Name (eerste name
alleenlik)
- (b) Verwantskap aan werker
- (c) Ouderdom
- (d) Geslag
- (e) Woonplek
- (f) Skooljare voltooi
- (g) Nou op skool?
- (h) Skool (naam, soort,
distrik en afstand
van plaas)
- (i) Werk wat vir boer
gedoen word (b.v.
gedurende skool
vakansies)
- (j) Jaarlikse tydperk
gewerk (dae of weke)
- (k) Jaarlikse betaling:
kontant

ander

R22 000
for Mrs
Biko

CAPE TOWN.— Insurance of R22 614 on the life of the black consciousness leader, Mr Steve Biko, has been paid to his widow, Mrs Ntsiki Biko.

Mr Biko, who died in Special Branch detention last year, insured his life for R10 500 with the Old Mutual in 1975.

The policy included an additional R10 500 accident cover and a cheque for the full amount plus bonuses which have accrued was posted to the Biko family's lawyers last week.

Before deciding to pay in full the company studied the court record of the inquest into Mr Biko's death to establish how he died.

According to Mr F. J. Davin, general manager (operations) of the Old Mutual, the company had to find out whether Mr Biko's death was accidental before paying the accident insurance.

It was normal procedure to establish circumstances of death, he said.

The chief magistrate of Pretoria, Mr M. J. Prins, found at the inquest that Mr Biko's death was due to brain injuries apparently sustained in a struggle with the Special Branch.

He also found that no one could be held responsible for Mr Biko's death.

— DDC.

Fiancée of Swapo^{ARGUS} detainee deported^{16/2/78} (329)

MISS ANNE MURRAY HUDSON, fiancée of white detained member of Swapo, Mr Peter Manning, has been deported to Britain after asking Western representatives in Cape Town to press for his release.

Miss Murray-Hudson, 20, comes from Gaborone, Botswana, and was studying at the University of Cape Town until last year.

She moved to Windhoek when Mr Manning was de-

tained under Section 6 of the Terrorism Act on January 10.

Police are believed to have visited her on Saturday and told her to leave Windhoek within 24 hours, giving her an air ticket to London.

Miss Murray-Hudson had applied to marry Mr Manning, who has been working for Swapo's publicity department for two years, and was told to wait until he had been tried.

Cap Times
16/3/78 (329)

Verdict on death of dentist

Present: Dr. F. Wilson (Chairman)
Mr. N. Bromberger
Mr. D. Horner
Messrs. G. Bloch, R. Afrl
Misses N. Kriger, A. Kooy
Mrs. A. Thom, Mrs. S. Web

Formal Welcome: Dr. Wilson welcomed
He said the purpose of it
was to share thoughts and

Affiliation: Dr. Wilson tabled the par
that as a result of circ
following institutions h

National Union o
Dept. of Applied
Urban Problems R
Nodbank and Syfr
National Union o
Garment Workers'
Bakery Employees
Graduate School
SHAWCO, U.C.T.
Christian Institi
Anglo-American C

He went on to explain how
ations (trade unions, bus
affiliate and thus enable
stressed that this money
- with no strings attache
on behalf of SALDRU.

With regard to affiliatio
a sliding scale. The me
organisations being asked
within the University we
sity groups, such as at i
an exchange basis.

Joseph Rowntree Charitable Trust: Th
been given by the Joseph
Mr. Reggie Africa's airfa
purchased from South Afrl
in England for the purcha

Report from members:

Norman Bromberger reporte
project but in the meanti
A) He was a member of Urb
which had grown up at the
from Architecture, Planni
concerned with giving tec
low-cost housing. There
involved in a detailed we
attempt by applied mather
of housing requirements

DURBAN. — No one was to
blame for the death of Dr
Hoosen Haffjee, a magistrate.
Mr T L Blunden, found here
yesterday.

Even though the inescapable con
clusion was that Dr Haffjee, a
dentist, committed suicide, this
finding should not be made in
terms of the Inquest Act.

Mr Blunden found that the death
of Dr Haffjee in a cell at the
Brighton Beach police station
on August 3 was by hanging.
Submissions that other injuries
found on the dentist's body
were due to third degree
methods were pure specula
tion, unsupported by evidence.

Giving his finding, Mr Blunden
said it was not disputed that Dr
Haffjee had been suspected of
subversive activities and had
been watched by the security
police since April last year.

At one stage incriminating docu
ments had been taken from his
flat for photocopying.

It was not disputed that it was
decided to arrest Dr Haffjee
at about 8.30am on August 2.

Lieutenant J B Taylor, of the
security police, forced Dr
Haffjee's car off the road
when he refused to stop on that
morning.

Dr Haffjee was believed to be a
trained saboteur and consid
ered dangerous by the
police. Lieutenant Taylor
therefore tried to search him
immediately, but Dr Haffjee
resisted.

Another security branch
policeman, Captain P L du
Toit, arrived. He forced Dr
Haffjee against his car and
held him there while Lieutenant
Taylor searched him.

Dr Haffjee was told to get into
the police vehicle. He refused.
There was a struggle, which
ended with him being forced
into the car. He was taken to
Brighton Beach police station
and interrogated by the two
policemen.

That evening he was driven to
North Pier, where he pointed
out places from where he had
allegedly thrown documents
into the sea. There was another
struggle when he refused to re
enter the car and he was again
forced into the vehicle.

Dr Haffjee was taken back to
the police station and again in
terrogated.

Dr Haffjee was placed in a cell
shortly after midnight after be
ing told that the interrogation
would be resumed in the morn

formal meeting of SALDRU.
It should be held regularly,

isms of SALDRU and said
se pamphlets the

rkers

The cells were checked every
hour. At 3am Dr Haffjee was
seen lying awake in his cell.
An hour later he was found hang
ing from the door of his cell
with his trousers tight around
his neck. He was dead. The
court accepted that a
demonstration of how he could
have twisted his neck in the
trousers was the method used
to kill himself.

A detailed autopsy was carried
out by Dr I Gordon, the chief
government pathologist, the
same morning.

Professor Gordon found multiple
bruises and abraded bruises on
the body.

Mr Blunden said all the medical
experts were agreed that none
of these injuries contributed to
the actual cause of death.

Professor Gordon had given
evidence that there was no sign
that the body had been hung
up after death.

