

TOTALITARIANISM-DETENTION

1985

SEPTEMBER MONTH

Cosas: Each one taught one

★ SEE
★ PAGE
★ TWO

COPS BLOCK FOOD SUPPLY

SEVERAL Tembisa businessmen have been detained and delivery trucks to black stores in the area have been allegedly barred by the SADF and police to obstruct the consumer boycott in the area.

City Press has identified five of the businessmen who were detained. They are: Moses Mnguni, Naboth Khoza, Jerry Morakile, Vuyisile Siyathula and Ambrose Dlangamandla. But as many as 11 are believed to be in detention.

Drivers of the delivery trucks say they were prevented from delivering food to the township and then assaulted by cops who stopped them.

But a spokesman for the cops said he considered the allegation that the police were trying to obstruct the boycott "ridiculous".

"As long as there is no contravention of the law, the police will not act. The SA Police will however, not hesitate to act against persons who contravene any law or commit an offence."

He added that any person or employer who considered police action illegal or wrongful could lodge an affidavit at the nearest police station.

"Only after such a complaint has been lodged, can the police launch an investigation," said the police.

City Press reporters saw a fleet of delivery trucks outside the township where businessmen were collecting their daily supplies of bread, milk, paraffin and other essential commodities.

"It seems most of the supplies we are denied are the basic foodstuff, milk and bread etc," said one of the businessmen, who asked not to be named.

According to another Tembisa businessman, the detentions follow a number of "interviews" the police held with top businessmen. The businessmen were called for "interviews" by the police on Monday, after a meeting between the boycott committee and local businessmen last Thursday.

The businessmen had pledged to comply with the consumer boycott committee's demands.

Youths die in hospital after arrest

329/1988 By BENITO PHILLIPS C. Press

TWO YOUTHS died soon after they were detained by cops in Ginsberg, near King William's Town.

A Pretoria police spokesman confirmed that an investigation is being conducted into the deaths of 15-year-old Thembalakhe George and 20-year-old Loyiso Ndzandze - both students at Ginsberg's Forbes Grant Secondary School.

They were arrested during an illegal gathering in Ginsberg and those present had been dispersed by the police, he said.

The George and Ndzandze families claimed that the deaths of their sons followed an incident last Thursday when the SAP dispersed students singing freedom songs.

Alice George said she went to the police station on Friday where she was told her son was in Grey Hospital in King William's Town.

He son's face was badly swollen and he also had a bruised eye. She later received a message saying he had died.

A similar claim was made by the Ndzandze family who said their son was admitted to Mdantsane Cecilia Makiwane Hospital in Mdantsane. His face was also swollen.

They also received a message that their son had died.

Top Natal UDF leader detained

By BANCROFT HLATSHWAYO

THE UDF Natal regional chairman and a Joint Rent Action Committee member, Rev Mcebisi Xundu, was this week detained at CR Swart Square under Section 29 of the Internal Security Act.

Security Police spokesman Major DF van Zyl confirmed that police were holding Mr Xundu under Section 29 of the Internal Security Act.

His wife, Thandiwe, said Rev Xundu had been telephoned by the Murder and Robbery Squad at CR Swart Square asking him to make a statement in connection with the death of slain attorney Mrs Victoria Mxenge.

Mrs Mxenge was murdered at her home shortly after she had stepped outside Rev Xundu's car on their return from the UDF treason trial in Pietermaritzburg.

Mrs Xundu said her husband had an appointment with the Murder and Robbery Squad police and he was accompanied by his son, Gcobani, and one of the church wardens when he was detained.

"When he entered CR Swart in his clerical garb, two plain clothes men asked him to identify himself and when he did they put handcuffs on him and told him he was under arrest," she said.

Mrs Xundu told City Press the security police accompanied her husband to St Simons' Anglican Church in Lamontville where they searched his house and confiscated several documents.

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BOESAK

**'Free
him
and
start
talking'**

REVEREND Allan Boesak's arrest was tragic proof of the inability of South Africa's white minority Government to bring about peaceful change, Swedish Deputy Foreign Minister Pierre Schort said this week.

"Instead of co-operating with and listening to the voice of reason as represented by Dr Boesak among others, they persecute and silence its representatives," Mr Schort said yesterday.

"I hope pressure from the rest of the world can bring the SA Government to its senses."

★ The Cape Teachers' Professional Association expressed its "repugnance" at Dr Boesak's arrest.

"The CTPA executive is appalled by the way police have run roughshod over the community's democratic leadership," said a statement issued by organising secretary Paul Jordaan.

"Dr Boesak's detention confirms South Africa's stand as one of the most oppressive countries in the world. South African law increasingly prevents any legitimate action opposed to apartheid."

★ United Nations General Assembly president Paul Lu-

saka called the arrest "another horror perpetrated by the racist Pretoria regime".

He said the international community was now fully aware of the "depth of the Pretoria regime's desperation", which could not be relieved without full respect for human rights and the establishment of the democratic process of one man, one vote in South Africa.

★ By arresting Dr Boesak and other UDF officials and activists, the Government had taken "yet another step in the suicidal direction of eroding peace prospects", the UDF said.

"We have always stated that apartheid will always be synonymous with violence and the brutal repression of forces opposed to it.

"The UDF is at present the main target of State repression.

"The crisis of the SA state is so deep that detaining leading UDF members and activists only serves to worsen rather than ease the situation."

★ Law and Order Minister Louis le Grange confirmed that Dr Boesak was being held in Pretoria after he was arrested near the University of Western Cape.

He is being held under Section 29 of the Internal Security Act, which deals with detention for interrogation.

Mr Le Grange declined to say where in Pretoria Dr Boesak was being held.

He said he would not be allowed visits by his family or legal representatives.

He can, within the first fortnight of his detention, apply to the authorities for legal representation.

Mr Le Grange said his department decided to detain Dr Boesak after "careful consideration of all circumstances surrounding his activities".

★ The Volkskerk Van Afrika called on the Government to urgently release or charge Dr Boesak.

"It's inconceivable that Dr Boesak - who is a devout Christian and firmly believes in non-violence - could be the victim of summary arrest," said spokesman Rev Simoh Adams.

Political comment in this issue by P Selwy-Smith and P Qobusa, newshills by P Selwy-Smith, headlines and subediting by D Niddie, all of 204 Eloff St Ext. JHB.

Police detention list hits 2 414

PRETORIA. — Police said in their weekly report on Friday that 70 more people had been arrested under the emergency regulations in the previous three days, bringing to 2414 the number of people who have been detained under the almost six-week-old emergency.

A total of 1306 of the detainees have been freed, according to police lists released in Pretoria. The release figure stood at 1222 when the police last gave out lists on August 27.

A police situation report yesterday, however, put the release figure at 1218.

The people who have been arrested were named as, the numbering follows Sapa's earlier list:

2345. Edward Paulus Bm PE
2346. Madoda Jacobs Bm Caddock
2347. Johnson Langman Bm PE
2348. Maudhonsheke Jakavula Bm PE
2349. Trevor Tutu Bm Jhb
2350. Walter Mahangu Bm Jhb
2351. Matthew Madanetsi Bm Jhb
2352. Zacharia Mkwana Bm Jhb
2353. Robert Mokoane Bm Jhb
2354. Andrew Molang Bm Jhb
2355. Andrew Xgarke Bm Jhb
2356. Tsoliso Habossesa Bm PE
2357. Sipheho Tyelo Bm PE
2358. Mzwandile Mewa Bm PE
2359. Samson Dayimim Bm PE
2360. Danile Sin Bm Uitenhage
2361. Benson Mangaliso Bm Uitenhage
2362. Sebezie Busskwa Bm PE
2363. Ngamile Harman Bm PE
2364. James Maimbule Bm PE
2365. Kennedy Mabulo Bm PE
2366. Mathosookie Maishoba Bm Vanderbijlpark
2367. Randolph Jones Cim Jhb
2368. Joe Hyde Bm PE
2369. Mbuyelo Myeki Bm PE
2370. Lindile Lala Bm Albany
2371. Fieka Mpelela Bm Albany
2372. Andile Ngubo Bm Uitenhage
2373. William Radebe Bm Vereeniging
2374. Kopo Masisi Bm Vereeniging
2375. Julian Cheke Bm Vereeniging
2376. George Rapolsoe Bm Vereeniging

2377. Tsoliso Mabuye Bm Vereeniging
2378. Julius Khali Bm Vereeniging
2379. Gilbert Motsopo Bm Vereeniging
2380. Edwin Motshape Bm Vereeniging
2381. Petrus Qobola Bm Vereeniging
2382. Samuel Nyamande Bm Vereeniging
2383. William Mbehele Bm Vereeniging
2384. David Pule Bm Vereeniging
2385. Samson Kolaape Bm Vereeniging
2386. Charles Chaka Bm Vereeniging
2387. Boy Mabilela Bm Vereeniging
2388. Michael Radebe Bm Vereeniging
2389. Solomon Matsung Bm Vereeniging
2390. Beauty Pella Bm Vereeniging
2391. Otis Mkhosini Bm PE
2392. Zolile Dlamkulu Bm PE
2393. Clifford Nondwana Bm PE
2394. Tumelo Myoli Bm PE
2395. Sipheho Forster Bm PE
2396. Nkoka Atswana Bm PE
2397. Maimbisi Ngwala Bm PE
2398. Vuni Samka Bm PE
2399. Sipheho Mgxashe Bm PE
2400. Fundile Ngqozo Bm PE
2401. Vuyisile Nondana Bm PE
2402. Benjamin Yaza Bm PE
2403. Zola Gangca Bm PE
2404. Sipho Masala Bm PE
2405. Reginald Schultz Bm PE
2406. Beathwell Nomkhena Bm PE
2407. Zandesele Rabi Bm PE
2408. Maudile Buewa Bm Uitenhage
2409. Lehagang Beza Bm Jhb
2410. Jossi Makhalame Bm Jhb
2411. Jovo Malima Bm Jhb
2412. Ben Matiko Bm Jhb
2413. Steven Ndou Bm Jhb
2414. Dumisani Sithole Bm Jhb

The detainees who were released were named as, the numbering follows Sapa's earlier list:

1223. Dastier Kubheka (1640) Benoni
1224. Abel Makhuba (1645) Benoni
1225. Benjamin Makhuba (1648) Benoni
1226. Job Makela (1670) Benoni
1227. Sipho Maropodi (1668) Benoni
1228. Richard Padi (1669) Benoni
1229. Colin Matapola (1667) Springs
1230. Harold Mahalela (1736) Brakpan
1231. Ephraim Phile (1639) Jhb
1232. Adolph Charyene (1638) Jhb
1233. Raymond Mokegethi (1635) Jhb
1234. Donald Tjorne (1637) Jhb
1235. Alfred Mngomezulu (1638) Jhb
1236. Floyd Manale (2038) Jhb
1237. Michael Bokomo (2039) Jhb
1238. David Mako (2040) Jhb
1239. Moses Ramasodi (2041) Jhb
1240. Elmond Moedi (2042) Jhb
1241. Kenneth More (2043) Jhb
1242. Francisco Dolamo (2044) Jhb
1243. David Motokeng (2045) Jhb
1244. Gideon Baika (1553) Uitenhage

1245. Patrick Saul (1584) Alcedale
1246. Zandile Ngalo (1585) Alcedale
1247. Nade Sono (1587) Albany
1248. Mbusiso Jack (1588) Somerset East
1249. Johannes Maimari (1589) Uitenhage
1250. Pumeck Langiso (1590) Uitenhage
1251. Zolile Vilji (1592) PE
1252. Moomelo Nqobisi (1593) PE
1253. Volsele Ngcwayi (1594) PE
1254. Sikimbiso Mampo (1595) PE
1255. Zwellbani Mombi (1596) PE
1256. Mchasonkile Piliso (1597) PE
1257. Zwindile Nkomo (1598) PE
1258. Maw Moyoali (1599) PE
1259. Sipheho Campo (1600) PE
1260. Zonwapa Soyama (1601) PE
1261. Mubiselo Zono (1602) PE
1262. Undile Ngkomo (1603) PE
1263. Zuluza Gekasi (1604) PE
1264. Tangema Siko (1605) PE
1265. Mayayi Boli (1606) PE
1266. Eric Nyali (1607) PE
1267. Stanki Malgas (1608) PE
1268. Sindle Poty (1609) PE
1269. Arthur Swarts (1493) Uitenhage
1270. Arnold Solomon (1494) Uitenhage
1271. Bufelo Butana (1495) Uitenhage
1272. Mvuselelo Tini (1496) Uitenhage
1273. Cuprian Maulwana (1497) Uitenhage
1274. Michael Nyanda (1498) Uitenhage
1275. Joseph Nyanda (1499) Uitenhage
1276. Shanon Rezali (1500) Uitenhage
1277. Migrandile Maku (1501) Uitenhage
1278. Mxoxolo Dick (1502) Uitenhage
1279. Varule Jonas (1503) Uitenhage
1280. Mphope Nogcazi (1504) PE
1281. Veleboyi Matthews (1505) PE
1282. Sonwalo Nanga (1506) PE
1283. Moses Majebi (1508) PE
1284. Monde Faleinte (1509) Uitenhage
1285. Mongamele Faleinte (1510) Uitenhage
1286. Fikile Majola (1511) Uitenhage
1287. Stael May (1512) Uitenhage
1288. T Mani (797) PE
1289. Phintle Gakema (1582) Uitenhage
1290. Jackson Johannes (1610) PE
1291. Patrick Sojala (1611) PE
1292. Abraham Manyati (1612) PE
1293. Joel Baka (1613) PE
1294. Derek Isaac (1619) Uitenhage
1295. Maartin Volstruis (1620) Uitenhage
1296. Jack Saller (1621) Uitenhage
1297. Martin Goliat (1622) Uitenhage
1298. Bingo Sobikwa (1628) Albany
1299. Nophumzile Mazi (1630) Albany
1300. Moses Dikobe (1647) Vereeniging
1301. Petrus Letsoane (1648) Vereeniging
1302. Abraham Tau (1715) Vereeniging
1303. Seth Mazibuko (1761) Jhb
1304. Bhekisa Mazi (1864) Jhb
1305. Kenneth Ngobese (1865) Jhb
1306. Domenic Chaka (1868) Jhb

The name of the person is followed by the number on the SAP list and the magisterial district in which he/she was arrested. — Sapa

Release Boesak, ⁽³²⁹⁾ says West Germany

Political Reporter

THE West German Government has condemned the state of emergency in South Africa and the security clampdown on opponents of the South African Government.

In a statement, the West German Government expressed its growing concern at the 'increasing application of measures of official repression in South Africa'.

'The Government in particular condemns the detentions which have taken place during the

^{29/1/85}
MORRIS
last few days and which have reached a new height with the arrest of numerous UDF leaders in Natal and of Dr Allan Boesak.'

The statement said the provisions of the Internal Security Act did not satisfy the minimum demands of the rule of law.

A renewed appeal was made to the South African Government to immediately release all political prisoners and all those detained under the emergency regulations, especially Dr Boesak.

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Hurley's court bid to free Diakonia man

2/9/85
Mercury
329

Mercury Reporter

PAPERS will be served on the Minister of Law and Order and the Commissioner of Police today in connection with an application to the Supreme Court for the release of detained Diakonia director Paddy Kearney

The application, brought by Diakonia's chairman, Archbishop Denis Hurley, and Mr Kearney's wife, Carmel Rickard, is due to be heard in Durban on Wednesday, according to attorney Mr N Pistorius, one of those dealing with the case

He said: 'It's a simple contention. The Internal Security Act requires that before anyone can be arrested in terms of Section 29, the authorising officer must have reason

to believe an offence has been committed in terms of the Act.

'We do not believe that is purely in his personal opinion. We are arguing that before any lawful arrest can take place, the officer must have objective facts on which he is relying.'

Although the Act excluded the courts from ruling on the validity of actions taken in terms of the Act, the applicants would argue that an arresting officer who took action without having objective facts would not have satisfied the Act's prerequisites and would therefore have acted outside it, Mr Pistorius said.

He said courts in Ciskei and Transkei had upheld applications dealing with similar legislation, but Cape courts had ruled

that they had no discretion.

'But we believe no Section 29 application has ever been adjudicated.'

Mr Kearney was visited for 20 minutes yesterday for a communion service by a Catholic prison chaplain, his wife said last night.

The visit followed inquiries by PFP MP for Durban Central, Mr Peter Gastrow, who established that chaplains do not automatically visit detainees but that a detainee could request one.

Ms Rickard said: 'I hope this means that he will be entitled to a visit by a priest every Sunday while he is still held.'

'And if it's true that detainees are entitled to request a priest's visit, I hope other detainees are informed of this right as a matter of course.'



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Detainees visited ³²⁹ by priests

TWO detained Christians, one of them a priest, were visited by clergymen in Durban yesterday after the intervention of the Progressive Federal Party Law and Order spokesman, Mr Peter Gastrow.

The Rev Mcebisi Xundu was visited by a fellow Anglican, the Rev Bill Deeble, and Mr Paddy Kearney, director of the Diakonia interdenominational church body, celebrated communion with the Catholic prison chaplain, Father Hahn.

Both the Reverend Xundu, the Natal chairman of the United Democratic Front, and Mr Kearney are being detained in terms of Section 29 of the Internal Security Act.

As far as is known, Internal Security Act detainees have not been permitted visits by clergymen before.

Mr Gastrow said yesterday that the fact that it had been necessary for him to contact the office of the Minister of Law and Order, Mr Louis le Grange, in order for a clergyman to visit a detainee showed that there was something wrong with the system.

Ms Carmel Rickard, wife of Mr Kearney, said she was furious that she had to spend so much time and effort to arrange for a priest to visit her husband.

"I hope all detainees in South Africa are being informed that they have a right to ask for a visit by a priest." J.L.

Cape Times 2/9/83

Detention test case for court

329 Political Staff

DURBAN. — An urgent application is to be made in the Durban Supreme Court this week for the release from detention of Mr Paddy Kearney, director of Diakonia, a local inter-denominational church body.

The application is to be made by Archbishop Denis Hurley, the Diakonia chairman, and Ms Carmel Rickard, a Durban-based journalist married to Mr Kearney.

The application will be a test case about the validity of Internal Security Act detentions.

Archbishop Hurley will argue that Mr Kearney as a committed Christian is opposed to violence for any purpose whatsoever.

Black detainees 'treated more brutally'

From CLARE HARPER

JOHANNESBURG. — Since the state of emergency was declared, on July 21, some 2,414 people have been detained in prisons and police cells, 1,218 have been released.

Considerable variation in the type of treatment meted out to blacks and whites has emerged from interviews.

Security police handling of black detainees under the security provisions was highlighted in a recent report of a 15-year-old boy admitted to a hospital psychiatric unit after two weeks of detention because he had become psychotic.

Following this, the Johannesburg Child Welfare Society appointed a government doctor to investigate alleged mistreatment about initial

ing a judicial inquiry into the detention of black children in prisons and police cells.

The director of the Centre for Applied Legal Studies, the University of the Witwatersrand, Prof. John Dugard, said: "There is no doubt that for the past 25 years black detainees have been treated much more brutally than whites."

Ms. Joy Harnden, a researcher and journalist, says she was treated comparatively well by the security police.

However, "comparatively well" still meant solitary confinement in a two by two-and-a-half metre cell, facing several sessions of security

police questioning, no books, no visitors — and sometimes no toiletries or clean clothes.

Ms Harnden was arrested at a prayer meeting at the Sankofa Catholic cathedral in Doornbos on July 31.

At Diepkloof prison she had to strip naked in front of three wardens and hand over her clothes.

"I was petrified and angry at the indignity of it. I don't consider myself a criminal, yet I was given less privileges than a convicted criminal," she said.

At no stage was she allowed to communicate with the two other women detainees. She

was allowed 30 minutes exercise each day in the courtyard outside her cell.

Ms Harnden spent twelve days at Diepkloof Prison during which time she was interrogated six times.

Asked to comment on her experience, the Prison Service said: "Detainees incarcerated in prisons in terms of the Public Safety Act are treated in terms of rules promulgated in Government Gazette number 9878. In accordance with rule 4 (1), detainees should be searched when admitted to prison and thereafter as often as necessary."

Eastern Cape researcher Roland White described the treatment he received during his detention under the emergency regulations. Mr White, 28, works at the labour and Consumer Resource Centre in Grahamstown.

"There was a lot of tough talk and threats of physical violence if I did not co-operate, but I was unharmed."