Mr Blunden said: "There is no
suggestion by anyone that Dr
Haffjee's death could be at
tributed to any homicidal act
by any person or persons."

"No one seems to have had a
motive for killing him. On the
fact of it, his death was an ob
vious embarrassment to the
police. As was often said dur
ing the trial, he was worth
more to them alive than dead."

Dr Haffjee undoubtedly had a
strong motive for doing away
with himself. No other conclu
sion was reasonably possibl
than that he did commit suicide
by hanging himself.

Mr Blunden made a formal
finding that Dr Haffjee died
by hanging on August 3 last
year.

He found that Dr Haffjee's
death was not brought about
by any acts or omission involv
ing or amounting to an offence
on the part of any person.

(329) Argus
RC priest released 16/3/78

The Argus Correspondent

JOHANNESBURG. — Father Smangalis Mkhathshwa, acting general secretary of the Southern African Catholic Bishops' Conference when he was detained last October 19, has been released.

Father Mkhathshwa, who is banned and cannot be quoted, was among those held in Modder Bee Prison in terms of Section 10 of the Internal Security Act after the Government's crackdown.

- Biko death blow to SA justice reputation

The Argus Correspondent

PRETORIA. — It could not be denied that the reputation of the South African system of the administration of justice had 'suffered immensely' as a result of Mr Steve Biko's death.

This is said in an editorial in the latest issue of *De Rebus Procuratoris*, the South African attorneys' journal.

The editorial discusses the new Criminal Procedure Act, calling it a 'modern piece of legislation,' but says it was perhaps the more ironical that a few months after the introduction of the Act, South African administration of justice should be the focal point of international outrage over the circumstances of Mr Biko's death.

The Association of Law Societies, representative of the South African Attorneys' profession, had made representations on more than one occasion to the Minister of Justice on the detention and interrogation of detainees.

DETAINEES

The association was 'glad the Minister... has indicated that the system of detentions and interrogation of detainees held under security laws will be reviewed.'

Taking into account the eminence of the South African legal system 'we cannot see why a satisfactory system relating to the protection of detainees' could not be established, the editorial said. This in-



PROFESSOR Colin Rip of the University of South Africa's department of sociology has been elected president of the South African Sociology Society for the second time. The society aims to give all sociologists the opportunity for 'meaningful communication on sociological matters.'

detainees by medical and legal men and the investigation of complaints against the security police.

It was recognised all civilised states had to maintain security forces but it was important the security police should always be manned by the best available men who should not fall victim to the system, but should be adequately protected.

R22 614 paid *Cape Times 16/3/78* 329 to Biko's widow

INSURANCE of R22 614 on the life of black consciousness leader Mr Steve Biko has been paid to his widow, Mrs Ntsiki Biko.

Mr Biko, who died in security police detention last year, insured his life for R10 500 with the SA Mutual Life Assurance Company in 1975.

The policy included an additional R10 500 accident cover and a cheque for the full amount plus bonuses which have accrued was posted to the Biko family's lawyers last week.

Before deciding to pay in full the company studied the court record of the inquest into Mr Biko's death to establish how he died.

According to Mr F J Davin, general manager (operations) of the company, they had to find out whether Mr Biko's death was accidental before paying the accident insurance.

It was normal procedure to establish circumstances of death, he said.

The Chief Magistrate of Pretoria, Mr M J Prins found at the inquest that Mr Biko's death was due to brain injuries, apparently sustained in a struggle with security police.

He found too that no one could be held responsible for Mr Biko's death.

Werk

Amnesty calls for Haffeejee probe

17/3/78.

15. Aantal afhankli
wie werker mc

(329)

The Star Bureau

anders vir

LONDON — Amnesty International has called on the South African Government to institute an immediate investigation into the treatment of Dr Hoosen Haffeejee during the 16 hours he spent in detention before his death.

4

5

6

- (a) Name (eerste naam
alleenlik)
- (b) Verwantskap aan
- (c) Ouderdom
- (d) Geslag
- (e) Woonplek
- (f) Skooljare voltod
- (g) Nou op skool?
- (h) Skool (naam, woordeboek
distrik en afdeling
van plaas)
- (i) Werk wat vir boes
gedoen word (buitengewone
gedurende skool-
vakansies)
- (j) Jaarlikse tydperk
gewerk (dae of weke)
- (k) Jaarlikse betaling:
kontant

The human rights group said that, as in the case of Steve Biko and all other detainees who had died in detention, all the evidence suggested that a political detainee had been severely assaulted shortly before he was found dead.

Lord Avebury, who attended the inquest in Durban as a representative of Amnesty International, said yesterday that the Durban magistrate's finding relating to the injuries found on Dr Haffeejee's body exposed the limitations of an inquest court.

"When someone has sustained injuries prior to death it discloses a prima facie criminal offence, because someone has caused the injuries."

"In these circumstances the inquest is not the correct means of investigating how the deceased came to have these marks on his body — this would normally be a matter for the police," he said.

ander

Biko 'legend' strengthened view — Sonn

PEOPLE in all stations of life in the United States had "very firm views" against South Africa spatred off largely by the Steve Biko legend, Mr Franklin Sonn, said yesterday on his return home after a three-month study trip overseas.

Mr Sonn, former principal of Spes Boma High School, is the new reader of the Peninsula College for Advanced Technical Training in Bellville. He is president of the Cape Teachers' Professional Association.

He visited the US under the auspices of the United States Leader Exchange Programme (USALEP) and Britain at the invitation of the Foreign and Commonwealth Office of the British Government. He also visited Canada, West Germany and attended the conference of the World Federation of Teachers' Associations in Switzerland.

During his trip he visited technical colleges both in the United States and Britain and studied their methods. He studied community affairs with special reference to racial issues, the political situation and teachers' organizations.

Mr Sonn said he was in New York and at the United Nations after Mr Donald Woods had addressed the Security Council and he got the impression that the anti-South Africa feeling had increased a great deal since his last visit in 1973.

"Last time even knowledgeable people did not know where South Africa was. Now even cab drivers, porters and shop assistants are interested in the Republic. This is attributable to the Steve Biko legend in the US. Everyone holds very firm views against South Africa."

"By and large I came to the conclusion that the moment of truth has arrived for South Africa. The government cannot expect any support from overseas while it believes in a minority maintaining power in perpetuity," he said.

EDITORIAL OPINION

(329)

Further inquiries needed

Mohapi, Biko and now Haffeejee — three inquests among many where 'no-blame' verdicts have been returned in cases of deaths in detention. All three inquests, also only three among many others, have raised serious questions about the treatment of detainees. And few if any of the questions have been given satisfactory answers. Now the magistrate at the Haffeejee inquest has implicitly pinpointed a fault in the judicial process which has long demanded change: the Inquest Act, Mr T L Blunden said, did not require the court to be concerned with issues not connected to the cause of death.

Exactly. That is what this newspaper, opposition politicians and even those usually sympathetic to the Government have been saying in essence for some time. The scope of the Inquest Act is too narrow to investigate properly the cases of people who have died mysteriously, or who are said to have committed suicide, while in Special Branch custody. Only a full-scale judicial inquiry, headed by a panel of impartial and internationally-respected men with impeccable judicial qualifications, can remove the many and widespread suspicions surrounding deaths in detention.

Mr Blunden made two other points:

although the inescapable conclusion was that Dr Haffeejee had committed suicide, this finding should not be made in terms of the Inquest Act. Further, the many injuries on Dr Haffeejee's body were not explained by the hanging which is said to have caused his death. Both are serious issues. The Inquest Act does not require a verdict of suicide, according to the best legal opinion. If this is so (and there is no reason to doubt it) another judicial forum should be found to pinpoint exactly how Dr Haffeejee died: the best available now is a judicial commission of inquiry with the full power of the law behind it.

The second aspect is that the magistrate in the Haffeejee case could not find how the injuries to the detainee's body were inflicted — but the possibility of self-infliction was ruled out. This, too, is a case for a deeper and more searching judicial inquiry than the Inquest Act apparently permits.

either

Whatever 'crimes' the detainees are alleged to have committed is beside the point. The central issue is that far too many people have died in detention. Full-scale investigation into the manner of their deaths and the circumstances of their detentions are needed urgently.

5. If worker has not been to school: Why didn't you go to school?

If worker began but did not complete schooling: Why didn't you finish your schooling?

Problems

- 1.. What would you most like to see changed in your working conditions? (wage, payment in kind, hours, holidays)

In your living conditions? (housing, recreational facilities)

Border prisoner sent to Komani

KING WILLIAM'S TOWN — The wife of an ex-Robben Island prisoner refused to believe her husband is mentally unbalanced.

Mr Moses Twebe, 59, of Dimbaza, has been committed to Komani Hospital at Queenstown.

Mr Twebe, who was detained for two months from June 3 last year in terms of the Terrorism Act, was again detained and brought to court as a witness on November 4 at the East London Regional Court trial of Mr Joe Mate.

He and two others, Mr Milner Ntshangani and Mr Siphon Hina, refused to take the oath and give evidence against Mr Mate and were each given a six month's prison sentence.

When Mrs Mabel Twebe, 42, went to visit her husband on March 3, she was told by a police spokesman he had been transferred to the mental

hospital at Queenstown because he was ill.

Mrs Twebe said yesterday she went to Komani Hospital on March 8, but was not allowed to see her husband. However, she was advised to come back the following day.

When she saw him the following day, her husband did not show any signs of mental disturbance and she did not detect any mental strain.

"Of course one could see he was spiritually disturbed, but he was in his normal senses. I asked certain questions to determine his comprehension and he answered all clearly and cogently," she said.

Mrs Twebe said her husband did not know why he had been sent to Komani. He said he thought he was being transferred to another jail when he was removed from Fort Glamorgan in East London.

"He told me he slept naked in his cell at night as the hospital authorities said they feared he might attempt to hang himself."

Mrs Twebe said when she met him her husband was barefooted and his clothing had no buttons. His trousers were smudged with porridge, and he had scratches on his neck and arms.

"He said he was assaulted by one of the inmates and expressed concern that he had been exposed to such a situation. He is in full control of his faculties."

She said she saw her husband regularly while he was at Fort Glamorgan and he never complained of any disturbance.

Mr Twebe, who has four children at school, spent six years on Robben Island. He was arrested on July 17, 1963, in connection with ANC activities. — DDR.

ing facilities for a Coloured. He was sent out. Next year the Anglo-American skilled black

just spent 10 days in the Newcastle Bus

ference on farm and finding out to

working on the distrib-

Wilson collecting 30 years.

s, the first for the reference on Labour paper for the ILO a. He was also busy 'Mines Revisited' this book. Dr Wilson ntustan leaders on the 'the Bantu

Commission on Black Taxation with a mandate to investigate whether the Bantu in general and the homelands in particular are receiving a fair share of the taxes paid directly and indirectly by the Bantu.

Plans for next year: These include Labour '76 - A Survey of Labour Handbook of Statistics Agricultural Conference - September 1976

Mr. Bromberger suggested that it may be beneficial next year to invite interesting people, mainly from outside the University, to attend the occasional lunch with SALDRU members. This was agreed upon.

Administrative arrangements (F.W. away to March 1976)

As Dr. Wilson would be away from the University until the first week in March 1976 Mr. Norman Bromberger would act as Head of the Division of Research and be available to make decisions.

Books It was agreed to hold this item over until the next meeting.

Structured contact: Dr. Wilson proposed that:

- 1) A time should be made for informal tea daily
 - 2) Monday lunch meetings should be continued
 - 3) Formal meetings should be held once a month or once every two months.
- The first of these formal meetings to be held in the middle of March.

Priest released

ERN AFRICA LABOUR AND DEVELOPMENT

ON TUESDAY 9TH DECEMBER 1975

PRETORIA — The Catholic priest, Fr Smangalis Mkhathshwa, 39, who was detained on October 19 last year, has been released from the Modder Bee Prison.

Fr Mkhathshwa was acting secretary-general of the South African Catholic Bishops Conference.

Fr Dominic Scholten, the secretary-general of the conference, said: "We are very happy to have Fr Patrick back. He will soon be able to resume his duties. Although he can no longer fulfill them effectively because of the banning order."

He was surprised at the sudden release.

"We would have preferred that he be tried

before a court of law and thus enable other people to know what the alleged crime is. Seeing that he was released, we hope the same will be done with the banning order. If the authorities can reduce the detention period, the same can be done with the unbanning of a person," he said.