Mr White spent five days in cell at then Grahamstown police station before being moved to the North End Prison in Port Elizabeth.

"I was not allowed any physical exercise on the first day and no toothbrush. It took me three days to get a Bible and I

had only one shower in the mortuary after five days, and clean clothes after four days.

"In the whole time I was asked only one or two questions on two occasions.

"The treatment of whites was very different to that of blacks. The two SAAWU organizers in a cell next to me had to eat a quarter of a loaf of brown bread at each meal. I was fed reasonably well."

On July 21, a bus returning from a funeral in Cradock was stopped in Lenasia by police. All the names of those on the bus were taken down. Seven women were among those detained on the bus.

Ms Willem Krumalo (her name has been changed as she wished to remain anonymous) was taken to Diepkloof Prison. The next day she was taken to the Protea headquarters of the security police.

"When I arrived they asked whether I was a member of the African National Congress. I am not, so I denied it. Six white men questioned me and if I didn't give a satisfactory answer they screamed, shouted and insulted me."

Ms Krumalo works in a Johannesburg welfare organization. She was asked to give details of the organization.

"They offered me a house

and a car to work for them, which I refused. Then they began their threats, saying I would not reach the age of thirty."

She was released after thirteen days.

According to the Detainees' Parents' Support Committee, detainees are at the mercy of their jailers and there is virtually nothing they can do if regulations are contravened.

Under the state of emergency, no civil or criminal charges can be brought against the police "or any person in the service of the State" for any offence committed under the regulations unless the rules regulating the detention of persons are contravened.

A spokesman from the public relations division of the police said yesterday that police would investigate the allegations.

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Missing man ^{Sowetan} is in jail

329 3/9/85

Mr Zakes Tiki, earlier feared dead after his bullet-riddled car was returned to his Soweto home by police, is in police custody held under emergency regulations. The SOWETAN has established.

The Police Directorate in Pretoria said yesterday they were holding Mr Tiki who gave his name as George Mlaba, at Moroka Police Station.

He was arrested for contravening curfew regulations as well as "failing to stop at a

roadblock," according to police.

The news will come as a relief to Mr Rikki's relatives, who spent sleepless night worrying over his disappearance. The family had searched for him at various police stations without success.

Mr Tiki was last seen by his family last Saturday when he said he was visiting his friends around Soweto. Twenty-four hours later, his family was shocked to see his bullet-peppered Golf returned by police.

City urges dialogue, release of detainees

CAL Time 3/9/85 (102) (102) 329

Chief Reporter

CAPE Town City Council, at a special meeting yesterday to discuss the current unrest, decided to initiate "a suitable dialogue with civic and other organized community groups" and to call on the State to charge or release those arrested as a result of events during the current emergency.

It expressed sympathy with those bereaved or injured in the unrest or whose property had been damaged, and it called on members of the public and the police to exercise restraint.

In a motion introduced by Mr David Bloomberg and seconded by Mr John Muir, chairman of Exco, the council, "in view of its concern and distress at the serious unrest within the municipal boundaries", also decided to reaffirm a 1981 resolution upholding the principle of a

non-discriminatory municipal franchise.

It stated that "all the citizens of Cape Town reaffirm in an act of reconciliation that our great City recognizes and upholds a tradition of preserving human dignity with tolerance and understanding".

'Silence'

Mr R M Friedlander, a former mayor, said: "We have been faced with a deafening silence in these past few weeks, from those in a position to defuse what has become a dangerous situation."

"This (the council's motion on the unrest) is an earnest endeavour to make a contribution to the immediate call for positive action."

The motion was adopted unanimously after three councillors, Mr "Kosie" van Zyl, Mr Chris Joubert and Vice-Admiral J Johnson had

indicated that while they supported it in its original form, they would not be able to support an amendment, introduced by Mr Neil Ross, calling for the release of detainees.

All three "dissentient" councillors voted in favour of the motion as amended after appeals to them by Mr Bloomberg and by Mr Frank van der Velde to reconsider their stand, in view of the need for council unanimity in the present situation.

'Happier'

Mr Bloomberg, introducing his motion, said Cape Town had been a far happier City before August 31, 1972, the date from which Cape Town's coloured citizens had been deprived of direct representation on the City Council.

"That was a most retrogressive step. We warned on many occa-

sions of the consequences of the disenfranchisement of a portion of the citizenry of Cape Town.

"Our City has never recovered from August 31, 1972 — but it is not too late to return to the state of affairs that existed before that date."

Mr Clive Keegan said he did not believe Mr Bloomberg's motion went far enough. The current unrest, he said, was a predictable consequence of the government's policies.

"What we, as the Mother City of South Africa, should be telling the government is: 'Leave us alone, and let us work out our own future.'"

"You have tried your policies and philosophies on us for too long, and they have failed."

"The consequence is the bloodshed and misery we see today."

Court move to have Tutu's son released fails

The application for the release of Mr Trevor Tutu, son of the Anglican Bishop of Johannesburg, was dismissed by a Rand Supreme Court judge today.

Mrs Nomaliso Leah Tutu brought the urgent application last week for the setting aside of a detention order.

The application was brought against the Minister of Law and Order, Detective Constable Kobus Louÿscher and the Officer Commanding Diepkloof Prison.

An application to appeal to the full Bench of the Transvaal Supreme Court was granted after Mr Ernie Wentzel SC, for Mrs Tutu, submitted that another court might come to another conclusion.

He said this matter was of great public moment.

The application for leave to appeal was opposed

by counsel for the respondents.

Mr Acting Justice D O Vermooten said since no reply to papers filed by the respondents had been submitted, he had to accept their version of the events.

According to papers, Mr Tutu was present at the Protea Magistrate's Court on Monday last week during a rollcall of children who had been detained the previous week.

The atmosphere in the hall was tense.

WORSE

Mr Tutu made comments against the police and the authorities and the atmosphere in the hall was made worse by his behaviour, it was submitted.

After he was told to leave, Mr Tutu allegedly swore at a constable who then arrested him, saying he would lay a charge of crimen injuria against him.

Later the police decided to detain him in terms of the emergency regulations, the court was told.

Mrs Tutu submitted that the decision to hold her son under these regulations was not based on anything concerning the maintenance of public order or safety.

Mr Justice Vermooten said in view of Mr Tutu's conduct he believed it was not possible to say the official had acted in bad faith in detaining him in terms of regulation 3.1.

Detained pupils to sit for exams

DETAINED pupils will be charged or released in order to sit for their end-of-the-year examinations, a police spokesman for the public relations department in Pretoria has announced.

But the spokesman could not say whether those still detained would be allowed to write in prison. He referred inquiries to the Prisons Department. By the time of going to press the Prisons Department had not replied to a telex sent to the department. But, it is known that a Potchefstroom matriculant was given permission to write the examination in prison last year. 3/9/85

Although, the police spokesman could not supply the number of pupils detained it is believed to run into hundreds. Most of them are members of the Congress of South African Students (Cosas) which has been banned.

The spokesman also said the arrest of the "youths in detention has resulted in improved attendance at schools and a decrease in incidents of class disruptions."

According to the PRO for the Department of Education and Training, Mr Edgar Posselt, attendance at schools countrywide ranged from 20 to 85 percent. He said his department has done all arrangements for those pupils who have enlisted for the examinations.

Asked whether the stayaway, class boycotts and disruptions will have an effect in the exam results Mr Posselt said: "It will, of course. But I hope they will not be bad because some pupils are seriously studying on their own, and have teachers to help them."

Meanwhile the deputy regional director of DET in Johannesburg, Mr J J Chambers, has appealed to pupils in Soweto and Alexandra to go back to classes and prepare for examinations.

Three teachers among 5 detained

Staff Reporter

AT least five people, including three Mitchell's Plain teachers, a pupil and a community organiser, have been detained in terms of the Internal Security Act.

Police have confirmed the detentions. A sixth person has been released.

Teacher Mr Mike Norton of Spine Road High School in Mitchell's Plain was arrested about 6am today.

Mr Norton is also chairman of the Grassroots community newspaper, whose editor, Mr Saleem Badat, was detained in a security police swoop on UDF and other activists about 10 days ago.

Other detentions include:

- The SRC chairman of Westridge High, Mr Kevin Bird;

- Mr Riedwaan Hendricks and Mr Trevor Oosterwyk, both teachers at Glendale High in Mitchell's Plain;

- Mrs Shahieda Issel, organiser of the Mitchell's Plain advice office and regional secretary of the UDF in Mitchell's Plain; and

Mr Thobile Mseleni of Guguletu, who was later released.

The detentions would serve only to fuel the people's anger and would not "bring us closer to the peace and justice for which we (those detained) were striving", Grassroots staff said in a statement today.

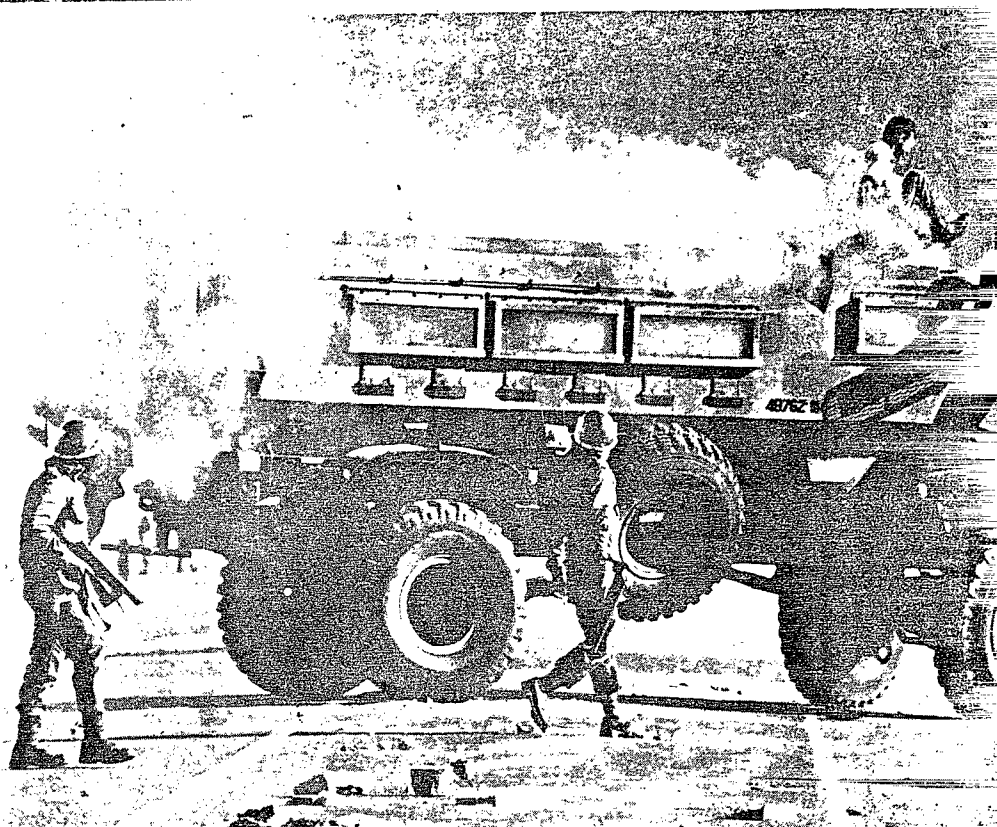
"We are shocked and angered at the detention of Mike Norton and other Mitchell's Plain residents.

"Mr Norton, for many years a successful journalist, is now a respected teacher at Spine Road. He and the others detained with him are well-liked and enjoy popular support in Mitchell's Plain.

"We reiterate our demand for the unconditional release of Mike Norton, Saleem Badat and all other detainees," the statement said.

Glendale High staff and pupils have condemned the detention of Mr Hendricks and Mr Oosterwyk and called for their release.

Casspir crew get dose o



Riot policemen tumble from a Casspir after a teargas canister was accidentally triggered in it
Steenberg yesterday

CMT Times 4/9/85 ~~225~~ ~~329~~

More arrests as unrest

Staff Reporters

POLICE confirmed a number of arrests in unrest in the Peninsula yesterday and gave the official death toll since violence began last week as 27. The total number of arrests since last Wednesday was given as 172.

When the Cape Times death tally of 31 people was put to the police spokesman, he said: "Twenty-seven people have died due to police confrontations — it's possible that the remainder died in other unrest circumstances."

Although police had confirmed 31 dead on Monday, this had now been revised after a "thorough" examination, he said.

As unrest continued across the Peninsula, a section of the N2 freeway

port was closed to traffic yesterday evening when protesters blocked the road with burning barricades.

The station commander at Brackenfell provincial traffic department, Mr Ernie Botha, said the section of the N2 between the first bridge at D F Malan airport and Swartklip had been closed and traffic diverted along the old Faure road.

A Cape Town City traffic spokesman said Prince George Drive between Military and Retreat roads in Lavender Hill, which was closed to traffic early yesterday evening because of unrest, was still closed late last night.

A Cape Times survey of hospitals and clinics showed that at least 160

treated for unrest-related injuries. However, police figures yesterday stood at 67.

Police arrested at least 10 local community organizers yesterday.

A police spokesman in Pretoria confirmed some arrests but said police had no record of the detention in terms of the Internal Security Act of five community leaders from Mitchells Plain, including teachers at Glendene High School, and five from Kayamandi near Stellenbosch.

Those arrested were Mr Trevor Oosterwyk, Grassroots organization chairman Mr Mike Norton, Mr Kevin Bird, Mr Ruedwaan Hendricks, Miss Shahieda Issel (all of Mitchells Plain), Mr Samson Setona, Ms Pa-



The district police commander for Wynberg, Colonel M J van Staden, waves his pistol as he shouts instructions in Retreat yesterday.

bile Myataya, Mr Bedford Tichuba and an unidentified man (all of Kayamandi).

The police spokesman said the Mitchells Plain people were believed to have been involved in unrest in the area. There was no police confirmation of the Stellenbosch arrests.

Some of the worst confrontations yesterday were in the Retreat area where police patrols fired teargas into residential areas in running battles with stone-throwing youths.

At least three cars were stoned as they slowed for burning barricades.

Motorists ran the gauntlet of stone-throwing and burning barricades in Elsie's River, Bofors Circle, Mitchells Plain and Monashburg.

few get dose of teargas



Police in full cry

By CHRIS BATEMAN

STEENBERG residents watched in fascination yesterday as a billowing Casspir disgorged about a dozen choking riot policemen.

The men tumbled out of the armoured vehicle at 4.20pm to escape a cloud of teargas which enveloped them after one of the policemen had accidentally triggered a teargas canister inside the vehicle as it drew near to a burning barricade in Prince George Drive. Gasping and with tears streaming down their cheeks, the men emerged from all available exits, several falling to the ground. They ran on to the premises of a nearby service station to recover — the luckier ones with teargas masks clasped to their faces.

The driver collapsed to the ground, overcome by fumes. He was revived by his colleagues and later seemed to have recovered fully.

A senior officer was heard to joke: "How's that for quick de-bussing."

After the vehicle had been thoroughly aired, the men boarded to continue their patrol.

spir after a teargas canister was accidentally triggered in the vehicle at Steenberg yesterday

Picture: Dan Bosman

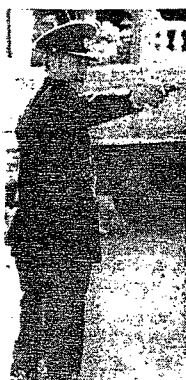
ests as unrest goes on

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Those arrested were Trevor Oosterwyk, grassroots organization chairman Mr Mike Norde, Mr Kevin Bird, Mr Tedewaan Hendricks, Les Shanieda Issel (all Mitchells Plain), Mr Simon Satana, Mr De-



The district police commander for Wynberg, Colonel M J van Staden waves his pistol as he shouts instructions in

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At least three cars were stoned as they slowed for burning barricades.

Motorists ran the gauntlet of stone-throwing and burning barricades in Elsie's River, before reaching Mitchells

Car windscreens were smashed in the Bo-Kaap.

In Halt Road in Elsie's River which was closed on and off during the day, police used teargas and rubber bullets to stop the stoning of shops. At least one man was injured and arrested about 10am. Another two men were arrested earlier after a car was stoned.

In Mitchells Plain at 11.25am a youth was arrested and police said homemade bomb materials were confiscated.

Bread suppliers are not getting to at least a third of schools supported by the Peninsula School-Feeding Association.

Concert Boulevard in Grassy Park was closed off about lunchtime near Lotus River Senior Secondary School.

was ordered to leave the area yesterday but saw several youths under guard at the police station.

About the same time, police Casspirs and traffic police moved towards Steenberg High School where about 1 000 pupils marched for a meeting.

Police called on the pupils to disperse about 11am but only some did so. About 1.20pm police moved slowly down Symphony Avenue, driving the pupils ahead of them. The crowd later dispersed.

A police spokesman in Pretoria could not confirm that 20 children between the ages of 9 and 16 had been arrested in Bontheuvel about 6pm.

More unrest reports

Court ^{Soweto} ruling ^{4/9/85} queried

CHILD welfare social workers are to challenge the decision of a Johannesburg magistrate who last month refused to release on bail an 11-year-old awaiting trial prisoner.

329
Johannesburg Regional magistrate, Mr O H I Olivier, has refused to release the boy, who may not be named, on bail and also declined to release him into the custody of his parents.

Mr Olivier said the Alexandra Township boy's parents would not be able to control him. The boy and another youth, aged 15, have not been asked to plead to allegations of public violence.

They were arrested in Alexandra on July 11.

Social workers attached to the Johannesburg Child Welfare Society have said they would lead evidence in court when the youths appear again on September 12.

Meanwhile, attorneys representing the boy said they were awaiting the court's records and would lodge an appeal with the Rand Supreme Court against Mr Olivier's decision.

Mr Olivier had also said that it was in the boy's interest to remain in custody at John Vorster Square because he would be intimidated against standing trial, could flee the country or even get killed by certain people if he were released.

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Bid to free Tutu's son fails

JOHANNESBURG. — An application for the release of Mr Trevor Tutu, son of the Anglican Bishop of Johannesburg, Bishop Desmond Tutu, was dismissed in the Rand Supreme Court yesterday.

Mrs Nomaliso Leah Tutu brought the urgent application last week for the setting aside of a detention order and the release of her son.

The application was brought against the Minister of Law and Order, Mr Louis le Grange, Detective Constable Kobus Loubser and the Officer Commanding Diepkloof Prison.

An application by Mr Ernie Wentzel, SC, for Mrs Tutu, to appeal to the full Bench of the Transvaal Supreme Court was granted.

Mr Acting Justice D O Vermooten said since no reply to papers filed by the respondents had been submitted, he had to accept their version of the events.

The papers said Mr Tutu was present at the Protea Magistrate's Court on Monday last week during a roll-call of children who had been detained. The atmosphere was tense.

Mr Tutu made comments against the police and the authorities and the atmosphere in the hall was made worse by his behaviour.

After he was warned to leave, Mr Tutu allegedly swore at the constable who arrested him and said he was going to lay a charge of crimen injuria against him.

Later, police decided to detain him under the emergency measures.

Mr Justice Vermooten said that in view of Mr Tutu's conduct it was not possible to say the police acted in bad faith.

— Sapa

22 held as students' demo halted

04/09/85 E. POST

Post Reporter

TWENTY students and two academics at Rhodes University, Grahamstown, were reported arrested today during a campus demonstration to show support for the banned Congress of South African Students (Cosas).

A squad of 20 police armed with baton and quirts were said to have charged onto the campus through the Drotsky Arch.

More than 400 demonstrators scattered when the police swept in.

According to an eyewitness, "police came right onto campus and chased students behind the administration block".

Anti-executive member of the Students' Representative Council (SRC), Mr

Mark Stein, said two women were treated for whip lashes across their breasts and one of the academics, Dr Mervyn Frost, of the Department of Political Studies, had been severely hit with quirts before being taken away by police.

The other academic arrested was Dr Steve Summerville, of the Department of Philosophy.

The demonstrators, carrying placards and singing freedom songs, had filed in procession around part of the campus and reached the Drotsky Arch beyond which they saw the squad of police assembled.

"There was no intention on the part of the demonstrators to pass through the arch or leave the campus," said Mr. Stein,

who took part.

"A police officer — I believe a captain — spoke through a loud-hailer but hardly anyone could hear what he was saying for the singing."

The demonstration was part of a national day of protest at last week's banning of Cosas.

Lieutenant-Colonel Gerrie van Rooyen, police Press liaison officer for the Eastern Cape, said 22 people — 15 men and seven women — were arrested at an "unlawful gathering at the Rhodes arch".