"We are still hopeful the representation made to the Government and the Prime Minister directly will be considered," he said.

He said as Fr Mkhathshwa was a Catholic priest, he could not marry and he therefore did not have a family. Unlike a married person, he would feel the loneliness of banning more severely.

DDC.

Ntebe
ssery

ne to the first formal meeting of SALDRU. etings, which would be held regularly,

setting out the aims of SALDRU and said about 300 of these pamphlets the dy affiliated:

cial & Allied Workers
atics, U.C.T.
Group, U.C.T.

Nedbank and Syfrats-UAL Holdings Ltd.
National Union of Furniture & Allied Workers of S.A.
Garment Workers' Union of South Africa
Bakery Employees Industrial Union
Graduate School of Business, U.C.T.
SHAWCO, U.C.T.
Christian Institute of S.A.
Anglo-American Corporation

He went on to explain how money was being acquired by getting organisations (trade unions, businesses and other interested bodies) to affiliate and thus enable SALDRU to operate for five years. He stressed that this money must be used with care. All money is paid in - with no strings attached - to the University which administers it on behalf of SALDRU.

With regard to affiliation fees Dr. Wilson explained that these were on a sliding scale. The marginal cost being R50 a year, with richer organisations being asked to pay up to R2 000 a year. Departments within the University were asked to contribute R30 a year, other university groups, such as at the University of Port Elizabeth, would be on an exchange basis.

Joseph Rowntree Charitable Trust: The Chairman reported that a sum of money had been given by the Joseph Rowntree Charitable Trust Company in England for Mr. Reggie Africa's airfare to South Africa. The ticket had been purchased from South Africa and the Rowntree money was being retained in England for the purchase of books.

Report from members:

Norman Bromberger reported that he was still searching for some big project but in the meantime was busy with smaller things.

A) He was a member of Urban Problems Research Group's Advisory Panel which had grown up at the University of Cape Town and had members from Architecture, Planning and Applied Mathematics, this group was concerned with giving technical advice with regard to the planning of low-cost housing. There were 7 projects Mr. Bromberger being involved in a detailed way mainly with the seventh - which was an attempt by applied mathematicians (and others) to construct a model of housing requirements in the Western Cape for the next 25 years.

**Five reported
re-detained**

Cape Times 18/3/78

(329)

DURBAN. — Five people who were released from detention under the Terrorism Act last week are reported to have been detained again by the security police here. They are being held under Section 10 of the Internal Security Act.

The detained people are Shadrack Maphumulo, an employee of the University of Natal's Centre for Applied Social Science, Russell Mphanga, Helia Phungula, Delase Ciliza, and Gladys Manzi, all of Umlazi. — Sapa

Com Times 18/3/78 (3) 329

Bomb man Biko's friend — police

Own Correspondent

JOHANNESBURG. — Police said yesterday that the alleged ANC terrorist who blew himself up while he was carrying a bomb in Port Elizabeth this month was a close colleague and friend of Mr Steve Biko.

Brigadier Johann Coetzee, deputy chief of the South African security police said the alleged terrorist, Mr Makwezi Macdonald Mtulu, worked with Mr Biko in the now banned South African Students' Organization (Saso).

Although police identified Mr Mtulu from a finger which was found about 50 metres from the explosion, they kept his identity secret for 10 days.

During this time they launched an intensive investigation for further terrorists who might have been involved in that explosion as well as a second explosion, which killed a woman and injured three others in Port Elizabeth a few days later.

On Thursday this week police visited the family of Mr Mtulu in Alexandria, near Port Elizabeth to tell them of his death and that they could receive his body from the mortuary for burial, Brigadier Coetzee said yesterday.

He said that Mr Mtulu, who lived in Alexandria, joined Natal University as a medical student in 1970 and then worked on the executive committee of Saso as publications officer.

Five-day conference

Mr Mtulu and Mr Biko — then president of Saso — were known to have spent seven days together during the annual congress of the University Christian Movement which was held in Roodepoort in July 1970.

Thereafter they attended numerous conferences together, including a five-day conference by Saso held at the Phoenix settlement in Durban in April 1971, he said.

In May 1970 both Mr Mtulu and Mr Biko became involved in the unrest which broke out at the medical school in Durban, Brigadier Coetzee said. Mr Biko was a second-year medical student at that time and Mr Mtulu was a first-year medical student.

After renewed unrest in 1972 Mr Mtulu was sought by the police. He fled South Africa to a foreign country where he underwent military training.

Police believe that Mr Mtulu intended to visit his parents in Alexandria before he was killed on March 8. It is understood that his death motivated security police to investigate some of his former university colleagues.

Police investigations are still continuing, Brigadier Coetzee said.

● Mr Biko's widow, Ntsikie, said yesterday she knew all her husband's friends as from 1972 "and there was no Mtulu among them." Mrs Alice Biko, his mother, said she was hearing about Makwezi Mtulu for the first time when asked about him.

2017 Times
19/3/78 (329)

Biko:

Now he can be quoted

By JILL MCILRAITH

WRITINGS by black consciousness leader Mr Steve Biko may now be quoted.

So may interviews he gave before his death in detention last year.

Mr Biko's five-year banning order ran out at the end of February.

Which means the way is clear to quote interviews and court statements by this man whose death rocked the world.

The Biko case is unlike the case of, say, Chief Albert Luthuli who, although his banning order ran out two years after his death in 1967, may still not be quoted because he remains listed under the Internal Security Act.

Mr Biko was never listed. And he cannot be listed after his death.

The law provides that a person to be listed must be given a chance to say why his name should not be included.

Qualms in the night

Shortly after Mr Biko's banning order ran out the Cape Times newspaper quoted extensively from an interview with him originally published in the Toronto Globe and Mail and the Christian Science Monitor.

Under the heading "Audi Alteram Partem" (Hear the Other Side) the newspaper said that in the interest of elementary fairness the Cape Times would answer suggestions by Nationalist newspapers that Mr Biko had been a man of violence.

The Cape Times said it believed that Mr Biko, and later runaway East London editor Mr Donald Woods, had been smeared as enemies of the State so that not too many good Nationalists would have qualms in the night about what hap-

The newspaper added that Nationalist reports had fed reassuring fodder to the public but in the process had done nimble fact-dodging.

It was, said the Cape Times, worthwhile to put things in perspective.

On occasion Mr Biko did say strong things, added the newspaper.

Highlighting his attitude to violence, it said he saw conflict as inevitable but this was his prediction, not his prescription.

Mr Biko expressed a belief that conflict would escalate, said the Cape Times, but stressed that he and the black consciousness movement believed, in non-violence and in operating within the law.

Words in an interview

The newspaper said the Minister of Justice, Mr J T Kruger, had carried on an error when he continued to link with Mr Biko pamphlets advocating violence.

An earlier Press Council decision had found that the Cape Nationalist newspaper, Die Burger, had written an unjustified headline connecting Mr Biko with the pamphlets.

The Cape Times quoted from an interview in which Mr Biko rejected communism and accepted the law as a framework within which to operate.

And it asked: "Are these really the words of a man intent on fostering violence?"

"Or a man rejecting both communism and violence yet warning of an inevitable clash if there is no change in South Africa?"

"The Cape Times holds no brief for black consciousness in general nor Biko in particular.

"But that is the last reason why anyone should avert his eyes from the facts."

Mr Biko was one of 16 student leaders banned early in 1973.

At the time, this ex-president of the South African Students Organisation worked for the Study Project of Christianity in an Apartheid Society.

In December, 1975, he was served with a further restriction which barred him from the activities of the Black Community Programme.

A voice from the grave—Biko speaks

RDM 21/3/78 (329)

Steve Biko, silenced during the last five years of his life, may now be quoted. The five-year banning order on the 30-year-old black consciousness leader who died in detention last year, has expired five months after his death. Here are extracts from a key speech he delivered at a symposium of students, including leading Afrikaanse Studente Bond members, in 1971.



ON BLACK CONSCIOUSNESS:

This was a challenge to the age-old tradition in South Africa that opposition to apartheid was enough to qualify whites for acceptance by the black world.

The quintessence of it is the realisation by blacks that, to feature well in this game of power politics, they have to use the concept of group power and build a strong foundation for this.

We were aware that the white man was sitting at our table.

We wanted to remove him from our table, strip the table of all trappings put on it by him, decorate it in true African style, settle down and then ask him to join us on our own terms if he liked.

ON WHITE LIBERALS:

The liberal must fight on his own and for himself. If they are true liberals they must realise that they themselves are oppressed, and that they must fight for their own freedom and not that of the nebulous "they" with whom they can hardly claim identification.

ON BLACK CULTURE:

We must reject the attempts by the powers that be to project an arrested image of our culture. They have deliberately arrested our culture at the tribal stage to perpetuate with myth that African people were near cannibals, had no real ambitions in life, and were preoccupied with sex and drink.

We must seek to restore to the black people a sense of the great stress we used to lay on the value of

human relationships; to highlight the fact that in the pre-Van Riebeeck days we had a high regard for people; to reduce the hold of technology over man and to reduce the materialistic element that is slowly creeping into the African character.

ON THE THIRD WORLD:

There is no doubt that the black-white power struggle in South Africa is but a microcosm of the global confrontation between the Third World and the rich white nations of the world which is manifesting itself in an even more real manner as the years go by.

ON THE FUTURE:

We have in us the will to live through these trying times; over the years we have attained moral superiority over the white man; we shall watch as time destroys his paper castles and know that all these little pranks were but frantic attempts of frightened little people to convince each other that they can control the minds and bodies of indigenous peoples of Africa indefinitely.

•Steve Biko saw South Africa as a plural society at least two years before Dr Connie Mulder introduced his "plural democracy" concept.

Biko told a court hearing in 1976 that South Africa was a plural society. Blacks, he said, had no intention whatsoever of seeing whites leave this country— "But the white man must decide whether he is part of the problem or the solution"

of

2. As u u getal arbeiders wou vermeerder, hoeveel ekstra werkers sou u in diens kon neem teen u huidige minimum lone?

Ellen has no tears left

HITCHCOCK: You've been in jail, without trial, for the past five months. Has the experience altered your political views?

KHUZWAYO: Of course not. But it has scarred me in a psychological sense.

In what way?

Like others, I was seized from my home and thrown into jail. No charge. No trial. Yet for five months I was locked in a cell. Do you expect me to be well disposed towards the people responsible for this?

You haven't answered my question. In what way have you been scarred by your experience?

Scarred by the indignity of it all. The injustice. The anger. The resentment. The fear.

What attitude did you adopt while in prison?

Well, you realise you are there for your community. You don't go cap in hand. If you have a complaint about dirty drinking mugs, you make it. You daily preach a silent gospel of human dignity. You keep repeating to yourself that whatever they do to you they can't take away your identity, or your sense of dignity.

Did you give vent to your anger while in The Fort?

Once, yes. It was when I was about to leave. You know what they did? They took my thumbprints. To add insult to injury they gave me nothing to wipe off the ink afterwards. I demanded a damp cloth and was given one.

What did you say at the time?

I told them it hurt me deeply that they had forced me to be thumbprinted when I had not been charged and tried and found guilty.

Was this the first time in jail?

Yes, except for a few hours in a police cell some years ago because I wasn't carrying my pass, or something.

This time, in The Fort, what sustained you during those many hours locked on your own in a cell?

Prayer. And reading. I finished The Book of Genesis. And I read a small paperback called "For the Love of God". That helped me with my Bible reading.

Understand that Minister Khuzwayo. And you've been through a very nasty ordeal

Face to face

The Mother of Soweto interviewed inside Soweto. **ELLEN KHUZWAYO** (below), welfare worker extraordinary, gives her first full interview since her recent release from detention. She speaks her mind in her Orlando West home to the Rand Daily Mail's Race Relations Correspondent, **BOB HITCHCOCK**.



Picture by WILLIAM NKOSI

I told him that until Christian-based communication existed between the Government and the black people, there would be no real peace.

Did you ask the Minister why you had been detained?

Yes. He refused to give reasons.

What else did you say to him?

I told him I hoped that when I was released he would invite me to tell him about the thoughts of the urban blacks. He was non-committal on that. Blacks have a lot to say, I told him. We need to talk to you whites and plan for this country.

Since your release, have any restrictions been placed on you?