He said a group of about 250 people had gathered. When they failed to disperse after police had told them to do, quirts were used.

He said stones were thrown at the police.

● See Page 9

Tutu

bail plea fails

329

Sowetan 4/9/85

A RAND Supreme Court judge yesterday dismissed an urgent application for the release of Mr Trevor Tutu, son of the Anglican Bishop of Johannesburg, Bishop Desmond Tutu.

Mr Tutu (29) was detained at Protea Magistrate's Court last Tuesday for 14 days under the emergency regulations. This was after he had allegedly passed a remark in court about the youth of a child who had been arrested with others for boycotting classes.

Dismissing the application, Mr Acting Justice D O Vermooten, said in his opinion, it had not been proved that the three police officers who detained Mr Tutu had acted in bad faith.

Minister

He, however, granted Mr Tutu leave to appeal to the Transvaal Provincial Division. He agreed with Mr Ernie Wentzel SC, for Mr Tutu, that there was a reasonable prospect that another court may come to a different finding.

The application had been brought by Mrs Leah Tutu on behalf of her son against the Minister of Law and Order, Mr Louis le Grange. Constable Kobus Loubser and the officer commanding Diepkloof Prison.

In papers before



Mrs LEAH TUTU brought the application.

decision to detain her son was not based on any matter concerning the maintenance of public order, the safety of the public or the termination of the state of emergency.

She said the police action was not made in good faith, and as a result her son was in unlawful custody and continued to be deprived of his personal liberty.

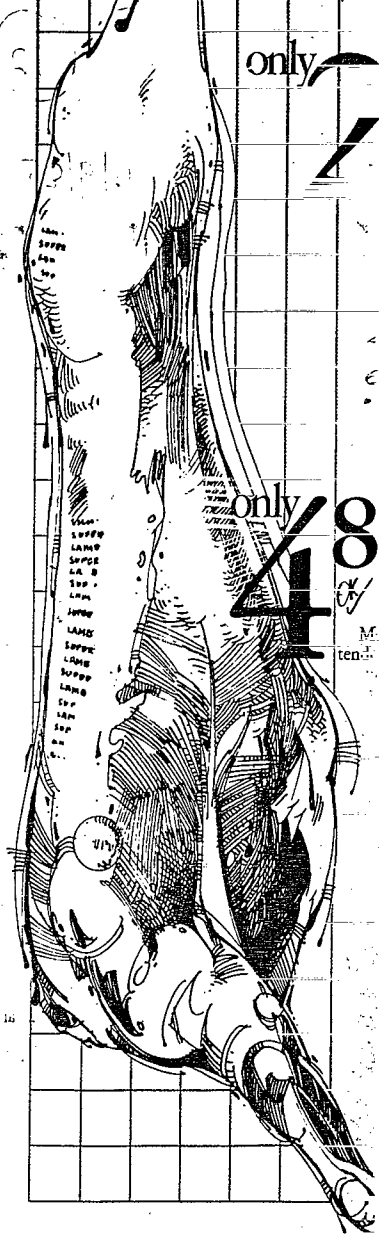
At the previous hearing, Mr Wentzel submitted that the decision to detain Mr Tutu was an ill-considered act of pique at the comment made to the police constable. He said the need to arrest Mr Tutu "for his own safety" was merely a "thumb-suck".

Mr Rene Kruger, SC, for the minister, said in reply there was a tense atmosphere in the hall. Mr Tutu stood in the front and made remarks which disturbed the maintenance of public order. His arrest was in good faith in terms of the emergency regula-

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INSIDE

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2 Cape Times, Thurs

Children of 6-14: No charge

Court Reporter

TWENTY-TWO youths
yesterday appeared in
Goodwood Magistrate's
Court in connection with
incidents of unrest this
week.

● Twelve children —
between the ages of six
and 14 — were released
yesterday when the State
decided not to prosecute.

The parents were re-
quested to report with
their children, who were
arrested on Monday, to a
Captain Laubscher at
Bellville police station
by tomorrow.

● The hearing of a
youth was adjourned to
September 9 as he is in
Tygerberg Hospital.

● Five youths were re-
leased in the custody of
their parents and togeth-
er with Ms Regina Bos-
man, 32, were warned to
appear on September 16.

● Three 16-year-old
pupils, a 17-year-old and
Mr Rashaad Lackay, 21,
were released on bail of
R50 and the case was
postponed to September
9.

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Wife visits Boesak

MRS. Dorothy Boesak, wife of detained church leader Dr Allan Boesak, has been given permission to visit her husband in jail in Pretoria today.

51985 (329)
Mrs Boesak, who

heard the news yesterday morning, said there was no indication of what type of visit she would be allowed nor how long it would be.

Soweto
Dr Boesak, President

of the World Alliance of Reformed Churches, was detained under Section 29 of the Internal Security Act on Tuesday last week, the day before a planned march to Pollsmoor Prison.

UDF detentions, ban on Cosas condemned

CAPT TMT 3 5/9/85
Staff Reporters

THE acting organizer of the UDF, Mr Naseegh Jaffer, condemned the detention of five of its members as "part of the State onslaught on the UDF".

"We warn the government that these detentions will not deter our people from their march to freedom and to free ourselves from oppression."

"We warn the government that continued state repression and police brutality will only increase the militant mood amongst the masses," he said.

● Meanwhile, Nusas has called for a national two-day protest from today at all its affiliated campuses to "express outrage" at the banning of the Congress of South African Students (Cosas) last week.

"The two-day protest has been called to emphasize our support for the demands of black students," said Nusas president Mr Brendan Barry.

● The Cape Youth Congress (Cayco) has condemned the detention of its members Mr Trevor Oosterwyk and Mr Riedewaan Hendricks.

"We demand the immediate and unconditional release of all detainees and political prisoners, and call for the immediate unbanning of the Cosas."

● The Civil Rights League called for the withdrawal of all charges arising from the unrest, condemning "the criminalization of effective forms of extra-parliamentary opposition", and for the immediate release of political prisoners and detainees.

Sharp rise in security legislation detentions

Security law detentions have shown their steepest climb in years with more than 400 new detentions in the last month — a figure which far outstrips the total number of detentions for the first seven months of the year, estimated at 300. **STAL**

On August 26 there were 517 security law detainees, according to figures released by the Police Directorate of Public Relations in Pretoria. On July 29 there had been 99 security detainees.

These detainees form an additional group to the approximately 1 000 still held in terms of the state of emergency. **STAL**

Police figures reveal that the sharp increase in detentions took place mostly in the last fortnight.

The sharp upswing in detentions coincides with the police crackdown on leading members of the UDF.

Police detain black trader

E. Post 10/10/85

Post Reporters

THE president of the East Cape African Chamber of Commerce, Mr Monwabisi Mkaza, was detained today.

Members of his family said he was taken away from his Kwazakele home by seven men — three in police uniform — early today.

The police liaison officer for the Eastern Cape, Lieutenant-Colonel Gerrie van Rooyen, confirmed that Mr Mkaza had been detained under the state of emergency regulations.

Told that Mr Mkaza's son, Mandiso, had made allegations of assault, Col Van Rooyen advised him to see a Captain Lemmer if he had any complaints against the police.

Mr Mkaza has been involved in negotiations aimed at finding a solution to the continuing consumer boycott.

Mr Mandiso Mkaza told the Evening Post he and a friend usually slept at his father's supermarket in Zwide to guard the complex.

At 11pm he was awoken by the barking of dogs. When he looked out of the window he saw people shining torches in the yard.

"I thought my car was being stolen. As I was about to open the door, there was loud knocking. When I opened it three white men walked in and ordered me to dress."

He alleged the men then assaulted him. "They said I must speak the truth and tell them where my father was."

He was driven to his home in Kwazakele, where he was taken out and told to climb inside the back of a van which had accompanied them. He was told he would be released if his father was found.

"My father was found and they left with him. I am worried about him," said Mr Mkaza.

He said he was then driven back to the supermarket.

● The publicity secretary of the United Democratic Front in the Eastern Cape, Mr Stone Sizani, today condemned as "irresponsible" comments made by the MP for Algoa, Mr James Kleynhans, on why leaders of the consumer boycott in Port Elizabeth could not be granted indemnity to facilitate negotiations.

Mr Kleynhans was quoted as saying: "Nobody can expect the police to grant immunity to people who cause acts of intimidation and violence and disregard the laws of this country."

"If they have clear consciences why don't they come forward and join hands with the peace-loving majority?"

Mr Sizani said: "We extend our hand and demonstrate our willingness to talk by saying: Lift the state of emergency, release our leaders from detention, allow our meetings, remove the army of occupation from the townships, scrap the community councils and freeze the prices of all basic foodstuffs — and that will bring an atmosphere for talks."

Argus 5/9/81 (329)

Mrs Boesak flies to Pretoria to see husband

Staff Reporter

MRS Dorothy Boesak, wife of detained World Council of Reformed Churches president Dr Allan Boesak, has flown to Pretoria to visit her husband.

Permission for the visit was granted yesterday and Mrs Boesak left immediately.

Before she left, a statement issued by the family called for the immediate and unconditional release of Dr Boesak, who is also patron of the UDF.

APPRECIATION

The statement, released after an hour of prayer at Dr Boesak's mother's home, noted with appreciation the many messages of support from South Africa and other countries.

"The family declare their wholehearted support for Allan in his course of peaceful protest against the unjust apartheid system.

"We are convinced that he was called to give guidance in the dismantling of a policy that is responsible for the pain and suffering of so many blacks in South Africa," says the statement.

"He stands unafraid because he is convinced that apartheid, which robs God's



Mrs Dorothy Boesak

creations of their humanity, must be destroyed."

A recent statement by the Moderature of the NG Sendingkerk about the detention was condemned as "technical and vacuous" and displaying "a great lack of loyalty, brotherhood and pastoral concern".

The family assured all other families in similar circumstances of their support.

Slabbert calls for release of detainees

329
221
CMT Times 5/9/68

By BARRY STREEK

THE government should release all detainees in an attempt to restore stability to the townships, the Leader of the Opposition, Dr Van Zyl Slabbert, said yesterday.

He warned that the actions of the security forces became "totally counter-productive if innocent and guilty, the peace-lover and the provocateur, are treated in the same harsh and indiscriminate manner".

Dr Slabbert also said that the call by the leader of the Conservative Party, Dr Andries Treurnicht, to "unleash" the security forces was "chilling and highly irresponsible".

In a statement last night, Dr Slabbert said: "I wish to emphasize as strongly as I can that indiscriminate and precipitate action in the townships is creating a climate of hate and anger which is going to make the restoration of calm and conditions for negotiation incredibly difficult."

Difficult as the task of the security forces was under these circumstances to restore stability and cope with mob violence — "and I certainly do not underestimate this" — it was totally counter-productive if everyone were treated in the same harsh manner.

'Brutalized cohorts'

At the recent Progressive Federal Party congress he had said that if repression and counter-violence became the norm "we will create brutalized cohorts of young whites and blacks whose only language towards one other will be the language of violence".

"I urge restraint by the authorities," Dr Slabbert said.

"I believe the government should declare itself willing to negotiate with community leaders, particularly those who have been arrested and locked up — and that it has to bring together those who are responsible for maintaining stability with such leaders.

"Therefore, as a start, release those who are detained under Section 29 of the Internal Security Act.

"This particular law is more and more becoming the major stumbling block," Dr Slabbert said.

United Democratic Front that he and other leaders were moving into "a gap left by Le Grange's Casspirs and Inkatha's impis" by calling for a national convention and that certain preconditions, including the release of political prisoners and the return of exiles, had to be met before there could be any meaningful resolution to the country's problems.

Dr Slabbert said he wished to remove any confusion that had resulted from his call for a convention alliance.

"I fully realize that under conditions of a state of emergency or even with the maintenance of apartheid measures, as we do have, it would be pointless to call a national convention.

"In calling for a convention alliance I do not have in mind such a national convention.

"I am simply saying that those who are in favour of it should come together and demonstrate their commitment to getting rid of apartheid completely and substituting it with one constitution with one citizenship in one undivided country.

"I am not excluding anyone from that alliance and definitely not those who have been detained under Section 29 or anyone else who is prevented from being there who would like to be there.

"We should stop posturing and dissipating our energies by attacking one another.

"I am not by calling for such an alliance trying to usurp any other organization or movement from playing a role, nor am I trying to fill a gap that has been left open.

"I do not claim to represent anyone other than those who have supported me and see myself as a leader among many organizations who wish to end the repression and violence — and negotiate a new constitution without racism and discrimination," Dr Slabbert said.

CP calls to link back former page 8

Boesak family demand his release now

CAPT TINGS 3/9/81
329

Staff Reporter

THE family of Dr Allan Boesak, United Democratic Front patron and leader of the World Alliance of Reformed Churches, yesterday demanded his immediate and unconditional release.

Dr Boesak was detained in terms of Section 29 of the Internal Security Act on the eve of last Wednesday's proposed march to Pollsmoor Prison.

The full statement by the family, released after an hour of prayer at Dr Boesak's mother's home, is as follows:

"The family has with appreciation noted the many messages of support from friends in South Africa, in foreign countries and especially from the Church Council in Bellville. The messages were positively supportive especially towards Dorothy (Dr Boesak's wife), their children and Allan's mother in their painful hour of trial.

Wholehearted support in his protest

"The family declare their wholehearted support for Allan in his course of peaceful protest against the unjust apartheid system. We are convinced that he was called to give guidance in the dismantling of a policy that is responsible for the pain and suffering of so many blacks in South Africa.

"Despite the fact that Allan must often endure abuse in his struggle, he is willing to make sacrifices for a just cause because he is truly free.

"He stands unafraid because he is convinced that apartheid, which robs God's creations of their humanity, must be destroyed.

"The family has reacted to his detention with shock and condemnation. It is not conceivable to us that he, a supporter of non-violent and peaceful protest, has been removed in such a manner. We join the many who have condemned the powerful action and demand from the government his immediate and unconditional release.

"The statement by the Moderature of the NG Sendingkerk about Allan's detention was no surprise to us. The technical and vacuous statement has confirmed what has long been suspected. It implies that Allan is guilty of a crime and that he should be brought speedily to trial. The family rejects this with condemnation.

"The statements in the press by certain members of the Moderature during the past few years has contributed to Allan's further abuse and alienation.

"There was a great lack of loyalty, brotherhood and pastoral concern from the Moderature regarding Allan in the difficult times when dark clouds had gathered over him and his family.

"The family, in closing, ensures all other families finding themselves in similar circumstances of our complete support in our prayers. We think especially of those families whose members have died, who have been imprisoned or who have been injured.

"Let us remember the words in Psalm 118: Five and Six."

WARC bid to see Boesak

From IAN HOBBS

LONDON. — The general secretary of the Geneva-based World Alliance of Reformed Churches (WARC), Dr Edmond Perret, will fly to Cape Town on Sunday in an urgent bid to see Dr Allan Boesak.

"We have heard nothing since his arrest and we are deeply alarmed," he said yesterday.

Dr Perret, who as a Swiss national does not need a visa to enter

South Africa, said he had not received a reply to his request to visit Dr Boesak in prison.

He said Mrs Dorothy Boesak had told him yesterday that she had not seen her husband and knew nothing about his condition.

He described it as "very worrying" and hoped he would be able to visit Dr Boesak to allay the fears of the 70 million WARC members who share her concern.

Gangs

CAPE TIMES 5/9/88
329

send pupils

fleeing

PRETORIA. — Thousands of Mamelodi primary school pupils were sent fleeing from their schools yesterday as groups of youths disrupted classes in the township near Pretoria.

By 9.30am more than 10 of the 17 primary schools in the township were empty.

The disruptions follow a Department of Education and Training announcement that classes have been suspended indefinitely at all 10 secondary schools in the township.

Residents said large groups of youths went from school to school bombarding the buildings with stones.

A spokesman for the DET, Mr Edgar Posselt, confirmed the indefinite suspension of classes at the Mamelodi schools.

He said the suspension of classes at Soshanguve and Walmansdal high schools ended yesterday.

He also said no decision had yet been taken about lifting the suspension of classes at the Teacher Training College in Soshanguve.

● More than 4 000 students of the University of the North (Turfloop), Sovenga, yesterday entered their second day of a lecture boycott.

The boycott was sparked by a pre-dawn raid at hostels by the security police. During the raid, which lasted three hours, several doors were damaged.

The rector, Professor Mokgokong, said in a circular that he was not briefed about the reasons behind the raid, but had been informed that four students detained during the raid were being held under Section 29 (1) of the Internal Security Act.

The four students are Mr Calvin Mutheiwana, Mr Peter Maake, Mr Chris Maake and Mr Nicks Lesufi. — Sapa

One of three held today is released

Staff Reporter

ONE of three people detained by security police early today has been released.

Mrs Veronica Simmers, administrative secretary of the United Democratic Front in the Western Cape, said today police took her from her home at 6am, telling her she was being detained under Section 29 of the Internal Security Act. Later, however, she was returned to her home.

Mr Joe Marks, a former vice-president of the UDF, and Grassroots community newspaper worker Mr Mansoor Jaffer were arrested early today in terms of Section 29, according to family.

However, a police spokesman in Pretoria said today he had no record of either arrests under security legislation.

Mrs Simmers's husband, Willy, secretary of the Cape Areas Housing Action Committee, was among 19 Western Cape UDF leaders, trade unionists and community workers arrested two weeks ago.

The couple's two-year-old daughter, Ruth, was with her mother at the time of her arrest.

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"I was told to take clothes with me and on the way to Caledon Square was asked the whereabouts of three UDF organisers — Naseegh Jaffer, Rashid Seria and Trevor Manuel."

"From Caledon Square I was taken to the UDF office for which the police said they had a search warrant. They found old posters and pamphlets advertising a Freedom Charter rally in June," she said.

"After that they brought me home."

Petrol bomb: Standard 4 girl guilty

A STANDARD 4 school-girl was sentenced to three years' imprisonment, conditionally suspended for five years, after she was found guilty in the New Brighton Regional Court yesterday on a charge of illegally possessing explosives.

The 14-year-old girl was found in possession of a petrol bomb during an incident in the vicinity of Johnson Square, Soweto, Port Elizabeth, on June 15. **E. Post Oct 9/85**

She was found not guilty and discharged on a charge of public violence.

The magistrate, Mr P Crous, said the girl had been convicted of a very serious offence and legislation provided a minimum sentence of three years' imprisonment and a maximum sentence of 15 years' imprisonment.

However, he took into account the girl's age, the

fact that she had been in custody since her arrest and that she was a first offender.

The girl, who pleaded not guilty, wept while being cross-examined by the prosecutor, Mr H Bence.

She said she stopped at the square to buy some apples after she was sent to borrow some money from her father. **(329)**

According to her, a group of people with petrol bombs and stones were in the vicinity.

She said a boy placed a petrol bomb near her and when the police arrived she ran away. She was later arrested.

Mr Crous said he accepted the evidence of the State witnesses, Constable Vaughan Robert Abrahams and Warrant Officer Peter John Dibben, of the police reaction unit, who saw her at the scene and arrested her.

UDF official's wife (329) detained — family DISPATCH OCT 85

Dispatch Reporter

EAST LONDON — A Buffalo Flats housewife, Mrs Jenny Hendricks, was detained by security police at 9.30 am yesterday morning, family members claimed.

Miss Anthea Hendricks, 18, said her mother was arrested by security police who told her she was being detained under section 29 of the Internal Security Act.

Mrs Hendricks is the wife of Mr Andrew Hen-

dricks, publicity secretary of the Border region of the United Democratic Front, who has not been seen publicly for two weeks.

His daughter said a man and a woman who identified themselves as security police arrived at their home to arrest her mother.

"They told her to take warm clothes and toiletries. My mother packed a bag and left with them."

She said a third person, who she assumed to be a security policeman,

had waited in a car outside the house while her mother packed a bag of personal belongings.

The police had not produced a warrant of arrest and her mother had not resisted before being taken away.

"We are very worried, but we have been expecting it to happen," she said.

The police directorate of public relations in Pretoria said last night they had no record of Mrs Hendricks's arrest.

APT Times 7/9/83 329
113 detained in past week

PRETORIA. — The police said yesterday that 113 more people had been detained in the past week under the emergency regulations, bringing to 2 527 the total number of people detained during the seven-week-old emergency.

According to weekly police lists naming the detainees released here, a total of 1 661 of those arrested had been freed by yesterday, 455 of them since last Friday.