No. Nothing serious. Oh, yes. They've taken my passport. But that doesn't worry me. You know, there are things that no longer hurt us. Our reaction is: We would expect that of the whites. My tears, today, are dry.

You are 63, Ellen Khuzwayo. And you've been through a very nasty ordeal

No. My place is in Soweto. I'm going back to work. I'm a welfare worker and I'm needed right here, now.

What, in essence, do you stand for in South Africa's present situation?

Soweto run by Sowetans. One education system for all races. Adequate housing for blacks in a reasonably pleasant environment. Full electrification, of course.

Anything else?

The revoking of all racial legislation and detention without trial. Immediate dialogue with whites at top Government level.

Are you expressing the views of the Committee of Ten?

No. These are my personal views.

You were the only woman member of that committee. Right?

Right.

What, in your view, is the potential of the Committee of Ten? What could it achieve?

Well, as you know, eight of its members are still detained without trial. Once released, they could bring

justice to Soweto. That is if the rulers of this country gave them full rein. Community Councils are not the solution. A wise Government would accept this.

Some observers feel there is a growing split between the old-guard black nationalists and the young black militants of today. Do you agree?

No. I believe there is very little difference in basic thinking between them. The young people are tired of old ideologies. They are clear about what they stand for and they let the older folk know it. Be specific, the aware and educated ones tell you. Know what you stand for. Reject double standards.

In conclusion is there, perhaps, a random thought you would like to express?

It is important to the future of South Africa — the whites as well — that blacks express their thoughts. Some of us pay dearly for this. One day they may come back for me. If they do, I hope I'll remain strong enough to take it without

Cape Times 22/3/78

New post for 329 Qoboza

JOHANNESBURG. — Mr Percy Qoboza, former editor of the banned newspaper, the World, will become editor of Post and Weekend Post next month, the managing director of the Argus Company, Mr C L C Hewitt, announced here yesterday. Mr Qoboza was released from detention at Modder Bee a fortnight ago. He had been held four months. — Sapa

Cape Times 22/3/78 (329)

Detainee's sister would not testify — jail term

JOHANNESBURG. — Mrs Kathy Burt, 28, pregnant sister of Mr Peter Manning, 31, former publicity official of Swapo's internal wing, was sentenced yesterday to four months' imprisonment because she refused to answer questions put to her by a magistrate here.

terug huistoe

The court ruled Mrs Burt's reasons for not answering questions were invalid. She was earlier questioned by security police in Johannesburg after her brother was detained in Windhoek under Section Six of the Terrorism Act.

She refused to answer their questions and was summoned to court under a subpoena which referred to the 'supposed offence' of espionage alleged to have been committed by Mr P R Oen

u dan?

rug huistoe tussen u werk op elke plaas?

Mr Manning. She was required to testify and declare all she knows concerning the alleged offences.

el van die jaar bring u deur by die huis?

u van u woonplek na die plase?

en plaas na die ander?

Mr Manning is awaiting trial on charges under the Official Secrets Act with an alternate charge under the Terrorism Act.

l u vervoer?

aalde lone?

bulle bepaal?

die boere hierdie lone?

Mr E Brandt, the magistrate, ordered the examination be held in camera. Mr B Burman, for Mrs Burt, then requested the examination be held in open court. Normally such an application should come from a witness or the State, he said.

ling bepaal per skaap, per uur, per dag?

betaling - kontant (per uur betaling x ure x dae/
per skaap betaling x skape, ens.)

"I don't think that the witness has anything to do with it," said Mr Brandt.

ander betaling

Mr Burman argued the court could make the ruling, but there was no reason for the inquiry to be held in camera, unless it was against the interests of State security or of the witness.

as die laaste verandering in u kontantbetaling?

ie verandering?

it gekom dat u betaling verander het?

In his ruling the magistrate, Mr E Brandt, said he took all circumstances into account, both aggravating and mitigating.

obleme ondervind u met die werk?

"Espionage", he said, "is a very serious offence, punishable by up to 50 years imprisonment."

Mrs Burt is to appeal against the sentence. Bail was fixed at R100, pending the proper lodging of the notice of intention to appeal.

gewoonlik om die probleme op te los?

Woods travels world

From Stanley Uys
LONDON — The self-exiled South African Editor, Mr Donald Woods has travelled 98 000 km campaigning against apartheid since his escape from South Africa three months ago.

He has been right round the world, visited the United States three times and is now on visits to France, Denmark, Sweden, Norway, Holland and West Germany. His visits to Denmark, Sweden, Norway and West Germany are at the invitation of the Governments of those countries.

On his first visit to the United States, when he testified to the Security Council and committees of Congress and the Senate, and also met President Carter and Vice-President Mondale, Mr Woods was approached by leading US bankers and industrialists to address them.

He was unable to fit a talk into his programme, so they offered to fly him by Concorde from London to New York at a later stage. Mr Woods accepted the offer, and addressed the businessmen, who are now on a visit to African countries and South Africa.

That was Mr Woods' third trip to the United States this year. His second trip was when he flew to Miami to address the big American labour union, the AFL-CIO. As a result of his address to the AFL-CIO, the union



Paul Newman . . . may portray Steve Biko



tightened up a resolution condemning apartheid — ignoring 30 cables from South Africa urging it not to take a strong stand against apartheid.

From Miami, Mr Woods flew to California, where he met the film director, Carl Foreman, who will make a film of Steve Biko. The escape of the Woods' family from South Africa will also feature in the film.

At present Paul Newman is being considered for the role of Mr Biko — a somewhat bizarre choice seeing Newman is white.

From California, Mr Woods flew to Honolulu, where he spent a day and then to Sydney and Canberra. While in

Australia, he addressed the annual meeting of the International Press Institute and the National Press Club — the latter address was recorded live on television and radio — and also met Government and trade union leaders.

Mr Woods gave 27 radio, television and press interviews while in Australia.

He returned to London via Perth, where he has a South African friend, and Bombay, where he stopped over long enough to send postcards to Indian friends in South Africa.

Last night, Mr Woods spoke at the launching by Unesco in Paris of the International Year Against Apartheid. The former South African

singer, Miriam Makeba, who is married to Stokely Carmichael, was also present.

Mr Woods' book on Steve Biko, which he wrote while under a banning order in East London, will be published in six weeks. Already orders have been received for 25 000 copies in the United States, and the book will be translated into French, Swedish, Norwegian, Danish, Finnish, German, Japanese and Hebrew.

The film rights of the Biko book have been sold, and Mr Woods' share of the earnings will run into six figures (in dollars). Mr Woods will compose the African theme music for the film.

The book will not earn as much for Mr Woods as the film — It is expected to sell steadily, but not to be a best-seller.

Mr Woods is expected to earn substantial sums from a lecture tour that has been arranged for him in the United States. He sets off on this tour in about a month, and in August he will take up a six months' Nieman Fellowship at Harvard University.

Mrs Wendy Woods has also been giving public addresses — she flew to Brussels recently to speak at the ICFTU's launching of an anti-apartheid campaign, and she was given a standing ovation when she addressed the Oxford Union.

DB 22/2/78
**Doctor
 may be
 detained**

KING WILLIAM'S TOWN
 — The general secretary of the opposition Ciskei National Party, Dr H. H. Kakaza, was believed to have been detained by the Special Branch before lunch yesterday.

A woman employed at Dr Kakaza's home said last night two white policemen brought Dr Kakaza to his home, where he left his car, and then took him away.

She said Dr Kakaza told her to inform his wife, a student at Fort Hare, that he had been taken away by the Special Branch.

It could not be established yesterday whether he had been detained under the Ciskei Government's emergency regulations or under one of the South African Government's laws. — DDR.

erkerbesonderhede (2)

aelheid

(as nie gratis verskaf word nie)

de aan boer

se aan werker

gelaat

skape toegelaat

gehou

bokke

"

"

beeste

"

"

ander

waarde aan boer

(e) Grond

Oopervlakte verskaf

gebruik

Waarde aan boer:

Water (jaarlikse koste aan boer)

Koste van ander dienste b.v. saad, gebruik van plaasmesjinerie

(f) Klere: artikels verskaf deur boer (jaarliks)

Koste aan boer:

(g) Bonus (jaarliks)

(h) Geskenke (jaarliks: artikels

Koste aan boer:

(i) Ontspanningsgeriewe verskaf:

Koste aan boer (jaarliks):

(j) Gesondheidsdienste:

Jaarlikse koste aan boer van: doktersrekeninge betaal
 medisyne

vervoer na en van geriewe
 ander

(j) Totale mediese koste

(k) Pensioenbydrae deur boer (jaarliks)

(l) Versekeringsbydrae deur boer (jaarliks)

Cape Times 24/3/78 (329)
**Motlana is released
 after five months**

re (2)

JOHANNESBURG. — Dr Nthato Motlana, chairman of the Soweto Committee of 10, was released from detention yesterday after spending more than five months at Modder Bee prison near Benoni.

Released from the same prison with him were Mr Leonard Mosala, a member of the Committee of 10, and Mr Aggrey Klaaste, news editor of the banned newspaper, Weekend World.

One of the first freedom priorities of Dr Motlana was to take a bath at his Soweto surgery.

Ten of the 62 people held under the Internal Security Act were released two weeks ago, among them two members of the Committee of 10 — Mr Veli Kraai and Mrs Ellen Khuzwayo.

The release of the Committee of 10 members is vital to the Soweto Community Council by-elections scheduled for April 15.

hulle op u plaas werk?

igs terwyl hulle op u plaas

sonderhede.

ie betalings?

16. Gaan u dieselfde span aanstaande jaar gebruik? Waarom/Waarom
 nie?

17. Is daar op die oomblik 'n tekort aan skeerders?

18. Dink u so 'n tekort sal in die toekoms ontwikkel? Indien
 wel, waarom?

Hoe gaan u hierdie tekort teenwerk?

Detainee rearrested

JOHANNESBURG — One of the ten Internal Security Act detainees who were released less than a fortnight ago has been rearrested by the Security Police, Brig Johann Coetzee, deputy chief of the Security Police, said yesterday.

Brig Coetzee confirmed the arrest of Mr Gabriel Malaka of Sibasa.

Mr Malaka was arrested in connection with outstanding charges of being in possession of banned literature, Brig Coetzee said. The charges predated his internment last October.

He confirmed that another Internal Security Act detainee, Mr Jacob Mamabolo, was now being

held under Section 6 of the Terrorism Act.

Mr Percy Qoboza, among the ten released, said yesterday about Committee of Ten members still in detention: "I think it is a crying shame that people who are able to contribute in a positive manner should be languishing in jail. I hope they will be released as soon as possible. Instead of throwing them into jail, somebody ought to start talking to them." — SAPA.

A last-ditch bid to save elections

Sunday Times Reporter

LAST-ditch attempts to increase participation in Soweto's floundering community council elections seem unlikely to succeed.

With little more than 48 hours before closing of nominations for 19 vacant seats, two of the most influential leadership groups in Soweto are still refusing to give their support to the council.

Neither the Committee of Ten, with three of its members still in detention nor the mass Zulu movement Inkatha, has thrown its support behind the election.

Until now both organisations have rejected participation in the community council, successor to the defunct Soweto Urban Bantu Council.

The release on Thursday

Soweto's top leaders holding back for guarantees

of Dr Thatho Motlana, chairman of the Committee of Ten, and the way he was whisked to a WRAB-organised meeting with Dr Maurice Nyembezi, is seen by those very opponents of the community council as the last-minute effort to ensure the success of the by-election due to be held on April 15.

Dr Nyembezi has said that since Dr Motlana's release he had lifted the ban on Inkatha members participating in the election but this did not mean that he or Inkatha supported the council.

A by-election became necessary after the February 12 general community council elections turned into a fiasco with 16 candidates disqualified after nomination day, nine being returned unopposed and only two wards being contested. The election left 19 places

vacant on the 30-seat council. The high by WRAB and Dr Motlana in the increase participation in the by-election has become a matter of urgency.

To be legally constituted the council must meet within 60 days of the election, giving officials until April 15 to get nominations and hold the by-election in the 19 wards.

Dr Mulder's recently announced plans to give Soweto autonomy in four phases is also seen as an attempt to placate opponents of the community council. Two of the main reasons

why Inkatha refused to support the elections were the detention of Soweto leaders such as Dr Motlana and the vagueness about promises for Soweto's autonomy.