The emergency regulations allow security forces to detain a person for up to two weeks, after which any extended detention must be authorized by the Minister of Law and Order or the Commissioner of Police. — Sapa

Ciskei holds 600

CISKEI cops have detained over 600 youths - mostly students - throughout the homeland as students continue boycotting classes.

The boycotts have entered their second month and educational authorities have expressed concern as thousands of pupils are affected.

Parents are complaining about police brutality, claiming several children have been hospitalised as a result of police beatings with sjamboks, rubber batons and kuries.

The school boycotts are centred around Mdantsane, Dimbaza, Zwelitsha, Ellis, Peddie district, Middledrift and Kwelera.

Police arrested 239 youths for holding an illegal gathering at Mphikweni Village near Peddie, while nine pupils were arrested at Middledrift's Kama High School.

In Mdantsane, police arrested 300 students. Parents claim however that far more were taken into custody from their homes. Another 16 pupils were arrested at Mzilindle Secondary School at Tamara village, near Peddie.

Mdantsane parents claimed children were being kept under lock and key in Ward 30 at Cecilia Makiwane Hospital and had been barred from seeing them.

But medical superintendent H Harris told City Press the locked ward was empty and kept for emergencies.

He said unrest victims who are not under police guard were in wards 31 and 32 and parents were free to see them.

Political comment in this issue by Philip Selway-Smith, newbills by Percy Qobasa, headlines and subediting by David Nidrie, all of 204 Eloff St Extension, JHB.

DRC Ring calls on Govt to free Boesak

THE first significant call for the release of Dr Allan Boesak was made this week in a strongly worded statement by the Belydende Ring of the Dutch Reformed Churches.

Dr Boesak, leader of the World Alliance of Reformed Churches and Assessor of the Dutch Reformed Mission Church, has been in detention since August 27, when he was arrested by security police on the eve of the Pollsmoor Prison march.

The statement by the Belydende Ring, made by the Rev Z E Mokgoebo, refers to "the deafening silence of other reformed churches" on Dr Boesak's detention.

The moderator of Dr Boesak's church, the Rev Isak Mentor, is also slammed in the statement for making a "fake plea" for Dr Boesak to be brought quickly to court.

But Mr Mentor quickly

By STEPHAN
TERBLANCHE

pointed out that he personally had made no such call, but that the Moderature — the church's highest executive body, of which Dr Boesak is a member — had, in fact, done so in accordance with a church decision introduced in 1978 by Dr Boesak himself.

No contact

"Further than that I would not like to comment on Mr Mokgoebo's statement at this point. But the Moderature will probably do so at a later stage," Mr Mentor said.

He had had no contact with Dr Boesak since his arrest.

Mr Mokgoebo's statement further criticises the "paternalistic tone of reprimand of the Northern Transvaal Synod of the Dutch Reformed Church, which regrets that Dr Boesak did not heed its warnings".

All of this clearly showed the connivance of these churches with the Government, the statement says.

The Belydende Ring calls for the "immediate and unconditional release of Dr Boesak" and says it regards his arrest "with abhorrence".

It also calls for the total scrapping of apartheid and challenges the Dutch Reformed Church family on "the whole issue of non-violence".

"The assault on the marchers at Pollsmoor, unarmed and praying, by police and soldiers who themselves are members of the church, raises seriously the question of peaceful means in the Dutch Reformed family," it says.

Mr Mokgoebo said the Belydende Ring was making the call for the release of Dr Boesak to coincide with a national day of prayer for the unrest in South Africa to be held in churches throughout the country today.

He had tried unsuccessfully to contact Mrs Dorothy Boesak before she went to visit her husband in Pretoria on Thursday.

"I had some books I wanted to send to Dr Boesak as he had indicated that he wanted to learn Xhosa while in prison," he said.

Judge frees 11-year-old

By THEMBA MOLEFE

AN elated Alexandra township mother yesterday kissed and hugged her 11-year-old son who was released into her care by a Rand Supreme Court judge after spending two months in custody as an awaiting-trial prisoner.

Mr Justice C. Krieger overruled the decision of a Johannesburg regional magistrate who, since July, had re-

used to free the boy, either on bail or into the custody of his parents.

Attorneys defending the boy, who may not be named, had lodged an appeal after magistrate Mr O.H. Olivier had ruled that it was in the youth's interest that he remained in custody.

The boy and a 17-year-old youth were arrested in Alexandra on July 11 and had not been asked to plead to

charges of public violence.

Mr Olivier had said the boy would be intimidated into fleeing the country or could even be killed.

Several applications by the 11-year-old's counsel to have him released into the custody of his family failed.

The magistrate said his mother was unfit and would not control her eldest son. She is a mother of four.

Mr Olivier also ruled that the boy's grandparents were frail and sickly. He would not release him into their care. Meanwhile the boy has told of his arduous 57 days with 13 men inside a cell at John Vorster Square.

He said he was abused and assaulted and had difficulty eating after he was fisted in the jaw by a policeman.

His lawyers intend laying counter charges. He will appear for trial at the magistrate's court on September 17.

Tutu's son: Jail was an uplifting experience

Mr Trevor Tutu, son of Nobel Peace Prize winner Bishop Desmond Tutu, today described the two weeks he spent in detention, without trial, emergency power regulations as "an uplifting experience".

Mr Tutu, a 29-year-old advertising executive, was released on Sunday. He was jailed when he shouted at police while 92 Soweto school pupils were appearing in court for boycotting classes.

"Apart from the actual tedium it was actually an uplifting experience," he told reporters last night.

"When I was called for interrogation my knees were slightly weaker than I would have liked them to be."

SHARED A CELL

He said he had shared a cell with 32 others for most of the time and other prisoners had been supportive, supplying items such as cigarettes. "The warders were very, very good to us in general," he said.

His mother, Mrs Leah Tutu, said she was angry about the arrest of her son, while Bishop Tutu, the Anglican prelate of Johannesburg, said he was exceedingly proud of him for being able to stand up "to the disgusting features of an ugly system".

Mrs Tutu said it had been a "great relief" when her son was released.

"We were in town when he telephoned us from our Soweto house and said: 'Hi mom, I'm home.' I could not believe it, it was wonderful to hear his voice," she said.

SA emergency: 253 more held

PRETORIA — Police said that 253 more people were arrested by the end of last week under the emergency, bringing to 2 667 the total number of people detained since the emergency was introduced seven weeks ago.

According to police lists of the detainees, 456 more of the prisoners have been released, up from 1 306 the previous week.

A total of 905 people remain in detention, according to the lists.

The people detained up to Friday last week were named as (the numbering follows Sapa's earlier lists):

Name Race/Sex District
2415 Johannes Mose b/m Jhb
2416 Henri Rako do do
2417 Horack Diphoko do do
2418 Basil Maket do do
2419 P Mkhwanuzi do do
2420 Strike Kumalo do do
2421 Samuel Maseko do do
2422 Mandla Mabaso do do
2423 David Kunene do do
2424 Herman Vilakazi do do
2425 Comfort Ngema do do
2426 Ephraim Mzizi do do
2427 Welcom Masanga do do
2428 Gerald Modikeng do do
2429 Sydwell Sele do do
2430 Sydwell Mkwani do do
2431 C Lando b/m Jhb
2432 Basil Nxutha do do
2433 Phillip Swane do do
2434 Antony Mnada do do
2435 Tembu Bhengu do do
2436 Howard Khambele do do
2437 Paul Zondi do do
2438 John Sebane do do
2439 Sydney Masindi do do
2440 Randolph Jones C/m do
2441 J Mzimkani H/burg
2442 Lazarus Tholwe do Jhb
2443 Brain Sejobe do do
2444 Isaac Motsogi do do
2445 George Manthata do do
2446 Johannes Mokoena do do
2447 Themba Gama do do
2448 Elias Mabaso do do
2449 Mandla Mkwana do do
2450 Julius Sibolekhe do do
2451 R Mokotha b/f Vdbpark
2452 Angelina Mifako do do
2453 Kenneth Mbotogo b/m do
2454 P Dovenhuis b/f do
2455 Esta Mofokeng do do
2456 J Nhlathu b/m do
2457 Samuel Mhlampi do do
2458 Catherine Bele b/f do
2459 P Masewetse b/m do
2460 Miriam Tladi b/f do
2461 A Mphuti b/f Vdbpark
2462 Maria Mosia do do
2463 Sarah Olfant do do
2464 Allen Makhatle do do
2465 Jeremiah Phale b/m do
2466 Ernest Motipe do do
2467 William Nhlapo do do
2468 David Masiphe do do
2469 Willemina Letoto b/f do
2470 Terisa Mofumisi do do
2471 Bettie Mokopese do do
2472 Pather Ragubathe A/m PE
2473 Cecil Mafana b/m U/hage
2474 Mzukizi Singata do do
2475 Numbiso Nixu do do
2476 David Njaneza do PE
2477 Danny Ntshane do do
2478 Makenye Mangali do do
2479 Zandisile Tshayi do do
2480 L Qhakamfane do do
2481 Patrick Masango do do
2482 Elvis Qhinga do do
2483 Michael Masango do do
2484 Michael Siphingo do do
2485 Mzingisi Kula do do
2486 Mphumolele Makisa do do
2487 L Kondile do do
2488 Mzwaneke Mani do do
2489 Khulale Cawe do do
2490 Erich Manvmore do PE
2491 K Bwana b/m do
2492 Kenneth Yeko do do
2493 Eric Mala do do
2494 Zeinzima Ntengo do do
2495 W Makhaleni do do
2496 Alfred Zibi do do
2497 S Nkoben do do
2498 S Gouwane do U/hage

2500 Lino Solomon b/f do
2502 Lothado Mquinje b/m do
2503 Ruren Malgas do do
2504 Perefe Malikamka do do
2505 Sepho Kano U/hage
2506 Mandle Nishod do do
2507 Eric Silileka do do
2508 Z Nthanana do do
2509 Zilezi Nthanana do do
2510 Nthanana do do
2511 S Tsenene do do
2512 Mnedisi Nthanana do do
2513 Xola Nthanana do do
2514 Zantudelo Tose do do
2515 Phangeni Gola do do
2516 Tembikile Qorlous do do
2517 Phumzele Menani do do
2518 Monde Matodlane do do
2519 S Monopel do K/park
2520 Moses Mneini do do
2521 Dabot Khoza b/m K/park
2522 Amarota Amlala do do
2523 Symop Siyotile do do
2524 Ismael Beua do do
2525 Aaron Mosikare do Jhb
2526 Sambo Nhlamhla do do
2527 B Mlitha do Vdbpark
2528 A Seoble c/m Jhb
2529 Anastasia Julius do do
2530 Rozetta Davis do do
2531 Martha Lee do do
2532 Muriel Sockie do do
2533 Irwin Langeveld C/m do
2534 Owen Phillips do do
2535 Kurt Smith do do
2536 P Zazangi b/m U/hage
2537 Jackson Male do do
2538 E Mashe do FtBrt
2539 Vunnie Makie do do
2540 Nkhaliso Ntini b/m do
2541 Tuku Ketan do Gtown
2542 V Zembretha do Albany
2543 J Kgatle do Rndbrg
2544 Ole Mafoko do do
2545 Hamilton Raka do PE
2546 Kopman Njalo do do
2547 Ponselle Khapy do do
2548 Mondli Nkati do do
2549 Thok Tabata do do
2550 Joseph Makese b/m U/hage
2551 S Sibanyani do Springs
2552 Jomo Malasa do do
2553 Joseph Malasa do do
2554 Petrus Skosana do do
2555 Martin Mabutwla do do
2556 Zebion Sebene do do
2557 Norman Gugaza do do
2558 Anton Xakala do do
2559 Oupa Myase do do
2560 Oupa Dhlamini do do
2561 Siphon Mbonane do do
2562 Jarco Juselins w/m Jhb
2563 B Mjilane b/m Gtown
2564 D Ntuli do U/hage
2565 Zozile Lozaan do do
2566 D Morane do Vdbpark
2567 John Khoboto do do
2568 Phillip Monoto do do
2569 Victor Mokekoa do do
2570 Frans Mhakeze do do
2571 Daniel Zelisho do do
2572 A Machobane do do
2573 Facob Ngwenja do do
2574 Sagaria Molebatse do do
2575 R Mohaneng b/f do
2576 John Moribane b/m do
2577 Abraham Qhubeka do do
2578 Adam Tseksi do do
2579 John Hubo do do
2580 Daniel Litansu do do
2581 K Shabalala b/m Vrngng
2582 Fazel Guza do Benoni
2583 Petrus Mnguwu do do
2584 Elias Miene do do
2585 Alfred Malowezi do do
2586 Albert Leolela do do
2587 Daniel Molhela do do
2588 Wilson Masango do do
2589 Nelson Mgwanya do do
2590 J Smith do Vdbpark
2591 Elliot Mahlati do do
2592 T Zonde do Vrngng
2593 Bol Tembiso do do
2594 Ruben Mhixokhu do do
2595 Solobho Thomson do do
2596 Daniel Dabuka do do
2597 Tammu Molefe do do
2598 J Maselo do Vdbpark
2599 Kanyiso Tonjeni do do
2600 Mibumzi Mashaya do do
2601 Isaac Mafeka do do
2602 Joel Motsiri do do
2603 David Ntsane do do
2604 Petrus Tsotiri do do
2605 Stephen Mofokeng do do
2606 J Shabalala do do
2607 William Molebatsi do do
2608 Solomon Butten do do
2609 Daniel Mahole do do
2610 Isiah Senjane do do

2611 J Glanka b/m Vdbpark
2612 Maphuti Albeneo do do
2613 Lazarus Mareletse do do
2614 Pimmon Letsitsa do do
2615 Louis Malope do do
2616 Solomon Pooe do do
2617 B Mbitanye do Albany
2618 Douglas Ntali do U/hage
2619 Zokile Lozaan do do
2620 Alfred Mose do Cradock
2621 Michael Teki do U/hage
2622 P Makwangu do K/park
2623 Shiba Mondlane do Jhb
2624 Afta Taupedi do do
2625 M Zondo do Rndbrg
2626 Titus Mgaga do do
2627 Alfred Mose do Cradock
2628 T Menze do U/hage
2629 Michael Teki do do
2630 C Mbekele do Albany
2631 Mlungisi Willfred do do
2632 V Sibanyoni do Benoni
2633 M Malati do U/hage
2634 V Dwebisa do Albany
2635 W Hompe do U/hage
2636 M Makeleni do do
2637 Bamamin Billin do do
2638 Eric Qubane do do
2639 Mkhuseu Dura do do
2640 Masau Dyubhle do PE
2641 Temu Bani b/m PE
2642 John Qorum do do
2643 Tembani Dyable do do
2644 Maveto Qubele do do
2645 M Christopher do do
2646 Mzingi Mkhawa do do
2647 Ntsikelelo Madaro do do
2648 Mpehi Shighwi do do
2649 Zogile Bambiso do do
2650 Tutuzi Bulu do do
2651 Sisa Bonga do do
2652 George Ngengane do do
2653 N Tomose do do
2654 C Mhlanga do Springs
2655 Bethuel Nkwene do do
2656 Sundu Nkambile do do
2657 Dicks Matona do do
2658 Mau Bondemta do do
2659 Amos Tabete do do
2660 Siphu Tabete do do
2661 Mauritius Fatasa do do
2662 J Mahgabutan do do
2663 Aaron Tyane do do
2664 Jeremiah Mbangane do do
2665 Gordon Duna do do
2666 Salome Kupane b/f do
2667 P Nkosi do do Sapa

CAK Times
10/9/83
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Attack on ECC arrests

By BARRY STREEK

THE detention of four members of the End Conscription Campaign and police raids on homes of ECC members in Durban were condemned yesterday by several organizations.

Those detained were: Mr Michael Evans, chairman of the Western Cape ECC, Mr Richard Steele, Miss Anita Kromberg and Mrs Sue Britton.

Homes of ECC members were searched in Maritzburg and Johannesburg early yesterday and documents seized.

The Leader of the Opposition, Dr Van Zyl Slabbert, condemned the raids, saying it was vital peaceful protest be possible, "otherwise all opposition outside Parliament will be forced into illegal action".

Black Sash president Mrs Sheena Duncan said the people who had been detained were known as peace-makers and two were pacifists.

Dr Ivan Thoms, who is to begin a three-week fast for peace on September 17, said the police action had come at a time when the campaign was gaining a following and the actions by the State were based on a fear that conscription and deployment of troops in the townships was meeting growing opposition from the white community.

● The Deputy Minister of Defence, Mr Adriaan Vlok, said yesterday the ECC was being used by the ANC to achieve the banned organization's 'evil' aims and attacked ECC efforts "to break down the will of our young men and women to defend our country".

The press officer for the ECC, Mr David Shandler, said Mr Vlok's "outrageous allegation bordered on the Theatre of the Absurd".

"The government is clearly trying to smear the ECC. We know full well that our work is completely legal. We stand for a change of the law and for a just peace," he said.

Police hold 300 in unrest swoop

By SHIRLEY PRESSLY
POLICE swooped on the Port Elizabeth township of Motherwell recently and picked up more than 300 men for questioning in connection with incidents, including murder and arson, linked to the unrest.

The swoop, which took the form of an intensive search of the township last week, followed the brutal murder on August 10 of a policeman, Constable P Mrwarwaza. His badly burnt and mutilated

body was found in the veld near the township after he had gone missing.

His body was so badly mutilated that the burnt remains could fit into a shoebox.

The police liaison officer for the Eastern Cape, Lieutenant-Colonel Gerrie van Rooyen, today confirmed the Motherwell swoop.

He said more than 300 people had been picked up for questioning in connection

with the policeman's death and other murders, as well as damage to buses through stonethrowing and arson.

Col Van Rooyen said 48 of the men were being held in connection with the murder of the policeman and nine were being held in connection with the setting alight of buses. Four were being held on charges of abduction and one man was being held on four counts of murder, two counts of setting fire

to buses, three counts of setting delivery vehicles alight, three counts of housebreaking and theft, and four counts of setting fire to schools.

Col Van Rooyen said 10 men had been arrested in other Port Elizabeth townships in connection with arson attempts at 17 schools from March to July.

Meanwhile, the Evening Post has reliably learnt that Mr G Tungata, the brother of a security

policeman, Sergeant Butler Tungata, was abducted from a shebeen in Zwide on Sunday night, thrown into a vehicle and driven away.

His badly burnt body was found at 10pm on Sunday night on an open stretch of veld in Zwide. A car tyre had been placed around his neck and a second tyre around his waist.

A spokesman for the Police Directorate of Public Relations in Pretoria confirmed the death.

Four held in early morning swoops

Security raid on pacifist groups brings protests

Mercury Reporters

THE security police swoop on End Conscription Campaign (ECC) members and detention of four of the organisation's officials yesterday has drawn protests from around the country.

Those detained in the early morning raids in Durban were Mrs Sue Britton, Miss Anita Kromberg and Mr Richard Steele, while Mr Michael Evans was detained in Cape Town.

Several Pietermaritzburg ECC members were questioned by security police, while in Johannesburg ECC members were woken at 3 a.m. by security police who searched their homes.

Both Miss Kromberg, who is an active ECC member

and the South African representative of the pacifist International Fellowship of Reconciliation, and Mrs Britton, who is also a Diakonia staff member, had their homes searched before they were taken to their respective offices in St Andrew's Street. The offices were searched and documents removed.

Mrs Britton was to be one of the representatives of the Ecumenical Justice and Reconciliation Commission attending a Pietermaritzburg conference with 400 other Christians from South Africa this week.

Mr Steele, who is also a Diakonia member, is a conscientious objector who has spent a year in jail.

Mr Evans, national committee member and Cape Town chairman, was taken by security police from his Observatory home at 8.15 a.m.

It is believed the four have been held under Section 29 of the Internal Security Act.

The raid and detentions follow a speech made in Durban by the Deputy Minister of Defence, Mr Adriaan Vlok, on Saturday in which he accused the ECC of being 'used by the ANC to achieve the ANC's evil goals in South Africa'.

Mr Vlok said this could not be tolerated and would 'not be allowed'.

Meanwhile the raids have been condemned by the Leader of the Opposition and the PFF's spokesman on defence, Dr F van Zyl Slabbert, the Vice-chancellor and Rector of the University of Cape Town, Dr Stuart Saunders, Diakonia and the ECC.

'Attack'

Dr Slabbert said in a statement that the raids 'simply confirmed that the Government appeared to act more and more against extra-parliamentary opposition'.