After two meetings between Inkatha and Dr Motlana, both remain firm in their resolve not to call for their participation in the elections at this stage.

Dr Motlana's rejection is outright. He is still standing by his position taken five months ago before his detention, that the Community Councils Act was "illegally conceived". He has refused to issue a statement until all his committee members

are out of detention and he has had the opportunity of consulting them.

The question of autonomy and that of security of tenure were the other two pre-conditions laid down by Inkatha before they would consider calling on their vast membership to participate in the elections.

"If these pre-conditions are fulfilled then we promise to help put the right people into the council. If they are not, then we will have to review the situation and Inkatha's attitude to the forthcoming election," Dr Nyembezi said.

Skool

1. As a worker op u plaas kom werk soek, vra u hoe ver hy op skool gevorder het, of nie?

29/1/78 829

Detainee mother appeals for aid

EAST LONDON — A Transkei woman has appealed to the Daily Dispatch to try to find out where her son is.

He was detained by Transkei police on November 4, 1977.

Mrs Violet Vanda, of Tyinirha, Ngqamakwe, said her son, Mr Phumelele Cecil Vanda, 36, was detained from Tanga High School, near Butterworth, where he was principal.

"I have tried to establish his whereabouts but the detectives who took him away tell me he is safe with them," Mrs Vanda said.

"I do not know under what Act he is detained and how long he will be and I even have doubts whether he is still alive because he was under treatment when he was detained," she added.

She said her son had returned from the United Kingdom when he had studied for a B A (Hons) degree, in June, last year.

He was employed by the Transkei Education Department and first taught at Mfundisweni in the Flagstaff district before being appointed principal of Tanga High School.

"He is my sole support and I have been struggling all these months but the worst is that I do not know whether I will ever see him again," Mrs Vanda said.

She emphasised not even his wife who is a nurse, in Johannesburg, had been given permission to visit her son since he was detained. — DDR

HANSARD 8 30 March 1978

329

Question 396. Cols. 464, 465 & 466.

**X Detainees in terms of Abuse of
Dependence-producing Substances and
Rehabilitation Centres Act**

396. Mrs. H. SUZMAN asked the Minister of Police:

- (1) Whether any persons were detained during 1977 for interrogation in terms of section 13 of the Abuse of Dependence-producing Substances and Rehabilitation Centres Act; if so, (a) how many and (b) for what period was each detained;
- (2) whether any of these persons were subsequently (a) charged with and (b) convicted of peddling drugs; if so, how many;
- (3) whether any of the persons arrested in 1977 are still in detention for interrogation; if so, (a) how many and (b) for what period has each been so detained.

465

THURSDAY, 3

The MINISTER OF POLICE:

(1) Yes.

(a) 245.

- (b) 2 for 1 day
5 for 2 days
3 for 3 days
2 for 4 days
5 for 5 days
6 for 6 days
5 for 7 days
4 for 8 days
3 for 10 days
1 for 11 days
13 for 12 days
5 for 13 days
7 for 14 days
19 for 15 days
7 for 16 days
5 for 17 days
3 for 18 days
5 for 19 days
3 for 20 days
3 for 22 days
1 for 23 days
7 for 24 days
8 for 25 days
3 for 26 days
10 for 27 days
7 for 28 days
19 for 29 days
4 for 30 days
2 for 31 days
7 for 32 days
2 for 33 days
4 for 34 days
2 for 36 days
2 for 37 days
2 for 39 days
2 for 40 days
12 for 42 days
9 for 43 days
1 for 44 days
2 for 45 days
4 for 46 days
1 for 50 days
1 for 51 days
3 for 54 days
7 for 56 days
6 for 57 days
5 for 58 days
1 for 67 days
1 for 85 days
2 for 92 days
2 for 103 days

30 MARCH 1978

466

(2) Yes.

(a) 202.

(b) 96.

(3) No.

(a) and (b) Fall away.

Ciskei to free detained persons

KING WILLIAM'S TOWN

— All detainees arrested in terms of the Ciskei's emergency regulations would be released, except for two against whom prosecutions were pending, Chief Minister L. L. Sebe announced here yesterday.

"Although the regulations have never been used to bolster up the Government's political position, sight cannot be lost of the fact that an election is pending and my Government is very conscious of the fact that its political opposition is seeking a scapegoat for its inevitable forthcoming failure at the polls," Chief Sebe said.

He said the "supposed threat" of the emergency regulations was providing the opposition with "an admirable excuse" which his Government intended to remove by releasing the detainees.

Describing the intentions of his Government, he said the implementation of Proclamation R252 had been sought at a time when the Ciskei was in grave trouble.

"School and house burnings and the intimidation of innocent citizens, young and old, were the order of the day and scholars and their parents in Zweifasha and Mdantsane walked in fear of the small, lawless element."

He said there was a time when he and his Cabinet were grieved at the senseless devastation and boycotting of schools which would provide the means "which we need to lift ourselves out of the mire of our present subjugated state."

He added: "It says much for the spirit and the courage of the Xhosa people that they needed only our initial example to stand up as one man and condemn this stupidity themselves."

His Government was not prepared to see its citizens suffer when they stood up for their rights, and extraordinary judicial measures were required to ensure the future administration of the Ciskei was orderly and peaceful.

"The regulations have in no small measure contributed to the success of our endeavours to restore

Detainees to go free

KING WILLIAM'S TOWN — All detainees arrested in terms of the Ciskei's emergency regulations are to be freed, except for two who will be charged.

This was announced here yesterday by the Chief Minister, Chief L. L. Sebe.

He warned, however, that his Government would not hesitate to use the regulations to ensure law and order prevailed, — DDR.

Full story, page 6.

ntasie van plaasinkomste
eskrywe moet word):

leis

e workers : mans vroue

e workers : " "

beiders :

te dorp (kilometers)

peace and order and my Cabinet is much encouraged by the fact that the youth are beginning to identify themselves with our struggle, not only to restore law and order in the schools, but also to procure change by lawful means."

The "new climate" had influenced his Government to release the detainees, but the Ciskei was by no means over its problems and the Government would not hesitate to use the regulations to ensure law and order prevailed, particularly if political and other platforms are used to instigate school boycotting, riots and other acts of violence or if people are incited to ignore or insult our traditional leaders, the chiefs. — DDR.