The Diakonia executive said in a statement that it 'protested strongly against this latest attack by the security force against Diakonia'.

The ECC crackdown seemed to be concentrated in Pietermaritzburg where at least six people connected to the ECC, including Miss Jaques Bouille, the local ECC chairman, were questioned by security police.

The Pietermaritzburg offices of the Agency for Christian Social Awareness (Pacsa) were searched by a team of 13 policemen for four-and-a-half hours. ECC documents and non-violent protest literature was removed.

Campaign

The homes of four students and a Pacsa worker were also searched at 6 a.m. by police.

It was also reported that police went on to the Pietermaritzburg campus of the University of Natal and searched the room of an ECC member who lives in Denison residence. ECC finance ledgers were removed.

Condemning the detentions and house searches, the ECC said these were not isolated incidents directed at a few individuals but a direct attack on their campaign by the Government.

The ECC is presently embarking on a 'Troops Out of the Townships' campaign.

When asked for confirmation of the detentions and raids, the SAP directorate in Pretoria said the Mercury should make its request for information in writing. The Mercury has sent a telex and was awaiting a reply last night.

Jail 'uplifts'

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Trevor Tutu
Oct 10-12, 1978

JOHANNESBURG —

Trevor Tutu, the son of Nobel Peace Prize winner Bishop Desmond Tutu, yesterday described the two weeks he spent in detention under the emergency powers as an uplifting experience.

Mr Tutu, a 29-year-old advertising executive, was released on Sunday. He was jailed when he allegedly shouted abuse at police while 92 Soweto school pupils, were appearing in court for boycotting classes.

"Apart from the tedium it was actually an uplifting experience," he told reporters while visiting his parents last night.

He said he shared a cell with 37 others for most of his period of detention. "The warders were very, very good to us in general," he said.

— Sapa



Mr TREVOR TUTU

'Ugly' system releases Trevor

MR TREVOR Tutu, son of Nobel Peace Prize winner Bishop Desmond Tutu, yesterday described two weeks he spent in detention without trial under Pretoria's emergency powers as an uplifting experience.

Mr Tutu, a 29-year-old advertising executive, was released on Monday. He was jailed when he shouted abuse at police while 92 Soweto school pupils, some as young as eight years of age, were appearing in court for boycotting classes.

Apart from the actual tedium it was actually "an uplifting experience," he told reporters while with his mother and father last night. "When I was called for interrogation my knees were slightly weaker than I would have liked them to be."

Warders

He said he shared a cell with 37 others for most of his period of detention. "The warders were very, very good to us in general," he said. "The other prisoners were extremely supportive... they passed us certain things which we weren't allowed — cigarettes, newspapers, extra food."

His mother, Mrs Leah Tutu, said she was angry about the arrest of her son, while Bishop Tutu, the Anglican Prelate of Johannesburg, said he was exceedingly proud of him for being able to stand up "to the disgusting features of an ugly system". — Sapa

Reuter 12/11/85

Unrest: 70 people arrested

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DISPATCH

PRETORIA — Police made a total of 70 arrests throughout the country yesterday in a series of incidents in which buses, police vehicles and delivery vans were arrested according to a report issued by the police last night.

Two people received injuries in police action. In the Clermont neighbourhood an unidentified man was set alight by a mob of youths. In Kwamashu the home of a United Democratic Front member was petrol bombed. A man was arrested in Mlungisi, a queenstown on Monday night after a police vehicle was stoned. In Nyanga a creche building was gutted and a primary school damaged in separate petrol bomb attacks yesterday.

At Mitchell's Plain the police arrested six stone-throwing youths whom they were taking into custody of their parents. In Huthuli in the northern Cape, nine people were arrested for public violence.

In the Galetshewe township of Kimberley, a number of people stoned a delivery van. In the same township, a group of people stoned a bus, which resulted in the arrest of one youth.

Scores of pupils were arrested while they were marching towards Moroka police station in Soweto to demand the release of pupils who were arrested on Monday.

Throughout the day, the atmosphere was tense in the township.

With police patrolling the streets and dispersing pupils standing in groups at street corners. Also in Soweto one man was slightly injured and one was arrested after a group of youths stoned police vehicles.

In Athlone in the Western Cape one man was arrested for possession of four petrol bombs.

● The South African Teachers' Association (Sata) yesterday condemned the closure of coloured schools and colleges in the Western Cape and urged the government to move towards "a fair and dignified society".

The organisation represents most white English-speaking teachers in the Cape.

In its president Mr John Innes said, "Sata stands in the belief that apartheid cannot be part of a society which upholds equal educational opportunity as a basic right of all people." — Sapa.

Court restrains police from assaulting detainee

Court Reporter

A DURBAN judge yesterday issued a temporary interdict restraining the police from assaulting a 20-year-old detainee being held under Section 29 of the Internal Security Act after an urgent application by the man's father.

Mr Justice Wilson issued, with the consent of the police, a rule nisi calling on the Minister of Law and Order and the Commissioner of the South African Police to show cause on September 24 why they should not be interdicted and re-

Stars to
record
'apartheid
' anthem

RS in richer after pools win



Lawyers
resolve
embassy
dispute

GENEVA—Dutch and South African jurists have cleared up a legal dispute surrounding Dutchman who took re-

has requested Natal Administrator Radclyffe Cadman to appeal to President Botha to declare a moratorium on political development in KwaZulu/Natal to give blacks and whites in the

members of the Provincial Executive Committee, Chief Buthelezi said South Africa would not fall apart if blacks and whites in KwaZulu/Natal were given the time to find each other, police

interdict restraining assaulting a 20-year-old detainee under Section 29 of the Interdict after an urgent application

Mr Justice Wilson issued, with the consent of the police, a rule nisi calling on the Minister of Law and Order and the Commissioner of the South African Police to show cause on September 24 why they should not be interdicted and restrained from assaulting Sibenelo Trustworth Ngubane or interrogating him other than in a lawful manner.

In the application the detainee's father, Mr Themba Africa Ngubane, said his son was detained on August 7.

On the evening of September 7 his wife reported to him that she had received a report from two girls she did not know that their son had received serious injuries and had been admitted to Shifa Hospital.

The following day Mr Ngubane had gone to the hospital.

Outside his son's ward he met two policemen. He told them that he was the father of the detainee and entered the ward.

He was not allowed to speak to him but was able to leave food.

He said he observed that his son's mouth and head were swollen.

He was unable to observe the rest of his body as it was covered with a cradle on top of which were bedclothes.

Affidavit

On September 9 he was contacted by Miss Patricia Steele, an employee of the Career Information Centre, who told him she had received a note allegedly written by the detainee.

In an affidavit Miss Steele said that on September 7 a person who wished to remain anonymous had delivered through her office a note from the detainee addressed to herself.

The note stated: 'I am very sick and wish to commit suicide since my future is being ruined for something I never did.'

'I have decided to go on a hunger strike until they release me.'

The Judge also requested the district surgeon to conduct a thorough examination of the detainee and authorised a magistrate to interview the detainee and furnish the findings to the Registrar of the Court.

Mr C Nicholson instructed by Mr M A Mdhladla appeared.



BALUSTRADES IN ALUMINIUM

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- MANUFACTURED
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Youths allege sadistic assaults by police

Own Correspondent
PORT-ELIZABETH. — An interim order was granted in the Grahams-town Supreme Court yesterday restraining the police from assaulting seven youths aged between 12 and 19 who are in custody pending investigation of the murder of an African policeman last week.

The urgent application was not opposed.

Allegations of torture, brutality and "sadistic" acts carried out by police were contained in affidavits from the youths which were presented to the court.

Mr Justice Donald Kannemeyer issued the order pending the final

ization of the application. The return date of the order is October 17.

Mr Justice Kannemeyer said the allegations were at present uncontradicted and were of a "serious" nature if found to have some basis of truth.

He called on the police to show cause why an order should not be granted restraining the police, for as long as the youths are in detention, from carrying out unlawful assaults, conducting interrogations in any manner other than that permitted by law, employing undue pressure or subjecting the youths to any form of unlawful duress.

Mr Justice Kannemeyer called for reasons why an order should not be granted restraining the police from depriving the youths of any privileges or treating them in any way other than expressly or impliedly provided for by Section 185 of Act No 51 of 1977, and why they should not be ordered to pay the cost of the application.

The respondents are the Divisional Commissioner of the SA Police and the Minister of Law and Order.

The youths, according to the affidavits, were told on their arrival at the police station that they had been arrested in connection with the death of an African policeman on September 3. A tyre had been placed around the policeman's neck and was set alight.

Clothing

Mr Roy Allaway, appearing for the youths, called for interim relief because of the youths' allegations of "torture, brutality and even sadism" carried out against them by police.

The affidavits alleged that three of the youths had been forced to touch the charred body of the policeman and that a 12-year-old youth was forced to "go through the excruciation of a mock hanging".

Further allegations contained in the affidavits are:

- The youths were told by police that they would be "taught a lesson" and that some of the pain the dead policeman suffered would be inflicted on them.

- A tyre was placed around the neck of one of the youths, aged 12, and it was suggested the tyre be set alight.

- One of the youths, aged 15, had been kicked in the stomach and thrown to the ground and against a wall during his interrogation.

Detention of the young 'ironical in Year of the Youth'

STARS By Susan Plennie 329

It was ironical, that in this the Year of the Youth, most people held under emergency regulations had been under the age of 25, said Dr David Webster, of the Detained Persons Support Committee, last night.

He was addressing about 400 people at a meeting at the Central Methodist Church in Johannesburg in Africa, South Africa (Cosas).

Dr Webster said there was more repression in 1985 than when a state of emergency had been declared in 1969. Then, 1,500 to 2,000 people had been detained, while under this year's state of emergency, 2,527 had been held.

In the past six months, about 650 people had died and another state of emergency had been declared, about 200 people had died.

Dr Webster said an "undeclared" state of emergency existed throughout South Africa and that the police were treating non-emergency areas, such as Durban and Port Natal, as if they were among the 35 affected districts. "This is a sad reflection on the state of democracy in South Africa," he said.

'SA trying to crush campaign for peace'

11/9/85

Dr Webster added it was obvious the state of emergency was really concerned with crushing the United Democratic Front (UDF) and about 86 per cent of those who had been detained were believed to be members of the UDF, or its affiliated organisations.

He said it was naive to believe the army would quell trouble in the townships. "Our police have not had the training to use minimum force in riot control and our army has even less training," he said.

The End Conscription Campaign (ECC) last night strongly condemned the "severe, police harassment" of its members.

A statement delivered at a protest meeting against the banning of Cosas, held at the Central Methodist Church, said the State was trying

to crush a campaign which called for peace. On Monday four ECC members were detained in security police swoops on the homes of about 20 ECC members.

The statement said the ECC was a legal campaign working towards getting the State to recognise individuals

should have the choice of joining the SADF. The ECC was about to launch a three-week campaign to call for troops to be removed from townships, and members would fast for 24 hours on October 7 in protest against compulsory military service, the statement said.

Father Albert Nolan, a Catholic theologian criticised the media and the State for their "loaded" use of the term violence.

The State and the media had called stone-throwing and other activities violence, yet they excluded the word violence when they described any activity of the police, he said.

"They also exclude the institutionalised violence of the apartheid system. This misuse of language is hiding the true reality."

Many people said the township youth were the aggressors in the conflict, but it was really the apartheid state which was the aggressor, he said.

A member of the Black Students' Society at the University of the Witwatersrand, and of the Azanian Students' Organisation, Mr Dali Moko, said the Government was in a dilemma.

"They (the Government) are trying to convince the right wing that no change is taking place and they are also trying to convince the freedom-loving people that they will talk to the leaders of the people," he said.

Discussing the banning of Cosas, Mr Moko said the Government believed Cosas was behind the township violence. Cosas had, in fact, often retreated the anger of students, he said.

"Is it better to now have those students loose in the streets when they do not have any disciplinary structure to answer to?" he asked.

The president of the National Union of South African Students, Mr Brendan Barry, said one of the most valuable principles of Cosas was that it was a non-racial body.

Referring to the recent closure of 454 schools in the Western Cape, Mr Barry said:

Western Cape, Mr Barry said:

Court order against police

Own Correspondent

DURBAN — A judge yesterday issued a temporary interdict restraining the police from assaulting a 20-year-old detainee being held under section 29 of the Internal Security Act after an urgent application by the man's father.

Mr Justice Wilson sued a rule nisi calling on the Minister of Law and Order, Mr Louis Grange, and the Commissioner of the South African Police to show on September 24 why they should not be interdicted and restrained from assaulting Sibenele Trustworth Ngubane or interrogating him other than in a lawful manner.

In the application the detainee's father, Mr Themba Africa Ngubane said his son was detained on August 7.

That evening his wife told him that she had received a report from two girls that their son had received serious injuries and had been admitted to Shifa Hospital.

The following day Mr Ngubane had gone to the hospital to see his son.

'Head swollen'

He was not allowed to speak to him but was able to leave food. His son's mouth and head were swollen.

On September 9 he was contacted by Miss Patricia Steele, an employee of the Career Information Centre, who told him she had received a note allegedly written by the detainee.

The note stated: "I am very sick and wish to commit suicide since my future is being ruined for something I never did. I have decided to go on a hunger strike until they release me."

The judge also requested the district surgeon to examine the detainee and authorized a magistrate to interview him and furnish the findings to the registrar of the court.

DPSC attacks mounting detentions

Emergency is now nationwide'

The massive increase in security-law detentions, applicable mostly outside areas under emergency rule, shows that an undeclared state of emergency exists throughout South Africa.

This is the view expressed by the Detainees' Parents Support Committee (DPSC) in its latest report.

The committee was commenting on official detention statistics released last week by the Police Directorate of Public Relations, which revealed that 517 people were in detention at the end of August, and at least 418 had been taken in during that month alone.

'SINISTER CLOAK'

"Our own statistics for the same period reflect 'only' 148 detentions, which (given that police figures exclude the 15 detentions in Transkei and Ciskei) is a discrepancy of 384," the report noted.

It added: "The fact that the DPSC was unaware of the dramatic increase in detentions highlights the sinister cloak of secrecy under which the Security Police operate. Our sources of information are good and reliable — yet

we did not hear of the escalation."

The DPSC said it had established in a recent survey that only three out of 77 families of detainees had been officially informed by the police that their relatives had been detained. It was likely, therefore, that many of the 384 "unknown" detainees were missing.

The national and regional committees of the United Democratic Front had been whittled down by detentions and arrests before political trials, the DPSC said. "The State, as yet unwilling or unable to ban the UDF, is using detention to cripple the organisation and trials to 'criminalise' it."

Political assassinations by identified people had taken a further toll of the UDF, it was said.

"In total, 45 of the 80 executive members of the UDF nationally and regionally are in detention, awaiting trial or have been assassinated — a remarkable 56 percent," the report said.

It added that most remaining executive members had been forced into hiding by threat of detention, or because of death threats to themselves and their families.

Detainees: 83pc tell of assault

By BARRY STREEK

A NATION-WIDE survey of 176 former detainees has found that 83 percent said they were physically assaulted while in detention.

It also found that 69 percent of white detainees claimed no form of physical torture, but 93 percent of black detainees said they had been assaulted. Findings have been disclosed in a preliminary report of "A Study of Detention and Torture in South Africa", which was published yesterday by the Institute of Criminology at the University of Cape Town.

'Distressing'

The study, written by Dr Don Foster and Ms Diane Sandier, said that the "distressing" and "definite evidence" that physical torture occurs on a widespread basis and constitutes a systematic and common experience for those detained for interrogation purposes under South African "security legislation".

It said the forms employed and the "distressing" and "definite evidence" challenged and contradicted in no uncertain terms the standard utterances of State officials claiming that torture does not occur in South Africa apart from a few isolated errors of judgement.

The vast majority of detainees experienced health problems during their detention.

These data on the standard form of treatment meted out during detention, particularly in the case of young black detainees. The academics interviewed 176 former de-

tainees, 127 of whom were black, 18 coloured, 18 Indians above the head, and 13 whites who had been in detention between 1974 and 1984. Only four people, who had been in detention in 1984, reported having Most, 53.2 percent.

Police deny use of torture

Political Staff

THE police yesterday emphatically denied that torture was used against detainees in South Africa. In a statement, the police public relations division in Pretoria said: "The South African police cannot comment on information received by the South African Police as a means of obtaining information from people."

"As we have repeatedly stated in the past, any one who has legal cause for complaint can file an affidavit at any police station. The allegations will then be investigated." The statement was sent to the Cape Times after police had been sent copies of reports of the University of Cape Town's Institute of Criminology study on detentions in South Africa, and were asked to comment.

were connected with the detention of 145 persons, 12.1 percent with trade unions, 12.1 percent with community work and 8.7 percent with political organizations. Only 17 questioned on the issue said they had not been assaulted while in detention.

"The most frequent form of torture (76 percent) was beating, which included punching, hitting, kicking, slapping as well as beating with a whip, cane, stick, or other forms of assault. The next three most frequent forms of torture were forced standing (50 percent), maintaining abnormal body position, which includes crouching, standing on toes with arms up-

stretched, holding detainees black, 18 coloured, 18 Indians above the head, and 13 whites who had been in detention between 1974 and 1984. Only four people, who had been in detention in 1984, reported having Most, 53.2 percent.

How detention damages health

Political Staff

THE vast majority of detainees experienced health problems during their detention as well as adjustment and anxiety problems after their release the report found. The most frequently experienced health problems in detention were sleeping difficulties (66 percent), loss of appetite (44 percent), weight loss (45 percent), weight gain (45 percent), and loss of hair (45 percent).

132-day average

Political Staff

DETAINÉES spent an average of 132 days in detention, the study concluded after interviewing 176 former detainees. The majority of detainees were held for periods ranging from five days to six months, although nine were held for more than a year and one was held for 550 days.

This has been disclosed in a study of detentions in South Africa, published yesterday by UCT's Institute of Criminology. Written by Dr Don Foster and Ms Diane Sandier, the study found that 51 percent of the sample had been detained more than once. Of the 86 who had been detained more than once, 43 percent had been detained twice, 27 percent three times and "as many as 30 percent had been held four times or more."

"Therefore it would appear that multiple detentions are also a fairly standard part of the general process of detention in South Africa. Six-hour interrogations

Use of dogs to bite detainees may also be used as psychological torture whereas use of other animals, such as snakes or spiders may be classed as a form of terror induction. They also showed that the physical abuse of detainees was most severe in the Eastern Cape and Border, only five percent respectively claiming no torture, and respondents in the Western Cape claimed the least frequency of physical torture (56 percent claimed no torture).

cent, appetite loss (44 percent), difficulties with concentration (44 percent), nightmares (41 percent), tiredness (36 percent) and problems with memory (34 percent). It is clear that the dominant symptoms are largely psychological," said the study, which was written by Dr Don Foster and Ms Diane Sandier. Social difficulties were found to be one of the most frequent outcomes of detention — 39 percent experienced difficulties relating to friends, 35 percent to family and 35 percent to other people. Sleeping difficulties and concomitant tiredness, as well as symptoms of depression, were fairly frequently experienced, said the study, which was published by UCT's Institute of Criminology.

Four 'techniques' of psychological abuse

Political Staff

A HIGH proportion of detainees in South Africa claimed they had been subjected to psychological abuse during their detention. A University of Cape Town study has found. The 176 former detainees reported having been subjected to these forms of abuse: False accusations (68 percent), verbal abuse (71 percent), threats of violence to self (64 percent), contradictory styles of interrogation (57 percent) and being given misleading information (51 percent).

The study, which was released yesterday by UCT's Institute of Criminology, said the various forms of psychological abuse could be viewed in terms of four main classes of techniques. The first category, the majority, involved communication techniques. Some of these techniques aimed to distort or confuse the situation. "False accusations, misleading information and offers of rewards are of this sort. Others, such as humiliation or degradation, aimed to undermine the detainee's self-esteem."

"Misleading information regarding family or friends, or knowledge of others' torture, are all directed at heightening emotionally." The second class of devices "such as solitary confinement, prolonged interrogation, blindfolding, sham ex-

It also said its findings, based on interviews with 176 former detainees, suggested great euphoria on release, accompanied by warm solidarity on the part of frequent expressions that the experience had increased the person's resolve to oppose apartheid — which, it needs to be recalled, is not in itself a crime, though often is taken to be so," the study said.

ALMOST 70 percent of detainees interviewed said their manner of arrest was aggressive, rough or violent. The most frequent period of arrests was between midnight and 6am, with the modal time being 4am. The study, which was published today by UCT's Institute of Criminology, said most of the arrests, 55 percent, took place at the homes of the 176 detainees interviewed in the study. Other people and schools. The reported number of police involved ranged from one to estimates of more than 90, but between two and four police was the most usual occurrence.

Rough manner used

Political Staff

The fourth category of psychological torture included those techniques which "primarily involved humiliations, degradation actions and acute embarrassment before others."

"Excessive verbal abuse including swearing and name-calling, being forced to undress or hold one's head in a humiliating position, all exercises of this type."

"Use of dogs to bite detainees may also partly be considered in this class, whereas use of other animals such as snakes or spiders may be classed as a form of terror induction. A surprisingly low percentage of detainees had reported contact with inspectors of detainees, although this had increased in 1983."

CAPE TIMES

12/9/85

329

Staff Reporter

FOUR more anti-apartheid activists in the Western Cape have been detained by security police.

Attorneys have confirmed the detentions of Mr Llewellyn McMasters, president of the University of the Western Cape SRC, Mr Gareth Rossiter, a teacher at St Joseph's College and member of the Claremont United Democratic Front, Mr Wilson Sidini, an executive member of the Western Cape Civic Association, and Mr Roseberry Sonto, president

Police detain 4 W Cape activists

of the Cape Youth Congress.

All have apparently been detained under Section 29 of the Internal Security Act, although requests for police confirmation of the detentions had not been met at the time of going to press.

Mr McMasters, Mr Sidini and Mr Sonto were taken from their homes

during pre-dawn raids.

Mr Rossiter was arrested late on Tuesday night in Ottery Road while putting up UDF posters.

He was allegedly chased in his car by plainclothes police in an unmarked vehicle, and drove into a wall. He was then arrested and held overnight in cells at Claremont police station.

He made a brief court appearance yesterday in which he was charged with reckless driving.

As he left the court, he was detained under Section 29 of the Internal Security Act, his attorney said. His hearing has been postponed until November 5.

● Our correspondent reports from East London that the Border branch secretary of the South African Allied Workers' Union, Mr Mzuzwana Yure Mdyogolo, has been detained. He is being held under Section 29, police said.

Cape Times
September 12, 1985 9

Bar call not to detain lawyers

Staff Reporter

THE Cape Bar Council has repeated its call for the release or prosecution of Mr Abdullah Omar, a City advocate who was detained under the Internal Security Act on August 23.

The council also stated that the detention and interrogation of legal practitioners was not in the public interest and should be avoided.

The council said that it had told the Minister of Law and Order, Mr Louis le Grange, at a meeting in Pretoria last week that it objected in principle to the detention or interrogation of lawyers because of the danger of infringement of legal privilege.

The council said that statements made by a client to his lawyer in his professional capacity were immune from disclosure, even to a court of law, without the client's consent.

It believed that the undermining of the privilege principle would result in erosion of public confidence in the preservation of confidentiality by the legal profession, particularly in political matters.

The council said Mr Le Grange told them that he had given instructions that Mr Omar's interrogators would avoid intrusion into the privilege of his clients, but said he could not agree to exempt lawyers from possible detention.

The statement said the council believed that even if the interrogator was instructed not to intrude on the detainee's professional privilege, it would be extremely difficult, if not impossible, to distinguish between questions which drew on the detainee's personal knowledge of persons or bodies represented or advised by him, and questions which drew on information supplied by

Cape Times

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CT report on detainees:

83 percent tortured

CM6 TIMES 329
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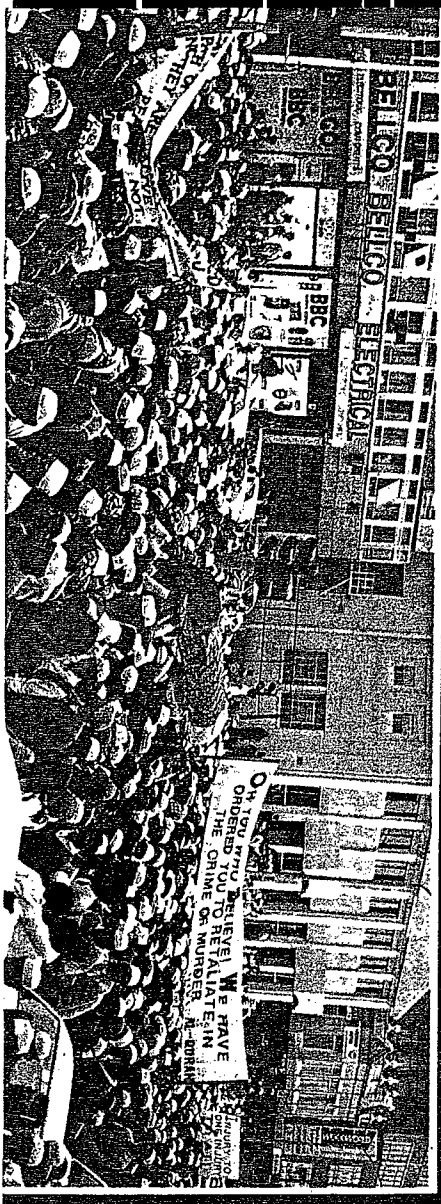
By BARRY STREEK

A REPORT published by the University of Cape Town has found that 83 percent of 176 former detainees interviewed claimed they had been assaulted while in detention.

The report, released yesterday, concluded that "torture in both physical and psychological forms has been practised systematically on a widespread basis as part of the coercive treatment of security-law detainees in South Africa."

It was compiled after a 2½-year study of 176 former detainees through-out South Africa by Dr Dina Sastri and Ms Diana Sastri, who was published yesterday by UCT's Institute of Criminology.

The institute's director, Professor Dirk van der Merwe, said that the report found that 83 percent of the 176 former detainees interviewed had been subjected to physical assault, 78 percent to psychological assault, and 18 percent to both.



Trade unionist detained

EAST LONDON — East London police have detained the Border branch secretary of the South African Allied Workers' Union (Saawu), Mr Mzuzwana Yure Mdyogolo. 12/09/85

A spokesman for the police public relations division in Pretoria yesterday confirmed the arrest of Mr Mdyogolo. The spokesman said

DISPATCH
he was being held under Section 29 of the Internal Security Act.

The organiser of the Saawu offices here, Mr Boyce Melitafa, said Mr Mdyogolo, who was a UDF executive member, had been arrested at the Saawu offices on September 3.

Police also searched the offices and took a UDF file. Mr Melitafa said. — DDP

Why Cosas ranks first on Le Grange's hit list

BLACK high school scholars are the sharp point of the rebellion in South Africa's sprawling, dusty, deprived townships.

The pivotal role of township high school students was implicitly but unmistakably acknowledged last week by the Minister of Law and Order, Louis Le Grange, when he banned the Congress of South African Students (Cosas), the dominant organisation in black high schools.

It was the first time that the state exercised its power to outlaw an organisation since October 1977, when 18 Black Consciousness organisations were proscribed.

The role of Cosas, an affiliate of the anti-apartheid United Democratic Front (UDF), in mobilising and organising militant opposition to apartheid is reflected in the high number of Cosas activists who have been detained without trial.

More than 500 Cosas cadres were detained between the declaration of a State of Emergency on July 21 and the outlawing of Cosas on August 28.

Cosas Emergency regulation detainees accounted for more than one in every five of these detainees.

As the Detainee Parents Support Committee concluded in its analysis of recent detentions: "It is clear the State of Emergency represents a concerted attempt to crush the UDF, and especially its student affiliate, Cosas."

But even before the Emergency came into operation, students constituted the largest single category of the 215 people detained under the Internal Security Act between January and the end of June. Most were members of Cosas.

But the critical role of black high school pupils in revolt against apartheid is not new. In 1976 it was high school students in Soweto, South Africa's largest township, who raised the flag of rebellion. More specifically, the rebellion was initiated by South African Students Movement (Sasm), which, like Cosas, drew its recruits from black high schools. An action committee of Sasm, transformed itself into the Soweto Students Representative Council (SSRC). The SSRC was the dominant force in Soweto for months afterwards.

The 1976 unrest spread from Soweto to most large townships, claiming 575 lives between mid-June

One detainee in five is a member of Cosas. Some 500 Cosas members were in detention even before the organisation was banned last week. **PATRICK LAURENCE** looks at the student militants

1976 to the end of February 1977.

A comparison between the present 1984-85 rebellion and that of 1976-77 is instructive.

Cosas and Sasm are ideologically divergent movements. Cosas, which was founded in 1979, was loyal to the Freedom Charter of 1955 and its general approach was non-racial. Sasm, however, was inspired by Black Consciousness, a philosophy which espouses black self-reliance and independence, rather than non-racialism.

But in both rebellions high school students and high school-based organisations were central to the revolt.

There is another over-arching factor. In both cases the rebellion started with a narrow focus on educational issues and later broadened out to wider, overtly political issues.

In 1976 the rebellion began as a protest against attempts by the authorities to make Afrikaans compulsory as a language of instruction in black schools. But it soon became more than that as the SSRC launched a campaign to force black "puppets" to resign from government-created Urban Bantu Councils and sought to organise general strikes.

The immediate roots of the present crisis go back to January 1984, with the start of a boycott by high school scholars in the black township of Atteridgeville, near Pretoria.

Cosas was the motor force behind the boycott. It was initially prompted, however, by educational rather than political grievances and demands.

Grievances included accusations of excessive use of corporal punishment by teachers and sexual harassment of school girls by teachers. A key demand was for elected student representative councils instead of appointed school prefects.

But by September last year Cosas had a much more nationally-orientated and explicitly political programme. Its revised aims included demands for the withdrawal of troops

and police from black townships, release of all detainees and freeing of township house rentals.

Lulu Johnson, last year's Cosas president, remarked of black scholars in October 1984: "Before they are students, the students are members of their community. Students are affected by rent hikes because it affects the amount of money their families have for schooling. The schools and the community are inseparable."

In November last year, Cosas was instrumental in organising a massive general strike in South Africa's key PWV industrial region. The strike, in support of the withdrawal of police and soldiers from the townships and release of detainees, was rated by Professor Edward Webster, of the University of the Witwatersand, as the most successful black worker "stay-away" in South Africa since the Second World War.

But the directly political objectives of Cosas did not mean that school boycotts were abandoned as a weapon of forcing the authorities to improve the educational system. The school year for 1985 opened with a boycott of black schools in widely spread parts of South Africa. An estimated 70 000 scholars boycotted school then.

On the eve of the first anniversary of the latest township rebellion, which started in earnest on September 3, 1974, 178 black high schools stood empty.

Among them were all seven high schools in Atteridgeville, where the Cosas-inspired boycott started nearly 18 months ago.

Edgar Posselt, of the Department of Education and Training, could not specify how many students were involved in the boycott throughout the country. Unofficial estimates, however, put the number at 100 000.

Black scholars have definite educational grievances. They still receive an inferior education to their white counterparts. Per capita expenditure on black education is one seventh of that on white pupils. Pupil-teacher ratios are much higher (43:1 for blacks as against 18:1 for whites). Nearly three-quarters of black teachers are under or unqualified, whereas nearly all white teacher are full qualified.

The unequal education is reflected in abysmal matriculation results. Less than 50 per cent of blacks graduate successfully from high school.

But even if their educational grievances were eliminated - between 1976 and 1984 expenditure on black education increased nearly sevenfold - it is doubtful whether black scholars would subside into quiescence. Their fate is too closely intertwined with that of the black community in general.

Many of these drop outs are unemployable in the present recession, when employment is difficult to find even for high school graduates. The high school drop outs become "desperados", the "stock troops of the rebellion" who take on armed policemen and "collaborators" with stones and petrol bombs.

APARTHEID BAROMETER

(Figures up to date as of Thursday, September 5)

STATE OF EMERGENCY DETENTIONS (up to September 3):

Number of people detained so far: 2 414
 Number released: 1 218
 Number still held: 1 196

INTERNAL SECURITY ACT DETENTIONS:

Total for 1985: 453
 Number still held (August 31): 148
 Number held July 31: 75

CONSCRIPTION:

7 589 persons failed to report initially for national service in January, 1985.

According to the End Conscription Campaign (ECC), more than 6 000 of these persons were students who were then automatically allocated to the July call-up or received deferment on the grounds of studies.

A final total of 1 321 persons failed to report, of whom 890 did not advise the SADF of their change of address and did not receive call-up papers.

ANSWERS TO QUESTIONS IN PARLIAMENT:

Reclassifications: 795 persons were reclassified from one race group to another during 1984.

Immorality Act: 207 suspected contraventions of Section 16 of the Immorality Act were investigated during 1984, resulting in 171 persons being charged. The act was repealed in July.

Infant mortality rate: According to the Minister of Constitutional Development and Planning, the infant mortality rate (deaths per thousand) in 1983 was 80,0 for blacks, 58,8 for coloureds, 18,3 for Indians and 14,0 for whites.

Group Areas:

During the first eight months of 1984, 832 coloured families, 175 Indian families and 87 white families were moved from their homes in terms of the Group Areas Act.

By December 31, 1984, there were 451 Group Areas of 749 201 ha for whites, 326 group areas of 95 608 ha for coloureds and 122 group areas of 50 725 ha for Indians in South Africa.

Resettlement: According to the Minister of Cooperation, Development and Education, 22 936 persons were resettled during 1984.

Education Expenditure:

Per capita expenditure during 1983/4 on white pupils was R1 654 and on black pupils was R234.

Prison population:

According to the Minister of Justice, at the end of 1984 78 527 prisoners could be accommodated daily in South Africa's prisons, while the average daily prison population was 107 946.

Capital Punishment:

Five men were hanged in the Pretoria Central Prison last week, bringing the 1985 total so far to 76.

BANNED BOOKS, PUBLICATIONS AND OBJECTS (August 16 to 31):

Krisis-Amandla (pamphlet — Cayco, Kraaifontein); Join the Liberation Struggle (Students' Revolution Front); Inter-school co-ordinating Committee — What happened at Scottsdene (ISCC); The Call of Islam (Call of Islam, Gatesville); Listen to Radio Freedom (ANC); Unity — The Voice of the Clothing Workers, July 25 and July 30, 1985 (Clowu, Cape Town); Time to Act. Victimisation... (Ad-hoc Students' Committee); Students (pamphlet — Students' Revolutionary Front); State of Emergency — PW Botha is scared (pamphlet — UDF, Cape Town); State of Emergency — The declaration of a State of Emergency is an admission of failure on the part of the government (ECC, Woodstock); State of Emergency — where do you stand? (UDF Area Committee, Claremont and Observatory); The Naff Sex Guide (Dr Kit Bryson, Selina Fitzherbert and Jean-Luc Legris); An African Revolution (Samora Machel); Consumer Boycott — Demands as to State of Emergency made by Consumer Action Committee (pamphlet, Consumer Support Committee, Bishop Lavis); Southern Africa Report, vol 1, no 1, June 1985 (Toronto Committee for the Liberation of Southern Africa); Vibrator (object - not stated); More Filth! Dirt Cheap — Side A and B (Gramophone record — Ivor Biggun); Windhoek (photographs — not stated); Prank, vol 1, no 112 (Sonskyn Uitgewers (Pty) Ltd, Johannesburg); The Sexual Swamp (Wolf Wallace); Almost One (Alex Hirst).

Union man held in EL

EAST LONDON — East London police have detained the Border branch secretary of the South African Allied Workers' Union (Saawu), Mr Mzuzwana Yure Mdyogolo.

A spokesman for the police public relations division in Pretoria yesterday confirmed the arrest of Mr Mdyogolo. The spokesman said he was being held under Section 29 of the Internal Security Act.

The Border publicity secretary of the United Democratic Front, Mr Andrew Hendricks, was detained at a hotel in Knysna, his daughter, Vanessa, said last night.

Mr Hendricks's wife, Jenny, was detained at the family home on Friday. Police later confirmed she was being held under Section 29 of the Internal Security Act.

E Post 12/09/85

CARL T. HUNT 12/9/81
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Perret to report
on Boesak visit

Staff Reporter

THE general secretary of the World Alliance of Reformed Churches (WARC), Dr Edmond Perret, returns to Geneva today to report back on his interview in prison on Tuesday with the organization's detained president, Dr Allan Boesak.

A strong and renewed condemnation from the international church community on Dr Boesak's and other prominent leaders' detention is expected, Dr Perret indicated at a press conference yesterday.

There was also a possibility Dr Boesak could be released soon.

Dr Perret said his meeting with the United Democratic Front patron had lasted an hour and that a security police officer, a Major Nel, was present.

"One of the conditions of the visit was that we

would not discuss Allan's detention or the reasons for the detention," he said.

"Allan told me that he was well under the present circumstances — but I could not question him as to what he meant by 'present circumstances'. He is being held in solitary confinement and I was under the impression that he was tired although one gained the impression he still maintained a sense of humour.

"Allan said to me he saw no reason for his detention to continue for a long time...

"He reaffirmed to me his commitment to non-violence and said he was ready to give an account of his faith and action before any authority.

"On my return to Geneva, I will report on my visit to our 157 member churches throughout the world."

Urgent ⁵²⁹ application for release

Judgment will be given in the Rand Supreme Court on Monday on an urgent application requesting the release of a kwaThema man held under the emergency regulations.

Mr Justice E Stafford today said more time was needed to consider the application. He wanted to refer to a previous judgment of a similar application.

STAR
Whichever way he ruled, the decision could have far-reaching implications, he said.

Mrs Sarah Mahlangu yesterday brought the urgent action against the Minister of Law and Order for the release of her nephew, Mr Amos Mahlangu.

In papers she said her nephew had been arrested on July 15.

Three letters to the Commissioner of Police requesting information on Mr Mahlangu's whereabouts and the charges against him had not been answered, she said.

HELD 12/9/85

Major Fritz WF Klee of Germiston, in papers, said Mr Mahlangu had been held until the end of July in terms of section 50 of the Internal Security Act.

After that he had been detained in terms of the emergency regulations.

Mrs Mahlangu and another person had been told why and where her nephew was being detained, it was submitted.

Mr Justice Stafford was told the Minister of Law and Order had signed an order for the extension of Mr Mahlangu's detention on August 6 "until the lifting of the emergency regulations or until he decided to free Mr Mahlangu".

Counsel for Mrs Mahlangu said after a period of 14 days an extension of the period of detention had to be for a specific time.

CARL TINKER

Judge's order frees church worker

12/9/65
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Own Correspondent

DURBAN. — Mr Paddy Kearney, the Diakonia director being held under Section 29 of the Internal Security Act, was released yesterday after a Durban judge declared his detention unlawful.

Mr Justice Leon had also granted an application by Mr C Nicholson, for Archbishop Denis Hurley and Mr Kearney's wife, Ms Carmel Rickard, for an order putting his release into immediate effect. Archbishop Hurley and Ms Rickard made the application for Mr Kearney's release last week.

The judge said the case had raised matters of constitutional importance which affected the liberty of the subject, the jurisdiction of the courts and the security of the State.

"It is necessary to remind oneself from time to time that the first and most sacred duty of a court when possible is to administer justice to those who seek it, high and low, black and white, rich and poor."

Mr Justice Leon said the issues in the case raised the important question of jurisdictional review of the administrator's action and to what extent intervention was prevented by legislation.

Validity

The police had relied on Clause (6) of Section 29 which stated that no court of law should have jurisdiction to challenge the validity of the detention of a person under this section, the judge said.

Under this section a police officer can arrest and detain a person if he has reason to believe that he has or intends to commit an offence as defined in the section.

He said that in his opinion the grammatical meaning of the phrase was "belief upon reason" which did not mean that he thinks he has reason to believe.

Therefore the police officer had to have a factual basis on which he based his belief.

The judge said he was satisfied that Clause (6) of Section 29 did not preclude the court from investigating whether the necessary jurisdictional facts objectively existed.

Power

He said it was an often neglected fact that the Supreme Court would exercise its inherent power to review in regard to excessive legislation on the part of the administration.

Archbishop Hurley and Ms Rickard had given detailed reasons for their statements that no reasonable man could have cause to believe that Mr Kearney could have withheld information from the police.

The judge said that Colonel I Coetzee of the security police had declined to furnish the facts upon which his belief was based and had not even said when, where and to whom the information was being withheld by Mr Kearney.

CAPE TIMES
13/9/85

Arrests: Police ³²⁹ have no record

Staff Reporter

THE Police Division of Public Relations in Pretoria yesterday said they had "no record" of three men detained in Cape Town on Wednesday in terms of Section 29 of the Internal Security Act.

The division confirmed the detention of Mr Llewellyn McMasters. However, they said they had no record of the detentions of Mr Gareth Rossiter, Mr Wilson Sidina and Mr Roseberry Santo.

The detentions of the three were confirmed to the Cape Times on Wednesday by lawyers acting on their behalf.

On the run

- It was incorrectly reported yesterday that Mr McMasters, theology student and president of the University of the Western Cape SRC, was detained at his home.

His brother, Greg, said yesterday that Mr McMasters, who had been on the run from the security police for almost a week, was picked up by security policemen while in the UWC canteen.

- A petition signed by 15 members of the PFP in the Western Cape, friends, acquaintances and former colleagues of Mr Rossiter has been sent to the Minister of Law and Order. The petition "condemns his arbitrary arrest and detention" and called on the minister to release him immediately.

Among those who signed the petition are: Mr Jan van Eck, director of publications of the PFP, Mr Neil Ross, national director for the organization of the PFP, Mr Leon Perlman, chairman of the Progressive Students' Association at UCT, Mr Andrew Miller, national chairman of the Young Progressives, and Mr George Blauws and Mr John Snyders, chairman and secretary of the Ravensmead branch of the PFP.

'Creativity'

- The Cape Youth Congress yesterday deplored the detention of its president, Mr Roseberry Santo.

It said: "Rose is widely respected as a dynamic youth leader who has always upheld the principles of non-racialism and democracy. He has continually been harassed and arrested for speaking out against the system which destroys the dignity, growth and creativity of young people throughout South Africa. We demand the immediate and unconditional release of Rose Santo and all other detainees."

CAPE TOWN 13/1/83
Concern for detainees' safety (329)

Political Staff

THE findings of the University of Cape Town's Institute of Criminology on detentions supported the call for the abolition of all security legislation, the Detention Action Committee said yesterday.

"Our work with ex-detainees, the 1982 Detainees Parents' Support Committee memorandum to the Minister of Law and Order, and the numerous out-of-court settlements concerning assaults on those in police custody confirm the findings of the study.

"The nature of our security legislation is such that it allows for torture. Consequently, we are deeply concerned for the safety of the 30 people in detention in Cape Town at present."

ATTENTION

2 Sash
women
'arrested'

Staff Reporter

TWO Black Sash workers were "arrested" in central Cape Town yesterday morning, minutes after they had finished handing out pamphlets marking the eighth anniversary of the death of black consciousness leader Mr Steven Biko, and calling for the release of all detainees.

The two women said they were walking back to their car after handing out pamphlets in Adlerley Street when they were accosted by two security policemen.

"They stopped us and asked us to go with them to Caledon Square," said one of the women, who did not want to be identified. "We asked if we were under arrest and they said: 'You can call it that if you like.'"

"We walked with them to the police station, where a senior officer asked them if we had been holding an illegal gathering or making speeches or anything."

"When the two security policemen said we had only been handing out pamphlets, the officer said we could go."

The woman said it was "obviously a case of harassment" by two inexperienced policemen who "hadn't done their homework".

Police said last night it was "perfectly normal" for people to be taken in for questioning if they were suspected of committing an offence, and to be released if the police were satisfied they had not been breaking the law.

Daughter not released

Miss Busi Mabuza, daughter of the Chief Minister of kwaNgwane, had not been released from detention as reported on Wednesday, her father, Mr Enos Mabuza, said yesterday. 329

Miss Mabuza was detained last week with 15 fellow students at the University of the North.

Mr Don Nkadineng, a Pietersburg lawyer who is representing the students, said none of them had been released.

609 STAR

13/9/85

SECURITY LAWS

Court ruling on detainee halted by law professor

NR-45 13/9/65 329

The ruling of Mr Justice Leon has been seen as the most important civil rights judgment for several decades. The Argus Correspondent reports from Durban

THE decision by the Natal Supreme Court to release Mr Paddy Kearney from detention was the beginning of the re-establishment of the rule of law in South Africa. Professor Tony Matthews of the Department of Law at the University of Natal said.

Professor Matthews has been South Africa's leading authority on security legislation since the early 1960s and has consistently urged the courts to intervene in security legislation and uphold the liberty of the subject.

He hailed the judgment of Mr Justice Leon as the most important civil rights judgment for several decades and an important move by the courts to limit the powers of the Government and the police under a network of security laws.

"For many years the courts have chipped away at the security legislation, but have never posed serious limitations on the use of the powers to detain and ban people. This judgment is very exciting and could be extended to other forms of security legislation," he said.

Professor Matthews said

he had always regarded Section 29 of the Internal Security Act as the "most abhorrent" of all security laws.

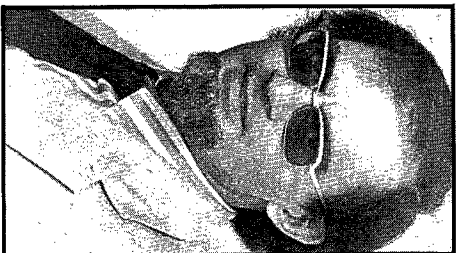
"It replaces the old Section 6 of the Terrorism Act and allows authorities to detain a person in solitary confinement indefinitely if they believe he has committed and offence, or has information about an offence.

"It has always presented by far the greatest danger of abuse. The police could hold a person until he came up with the information they wanted from him," he said.

He said the authorities would now have to present evidence to court that an offence had been committed or that the detainee knew about an offence.

In a major text book on the Laws of South Africa, Professor Matthews wrote that in his view courts did have the power to free detainees held under section 29 of the Internal Security Act.

But a leading Durban civil rights lawyer, and member of the Democratic Lawyers' Association, Mr Mike Govindasamy, warned that the release of Paddy Kearney



Professor Matthews

might not lead to all detainees under section 29 being freed.

He said Mr Paddy Kearney was a "special case" in that he was not actively involved with any extra-parliamentary political group opposing the Government.

PFP MP Mr Peter Gastrow (Durban Central) said the violence, unrest and detentions of the past year had blunted the sense of justice of many people in South Africa.

"It is gratifying that at a time like this our Supreme Court could once again come to the fore to act in the true tradition of an independent court."

Solidarity's spokesman on justice, MP Mr Pat Poovalingam (Reservoir Hills), said the judgment demonstrated that the Supreme Court remained the last bulwark of human liberty in South Africa.

He said the judgment brought into question the incarceration of dozens of other detainees, who should be released immediately.

The chairman of the bar council of the So-

ciety of Advocates in Natal, Mr Keith McCall, described the freeing of Mr Paddy Kearney as a landmark decision which underlines the independence of the judiciary and the power of the courts to safeguard the liberty of the subject.

"The judgment considers a determines the legality of the actions of public officials," said.

746 arrested pupils could be in prison for 14 days

The 746 pupils arrested at Soweto's Hellenwade Secondary School face up to 14 days in the cells of Diepkloof Prison in terms of the state of emergency regulations, but would probably be released into the custody of their parents, according to Major F. Zwane, police liaison officer for Soweto.

Major Zwane yesterday confirmed that the children detained on Thursday at their White City, Jabavu, school were being held in terms of the emergency regulations.

"We are considering releasing them into the custody of their parents."

Major Zwane could not say whether the children — some of whom are as young as 12 years — would be charged. Investigations were proceeding, he said.

In Soweto a black youth was killed yesterday after police used shotguns to disperse

crowds that stoned a policeman escorting a delivery vehicle into the township.

Police reported that the escort was injured in the incident.

Police also arrested four journalists near Mrs. Winnie Mandela's house in Orlando West, Soweto, yesterday afternoon.

A spokesman for the Police Directorate in Pretoria last night said he was unable to give the identities of the journalists nor whether they represented foreign or local press.

They were arrested for not having permits to be in the area. The incident had nothing to do with Mrs. Mandela, he said.

The four were taken to the Moroka police station and then asked to leave the township.

Isolated incidents of stone-throwing occurred in townships throughout the country yesterday, according to the spokesman.

In one of three such incidents in Soweto, involving delivery vehicles, a man was arrested after he received medical treatment.

Police dispersed mobs using shotgun fire in all three instances.

At Orlando West High School, Soweto, members of the Defence Force arrested two men who, according to police, were intimidating students and inciting them to boycott classes and stone passing traffic.

Three revolvers were seized from the men.

At Makassar Township in the Western Cape a woman was injured when her car was stoned by a mob.

In the Eastern Transvaal — at Bethal and Waterval-Boven — two people were arrested after stone-throwing incidents.

In the Western Cape a 15-year-old youth is believed to have been shot dead by police

after an attack on the police barracks at Langa, police said.

At least one person was wounded in the attack. Two people were arrested, according to police.

The death brought to six the number of people killed in police action during widespread unrest in the Peninsula yesterday.

Police said the attack on the barracks in Zone 5, Langa, took place at about 7.10 pm. A crowd of about 300 people armed with rocks, sticks and petrol bombs apparently stormed the building.

Off-duty policemen opened fire and the youth was later found dead.

In Langa, damage estimated at thousands of rands was caused when the Standard Bank branch was petrol-bombed last night.

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2 Cape Times, Saturday, September 14, 1988

560 arrests in week

PRETORIA. — Police said yesterday that 560 more people had been arrested under the emergency regulations in the past week, bringing to 1 239 the number of people still being held under the emergency regulations introduced two months ago.

According to police lists of the names of the latest arrests and of detainees who have been freed, a total of 3 227 people have been detained since the emergency was imposed on July 21.

A total of 226 people were released in the past week, according to the lists, bringing to 1 988 the total of detainees freed.

An earlier police report put the number of releases at 1 988, but the number being held at 1 201.

● Police confirmed the detention under emergency regulations of two Azanian People's Organization activists, the Eastern Cape regional chairman of Azapo, Mr Ashraf Karodie, and Mr Xolile Fefile.

The statement said police had no record of detentions of another two activists said to have been arrested — Mr Fonwabo Nxale and Mr Themiso Tu.

Mr Karodie and Mr Fefile were detained near Uitenhage in the Eastern Cape on Thursday. — Sapa

Billy Nair's wife gets interdict against police

Court Reporter

A DURBAN Judge yesterday issued a temporary interdict restraining the police from assaulting a detained member of the National Indian Congress being held under Section 29 of the Internal Security Act.

In an urgent application heard before Mr Acting Justice Kroon, it was stated by Mrs Elsie Nair, wife of the detainee, that her husband, Billy Nair, was detained by the Security Police on August 23.

Mrs Nair said in an affidavit that on August 23 the Security Police had arrived at their flat and said her husband was being detained. They had

searched the premises.

Mrs Nair said that on September 6, she had received a telephone call from someone who had said he knew her husband well. He had told her he had seen her husband at the medical rooms in Maxwell Centre and that he had looked in bad shape.

She added that after approaching several doctors at Maxwell Centre without success, she had spoken to Dr D G H Peer and asked him if he had treated her husband.

After persuasion he had told her that all he could confirm was that he had treated her husband.

She said that on September 12 her attorneys had obtained a certificate from Dr Peer confirming that he had attended to her husband and that he had a ruptured left eardrum.

On the night of September 11 she had heard a noise outside her door. She had found an envelope under the door containing a note. The essence was that her husband had been assaulted by the police and taken to Dr Peer.

Granting an interim interdict, the Judge requested that a magistrate

visit the detainee and ask him if he had been assaulted by any member of the police or any other person while in detention.

The Judge also requested that a district surgeon conduct a medical examination of Mr Nair and report on his examination.

The Judge also ordered the police to show cause by September 30 why an order should not be granted restraining them during the duration of detention from assaulting Mr Nair or interrogating him in any manner other than that permitted by law.

L.M.



Luckett overjoyed after 20 days in prison

Cape Town Staff Report

THE Rev Sid Luckett, released yesterday from 20 days in detention, has left Cape Town for a few days to "reorientate" himself.

Mr Luckett, Anglican clergyman and executive member of the United Democratic Front, said in a statement through his attorney yesterday: "I am in good health but a little disoriented. I need a few days away with my family before being able to resume my normal duties in the church."

He was "overjoyed" to be reunited with his wife Kathy and their baby son, and the family has gone together to an undisclosed destination to recover.

"I was kept in solitary confinement at Pollsmoor Prison for the 20 days. It was the first time that I had been detained and it was a traumatic experience to be removed from my family, particularly my wife and son."

"I therefore hope and pray that those who are still in detention will be released soon so they too can be reunited with their families."

Mr Luckett was detained under Section 29 of the Internal Security Act on August 23 while preparing for a march on Pollsmoor Prison to demand the release of ANC leader Mr Nelson Mandela. Twelve other marchers were detained with him.

PHYSICAL and psychological torture has been widely and systematically practised in SA, according to a report by the Institute of Criminology at the University of Cape Town.

Entitled "A study of detention and torture in South Africa: Preliminary Report," the report, released yesterday, claims that detention without trial was one of the central elements in the repressive apparatus of the SA state.

In the minds of many people the notions of detention and torture were synonymous, despite State claims to the contrary, it said.

The study — by Don Foster and Diane Sandler — has been conducted over the last two-and-a-half years and, according to the director of the institute, Professor Dirk van Zyl Smit, it is one of "the largest studies of the psychological affects of detention ever undertaken".

'Stressful'

Detailed interviews were conducted with a large sample of detainees and the results were analysed by computer. "All cases reported being subjected to some form of psychological coercion, while 83% claimed subjection to some form of physical abuse.

"The claims regarding physical abuse were higher for African detainees, with 93% claiming some form of abuse. Virtually 80% of the total sample claimed to have been subjected to solitary confinement.

"In addition, the range of different forms of torture, both physical and psychological, was found to be very extensive indeed.

"Quite apart from torture, other results regarding the full process of detention indicate that the experience as a whole is a most stressful one.

Aggressive

"A majority of former detainees had experienced some form of police harassment even prior to detention. The manner and pattern of arrest was generally aggressive in tone." The average period of detention was between three to four months, "but frequently far longer. These results show that the State, by means of detention provisions, has held sizea-

Detention in SA is a 'health hazard'

329
12/9/85

ble numbers of political opponents for long periods of time without ever having to investigate charges against them.

"While held, detainees are often shifted physically from place to place, as well as being transferred from one section of a detaining act to another.

"Both devices increase disorientation and confusion. Conditions of interrogation were found to be gruelling, even supposing that detainees did not have to face the possibility of torture.

No contact

"Nearly a fifth of detainees reported having experienced interrogation sessions in excess of eight hours, most frequently faced by more than three interrogators; 60% of detainees were put through six or more sessions of intensive interrogation."

Results show that contact with "safeguarding" officials has increased in recent years, but a large proportion of detainees claimed they had no contact at all with such officials. Little trust is granted to officials, such as magistrates, district surgeons and inspectors, with the result that abuses are frequently not reported, thus the "so-called safeguards against the abuse of detainees are simply not safeguards at all".

The report said its results confirmed the widely-held hypothesis that detention produced deleterious psychological consequences and it must be concluded that detention in terms of the security laws constituted a "health hazard" substantially beyond the risks faced by "ordinary" convicted prisoners. — Sapa.

Not uplifting for those still held in detention

SATURDAY LETTER

I am glad to read that Trevor Tutu found his two weeks in detention an uplifting experience. Unfortunately for those still in detention it is not the same experience.

My son has now spent eight weeks in detention, in isolation, without adequate food; denied access to the prison shop — denied the basic rights afforded to human beings; those of access to reading material through the prison library and the right to study.

It is far from uplifting to watch one's son slowly deteriorate week by week. First physically through lack of food, then mentally through denial of study rights and the right to read. Nevertheless, I can share with

Mrs Tutu the joy of her son's release.

Pauline Scott

● A spokesman for the South African Prison Services replied: "Detainees incarcerated in prisons in terms of the emergency regulations are treated in terms of the rules promulgated in Government Gazette No 5878 dated July 21 1985 as amended. These regulations are strict but fair and are applied in a responsible and professional way."

"Prison Regulation 104(2) provides that judges from the Supreme Court have free ac-

cess to any prison and may talk to any prisoner, including detainees, and may report thereon. Magistrates have the same access to prisoners in their area of jurisdiction."

"From reports which are received regularly it is clear that the treatment which prisoners receive is generally in line with legal and other directives which are based on the internationally accepted standard minimum rules."

"According to an earlier statement by the Minister of Justice, judge presidents had

been requested to make more judges available to visit detainees. These increased visits are now in progress."

Furthermore, all prisoners and detainees are seen at least once a day by the head of the prison, with a view to establishing whether they have any complaints. These complaints are noted in an official register and receive the necessary attention."

"A district surgeon is appointed for every prison or group of prisons and visits the prison regularly. Medical parades are held daily at all prisons, during which time prisoners and detainees may report ailments and are given prescribed medication by trained nursing staff."

"Rule 11 provides that no detainee shall be entitled to study or to enrol for any studies except with the permission of the person in command of the prison in consultation, acting with the concurrence of the Commissioner of the South African Police or any person acting on his authority."

"All prisoners and detainees are given balanced diets which are reviewed from time to time by professional dietitians of the Department of Health and Welfare."

The prisons service is satisfied that detainees at the Johannesburg Prison receive well-prepared food in accordance with the prescribed diet scales."

746 pupils still being held

JOHANNESBURG— yesterday. 329
Altogether 746 school- The Divisional Commis-
children arrested on sioner of Police for
Thursday at the Hlangiwe Soweto, Brig Jan Coetzee,
Secondary School, said the matter was under
Soweto, were still being investigation. He could
held under the emergen- not say when they would
cy regulations in jail be released. — (Sapa)

CAME Tm L's
14/9/85 (329) ~~7258~~

Detainee had 'ruptured ear'

DURBAN. — A judge yesterday granted an interim interdict against the police, restraining them from assaulting detained Natal Indian Congress member Mr Billy Nair.

The court heard that Mr Nair's eardrum had been ruptured in an assault by the police.

Mr Acting Justice Kroon issued a rule nisi calling on the Minister of Law and Order, Mr Louis le Grange, and the Commissioner of Police to repond on September 30.

A magistrate was authorized to visit Mr Nair to inquire if he had been assaulted and a district surgeon was also asked to examine Mr Nair who is being held under Section 29 of the Internal Security Act.

The urgent application was brought by Mr Nair's wife, Elsie.

In her affidavit, Mrs Nair said her husband was detained in her presence at their flat on August 23.

The police searched the flat and as they were about to leave one of them asked her husband to "kiss her for the last time".

On September 6 she had a telephone call from someone who told her he knew her husband well.

Mrs Nair said he told her he had seen her husband at the medical rooms in Maxwell Centre, Lorne Street, and had seen a bruise on the detainee's face.

After approaching several doctors at the centre she had spoken to one who, after long persuasion, said all he could confirm was that he had treated her husband. He would not give further details.

She said her attorneys eventually got a certificate from the doctor confirming he had attended to her husband and that the detainee had a ruptured left eardrum.

On September 11 she found an envelope containing a long note from

her husband under her door.

She quoted the full transcript in which Mr Nair said: "I said I will make no statements. Have already told visiting magistrate Templeman, an inspector of detainees, that I will not make statements.

"Lieutenant De Wet and others assaulted me. Lieutenant struck me three to four times on the left of face. They punched me on right side. Lieutenant Naidoo was present throughout.

'Confirmed'

"Saw district surgeon Dr Pensil on 5/9. Left eye damaged and perforated left ear. Saw Dr Peer on 6/9 confirmed perfo ear. Saw eye spec, Dr Reddy 6/9 damaged black eye.

"All doctors prescribe medic.

"Was told by Lieutenant De Wet that I will get 'more of it' and this nonsense of complaining to the doctors must stop. I must not think that 'it is the end of the matter'. I made a statement about the memo, the consumer boycott, Victoria's funeral arrange. The UDF meeting in E/L and CT, all of which are above aboard. They say that the memo is 'subversive'."

Mrs Nair said she feared the police intended to continue assaulting her husband. — Sapa

5/9/83

Ciskei cops detain 2 900 at meeting

(329) **BY BENITO PHILLIPS**
CISKEI cops have detained a massive 2 900 people - all at once, at a meeting in Mdantsane. Among them were executive members of the Border Consumer Boycott Committee.

Lieutenant Mavuso Ngwendu said he was not in a position to release the names of those detained.

He said they were arrested for holding an illegal gathering at the St Francis Church.

He could not indicate when they would appear in court and said investigations are still continuing.

Lt Ngwendu also said that tsotsis, claiming to be cops, had been assaulting and robbing people in Mdantsane.

He said thugs were robbing the township in cars without registration number plates and/or with false registration plates. Similar incidents were reported during the Ciskei bus boycott, he said.

★ PE boycott extended
See Page 7

700

By EMIELIA JAROSCHER
and NEIL HOOPER

AN urgent application for the release of more than 700 Soweto pupils arrested yesterday was postponed Thursday when police released them from jail.

The application was jointly brought by Mr. Lunga Mboha, a teacher at Hlangwe High School; Henrieta Silabe, a teacher and mother of two of the pupils; and Edward Ferreira, director of the Howard Farnesburg Child Welfare Society.

The application was originally brought against the Divisional Commissioner for Soweto, Brigadier Jan Coetzee. At yesterday's hearing of the officer responsible for the arrests, Major Gert Kotze, was made a joint-respondent.

pupils freed

All will now go back to their classrooms

The application was heard before Mr. Justice le Grange.

After the proceedings started, Mr. Justice le Grange had just been informed by Brig Coetzee that all the children would be released immediately.

This was as a result of representations by Mr. L. P. Moletsane, District Inspector, and Mr. J. D. Maritz, school principal, along with a private committee.

They had all given assurances that classes would be resumed immediately and that all students would attend.

A police spokesman said last night that all the children had been released from prison. At about 5.45pm they were dropped at the school in Soweto where they were arrested earlier in the week. A detention started last Monday when soldiers brought four pupils found at a nearby shop back to the school.

The following day more soldiers came to the school and warned the principal that all the children had to attend classes regularly. Mr. Mboha stated that on Thursday three uniformed policemen arrived at the school grounds, followed by soldiers led by Major Kotze. He testified that he

and others pleaded with the major to remove the soldiers from the school grounds, but the officer refused to do so.

"You had four days to control the children and get them back into class. You have failed. Now it is time to act," the major said. A teacher allegedly pleaded for an extra 30 minutes to try and "see what we can do".

Major Kotze refused, saying: "Can you do in 30 minutes what you have had four days?" "We are going to arrest all the children in the school."

After the pupils had been taken away, the teachers were ordered into a van and taken to Maroka Police Station, where they were put in a yard with their charges. The teachers were later released. The pupils remained in custody. In his affidavit, Maj Kotze

contended that pupils at Hlangwe High School had caused many problems and that a block of classrooms had been burnt down.

He said that by Thursday the situation was close to becoming out of control and that it had been necessary to arrest all the pupils.



Mr Justice le Grange

Kearney released as Judge rules detention illegal

Court Reporter

MR PADDY Kearney, the director of Diakonila being held under Section 29 of the Internal Security Act, was released yesterday after a Durban judge declared his detention unlawful.

Mr Justice Leon had also granted an application by Mr C Nicholson for the Archbishop of Durban, the Most Rev Denis Hurley, and Mr Kearney's wife, Miss Carmel Rickard, for an order putting his release into immediate effect.

Archbishop Hurley and Miss Rickard made the application for Mr Kearney's release last week.

The Judge said the case had raised matters of great constitutional importance which affected the liberty of the

subject, the jurisdiction of the courts and the security of the State.

"It is necessary to remind oneself from time to time that the first and most sacred duty of a court when possible is to administer justice to those who seek it."

Mr Justice Leon said the issues in the case raised the important question of jurisdictional review of the administrator's action and to what extent intervention was prevented by legislation.

The police had relied on Clause (6) of Section 29 which stated that no court of law should have jurisdiction to challenge the validity of the detention of a person under this section.

Under this section, a police officer can arrest and detain a person if he has reason to believe that he has committed, or intends to commit, an offence as defined in the section.

The Judge said that in his opinion the grammatical meaning of the phrase was 'belief upon reason' which did not mean that 'he thinks he has reason to believe'.

He said, therefore, the police officer had to have a factual basis on which he based his belief.

The Judge said he was satisfied that the Court was not precluded from investigating whether the necessary jurisdictional facts objectively existed.

It was an often neglected fact that the Supreme Court would exercise its inherent power to review in regard to excessive legislation.

Declined

Archbishop Hurley and Miss Rickard had given detailed reasons for their statements that no reasonable man could have cause to believe that Mr Kearney could have withheld information from the police.

The Judge said Col I Coetzee of the Security Police had declined to furnish the facts upon which his belief was based, and had not even said when, where, and from whom the information was being withheld.

Mr D Gordon SC, assisted by Mr Nicholson, instructed by Garlick and Bousfield, appeared for Archbishop Hurley and Miss Rickard. Mr J Combrink SC, assisted by Mr R Hiemstra, appeared for the police.

Chr Times
16/9/85
746
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**Soweto
pupils
released**

JOHANNESBURG. — All 746 schoolchildren who were arrested under the emergency regulations in Soweto on Thursday were released on Saturday.

A police spokesman said the pupils of Hlen-giwe Secondary School were released after the school's circuit inspector visited the Divisional Commissioner, Brigadier Jan Coetzee.

The police spokesman said Brigadier Coetzee agreed to release the children after the inspector gave an assurance that parents would ensure that their children attended school this week.

Meanwhile, the burnt body of a man was found in a township near Kimberley on Saturday. Police are investigating the circumstances of his death.

At Mamelodi, near Pretoria, two buses and a police vehicle were stoned, resulting in the arrest of three black men and a black woman.

In Atteridgeville, also near Pretoria, buses and the home of the mayor were stoned, causing slight damage. In the same area a bus was damaged by arsonists.

Shot at

At Vryburg in the Cape, a man was arrested for stoning a house.

In Durban, a University of Natal lecturer, Mr George Yengwa, and his daughter, Zinhle, 13, were admitted to hospital after their Lamontville home was shot at and set alight early yesterday.

A spokesman for King Edward VIII Hospital said Mr Yengwa's condition was satisfactory. Zinhle underwent an operation to remove pellets from her body.

Mr Yengwa's wife, Wilhel, a former KwaZulu Legislative Assembly member who resigned from politics in 1983, said she did not know reason for the attack but "the whole world knows who the attackers were". She estimated damage at R60 000.

A police spokesman confirmed the incident, saying ten hooded men fired shots and threw petrol bombs at the home. Arrests had been made. — Sapa and Own Correspondent

Doctors call on Govt to release detained children

329
STAR 16/9/85

By Jo-Anne Collinge

The detention of hundreds of children in the last two months has been condemned in the strongest terms by a group of more than 50 doctors, social workers, psychologists and psychiatrists who met in Johannesburg at the weekend.

"We express our deeply felt horror and revulsion at the State's assault on children and call upon the Government to release all detained children immediately into the custody of their parents or guardians (and) put an immediate end to the security forces harassment and detention of children," read a resolution passed by the meeting.

The resolution noted that increasing numbers of children were being harassed and threatened by the security forces "not only in prisons but also in their homes, their schools and their townships".

ADVERSE EFFECTS

It added: "Children are particularly susceptible to the development of long-term adverse effects of these brutalising experiences — such as, anxiety disorders, particularly the post traumatic stress disorder, depressive disorders, adjustment and behaviour disorders and even psychotic episodes."

Attorney Mr Nicholas Haysom told the meeting that South Africa

departed significantly from international standards in its imprisonment of children.

International codes, he said, embodied "an almost peremptory requirement that children should not be held in the same prison as adults".

While South African law complied with this and stipulated that children should not be kept in jail at all unless no other institution existed "these rules are honoured more in the breach than the observance", Mr Haysom said.

He recalled his own period of detention in Pretoria some years ago. "One of the more awful memories I have is of children screaming through the night."

Detainee's mother tells court of assaults

CHN
TJH
16/9/85
(329)

Own Correspondent

PORT ELIZABETH. — An urgent application for a temporary interdict restraining the police from assaulting or threatening a 36-year-old Port Elizabeth detainee was granted in the Supreme Court here at the weekend.

The application was made by Mrs Lydia Balaamabasi, of KwaZakhele House, mother of the detainee, Mr Benedict Tsidiso Habasisa.

An attorney acting for Mrs Habasisa said the order was granted on Saturday morning and served on the police at Louis le Grange Square

that afternoon. The matter had been taken to court as a matter of urgency and the police had not had the opportunity to respond.

In an affidavit before court, Mrs Habasisa said she saw police assault her son at her home on two occasions. The first assaults occurred at her house on Sunday, August 25, when a group of uniformed white policemen asked for her son.

Her son was hit in the face and about the upper body and was kicked on the legs by some of the policemen. He was held by other police-

men as he was being hit and kicked to prevent him from falling, she said.

Mrs Habasisa said her son was taken to police vehicle and assaulted again. "I tried to intervene and I too was hit a number of times on my back with a slapstick. I asked the police why they were hitting me, and one of the police men pushed the barrel of a handgun into my right upper chest and said that he would shoot me if I did not keep quiet and stand nothing further."

Her son was taken away and returned home on Monday, September 9, in pain. He could not move his neck. He complained of neck and back pain. He walked with considerable difficulty.

Mrs Habasisa said her son went to the Port Elizabeth Advice Office and was referred to a doctor. She alleged that the second assault took place three days later.

A black policeman in plain clothes and a white policeman in uniform walked into the house and the black policeman began to hit her son over the shoulders with a klerie.

Mrs Habasisa was hit when

she tried to protect her son. She told the policeman he was sick but they ignored her and took him away again.

Also put before the court were affidavits by Dr Anthony Steven Blackburn and Mrs Sheila Renee Hurley, the director of the Port Elizabeth Advice Office.

Mrs Hurley said she had been approached on September 10 by Mr Habasisa who claimed he had been with her while in police custody from August 25 to September 9. She had taken a statement from him and referred him to Dr Blackburn and to the Eastern Cape Council of

Churches for financial assistance with legal proceedings.

In an affidavit, Dr Blackburn said he had examined Mr Habasisa.

Among his findings were that all Mr Habasisa's neck movements were limited and painful, that there was some difficulty in opening the jaw and that he was tender over the larynx.

Dr Blackburn prescribed tablets and advised Mr Habasisa to return to see him on the Friday, "at which stage I intended to refer him for X-rays to the neck unless

there had been good response to the treatment".

An article clerk for a firm of attorneys, Mr Deon Kopke, said in an affidavit that Mr Habasisa instructed him on Wednesday to claim damages from the Minister of Law and Order for pain and suffering caused by police assaults in detention.

Mr Justice Van Rensburg ordered that a district surgeon be requested to conduct a thorough medical examination of Mr Habasisa and report on it.

The return date is October 15.

Residents told how to reduce effect of teargas

Advice to township residents on how to reduce the ill-effects of teargas and how to stop bleeding from a bullet or buckshot wound is contained in a pamphlet released by the Detainees' Parents Support Committee.

The first step, it says, is to watch which way the teargas is blowing and get to the other side of the cloud, remembering to breathe slowly — but not deeply as this will cause pain and burning.

Other advice to residents is:

- Get out of the sun or rain.
- If there is a possibility of being teargassed, dress to cover as much of your body as possible and keep the gas off the skin.
- Remove your clothes as soon as possible after teargassing.
- Do not use water on your skin, blow on it instead.
- Do not rub your eyes.
- Do not swallow your spit — it will make you vomit. Rather spit it out.

The pamphlet says: "If you no longer smell the teargas it does not mean the gas has gone away. Teargas often makes you lose your smell."

The publication stresses that no attempt should be made to remove a bullet or pellet.

"Immediately press your hand onto the wound and keep it there."

Then a piece of clean cloth — a piece of shirt or a bandage — should be folded into a small pad and held against the wound. Cottonwool should not be used.

Lastly another piece of cloth should be used to tie the pad in place and the victim should be kept warm.

No food or drink should be given to the injured person until a doctor has seen him or her.

Deputy Minister: arrest of 700 'unfortunate'

Political Correspondent

It was 17/9/85
unfortunate schoolchildren should have landed in police custody when they should have been inside their classrooms learning, the Deputy Minister of Development Aid and Education, Mr Sam de Beer, said today.

He was reacting to the arrest of more than 700 Soweto pupils at Hlen-giwe Secondary School in White City, Jabavu, on Friday.

The pupils spent the night in Diepkloof Prison and were released into the care of their parents at the weekend.

Approached for comment by *The Star*, Mr de Beer said he could not, in any way, say anything about the merits of the police action, or what the pupils may have done to warrant such action.

"It is unfortunate that schoolchildren were outside their classrooms when they should have been learning and that they ended up in police custody," he said.

"The welfare of the children is of great concern to us and we are worried that police action should have been necessary.

"We would do everything in our power to get the schools back to normal and I appeal to all parties which have a vested interest in this to co-operate in this regard," he said.

Mr de Beer said it was of the utmost importance to the future of the children and of the country that their learning situation be normalised. It was sad incidents such as this had happened as this interfered with their education, he said.

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Child Welfare to study how children react to detention

The Johannesburg Child Welfare Society is to conduct follow-up studies on the hundreds of children who were arrested last week to assess what effects detention has had on them.

The society's director, Mr. Howard Ferreira, said social workers were already at work interviewing the children and their families.

TRAUMATISED

Children are traumatised by such experiences and the younger they are the worse it is, he said.

"Exactly how and how much they have been affected will emerge after the studies have been conducted," Mr. Ferreira said.

Mr. Ferreira pointed out that the arrests were

a transgression of the Children's Act, 1961.

"The emergency regulations override every other law," he said.

About 750 Soweto children were released from detention at the weekend.

The children, some of them as young as 12, were arrested on Thursday at the Hlengiwe Secondary School in Soweto.

The announcement of their release was made at the Johannesburg Supreme Court, shortly after the proceedings for an urgent application calling for their release started.

The application — brought by Mr. Ferreira, a teacher, Mr. Lunga Mbobo, and a mother of two of the arrested children, Mrs. Henrietta Sithobu — had been postponed.

Off Time
17/9/88 (329)

Former UDF official held

Political Reporter

FORMER UDF publicity secretary for the Western Cape Mr Jonathan de Vries was yesterday detained under Section 50 of the Internal Security Act.

Last night his father, Mr Noel de Vries, said uniformed policemen had arrived at their Kensington home between 5.30 and 6pm and told his son he was being detained.

Police told Mr De Vries (junior) that he was being charged with public violence, at which everybody in the house laughed, his father said.

Police could not confirm the detention.

MEMPHIS COMMERCIAL APPEAL, FEB. 17, 1968

MEMPHIS, TENN., FEB. 17 (UPI)—

Memani released on bail after 9 months

Staff Reporter

MR Oliver Memani, leader of a section of the KTC settlement, was released on bail of R750 yesterday after over nine months in custody.

Mr Memani was arrested on November 26 last year after violence broke out in the KTC area on November 2 and November 11.

He and 37 others were charged with three counts of public violence and one of incitement to murder. Mr Memani pleaded not guilty.

Evidence has been heard in the case, but its progress was impeded when the magistrate

died. The last hearing was in February.

The Attorney-General had issued an order that Mr Memani remain in custody. An application contesting the validity of this order was lost, but when it went on appeal the Attorney-General withdrew his order.

Some of Mr Memani's co-accused are in custody, while others have been released on bail.

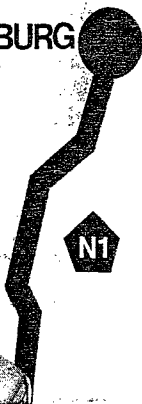
A condition of his bail is that he report daily to Guguletu police station between 6 and 8pm.

Mr J Vermaak was the magistrate. Mr W A King appeared for the State. Mr William Booth appeared for Mr Memani.

JL.

bank of petrol?)

JOHANNESBURG



CAPL Tink 17/9/85

Judge: Indefinite detention legal 329

JOHANNESBURG. — A Rand Supreme Court judge yesterday refused with costs an application for the release of a detainee held in terms of emergency regulations.

Mr Justice E Stafford ruled that Section 3(3) of the regulations meant that the Minister of Law and Order was entitled to authorize indefinite detention.

It had been argued on behalf of the detainee, Mr Amos "Pepsi" Mahlangu, that a certificate issued by the minister authorizing his detention until the repeal of the state of emergency or until the minister deemed his detention no longer necessary, was invalid.

Mr J Unterhalter, SC, for the applicant, argued that the emergency regulations stipulated that

detention could not be indefinite.

Mr Justice Stafford rejected this argument on the grounds that it was not in keeping with the "history of the legislation, the unequivocally stated mischief it seeks to prevent and the reason why it was brought into existence".

The initial period of detention was limited to 14 days but thereafter "an indeterminate period may be required — subject to the repeal of the emergency".

The application was brought by Mr Mahlangu's aunt, Mrs Sarah Mahlangu. Mr Mahlangu was detained in Kwa-Thema, Springs, on July 15 and a certificate for his indefinite detention was signed by the minister on August 6. — Sapa

CAPL Tink 17/9/85

Memani released on

Police hold 62 in stores demos

1052 329
E. Post 18/09/85
JOHANNESBURG — Police have arrested 62 people demonstrating against Edgar's stores' refusal to reinstate 400 dismissed workers, a spokesman for the Federated Council of Retail and Allied Workers said yesterday.

The spokesman said those arrested had been demonstrating outside various Edgars group stores.

The arrested people were taken to John Vorster Square.

It was later learnt that 26 people were being charged under Johannesburg's by-laws for distributing pamphlets, and the other 36 were being charged for holding an illegal gathering. — Sapa

Detained student teachers released

There were scenes of jubilation at the Rand College of Education, near Crown Mines, today when all 128 detained student teachers were released after a week in custody.

The students, who were held at the new Johannesburg Prison on the Golden Highway, were released about two km from the campus in groups of about 40.

As they approached the college, students ran out to meet them.

ARRESTED FOR DEMONSTRATING

The students were arrested on September 12 for demonstrating at the college and at the Langlaagte police station against the state of emergency.

At a meeting of students and lecturers in the college hall, the Rev Cecil Digby said the detained students would one day be blessed for their courageous actions.

"When the authorities put you in jail, they made the biggest mistake. You look far more determined now to work for justice and peace.

"Those in authority will realise the stupidity of their action one day because when you put someone in prison you make him much stronger.

"The authorities are fighting a losing battle. They must give up and settle for justice in our land."

VIOLENCE erupts

18, 1985

CHC 7116/5
18/9/85

(329)

SENIOR officials of the Federation of South African Trade Unions, including the president, Mr Chris Dhlamini, have been receiving "persistent" death threats in recent weeks, the organization's executive said in a statement released yesterday.

The statement also said four organizers of Fosatu's constituent unions had been refused passports in recent weeks.

They are:

- Mr Mfiseko Seneko,
- Mr Thembiinkosi

'Death threats' to Fosatu men

Malipi, vice-president of Fosatu, who was to have visited Germany, also an organizer for the Metal and Allied Workers' Union, who was to have visited the UK.

"We are told that dis- vestment will hurt black workers," the statement says. "However, when black worker representa- tives want to speak for themselves, they are de- nied passports."

"This once again raises the sinister links between government and business. "Passports are denied to our representatives on the UN hearings on trans-national corpora- tions but representatives of industry can go to the same hearings without difficulty."

The statement said those who had received death threats were Mr Dhlamini; Fosatu's northern Natal regional secretary Mr Jeffrey Buthelezi; Mr Jeffrey Ntombela, vice-presi- dent of the 1,000 mem- ber General Workers' Union; and Mr Vercy Mthombu, president of the Paper, Wood and Allied Work- ers' Union.

"In addition to these known persons un- known entered the Fo- — Sapa

Printed at the Press of the South African Press Syndicate, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

'Detention can scar for years'

E. Post 18/09/85

329



BLACK leader Steve Biko's death in police custody eight years ago focused international concern on the physical dangers that civil rights groups say South African detainees face.

But psychiatrists here believe that many more dissidents may emerge from the cells bearing mental scars that may trouble them for years, however hard they try to ignore them.

Biko, hero of the black consciousness movement, died on September 12, 1977. His inquest was told he was kept chained during lengthy police interrogation and was finally certified dead after being driven 1 200km, naked on the floor of a Land-Rover, to a Pretoria hospital.

He was among 2 400 dissidents who were detained in the 14 months following riots which

flared in Soweto in June, 1976.

In the past eight weeks, more than 2 500 people have been detained in terms of the state of emergency clamped on 36 magisterial districts of South Africa. Of these, more than 1 000 have been released.

People have also been detained in terms of internal security laws as unrest has spread. "There is currently an avalanche of security detentions taking place outside emergency areas," the Detainees' Parents Support Committee said last week.

The DPSC says that since Biko, 12 people have died in detention and another 14 have died while in police custody on charges linked with political unrest.

"We fear for the safety of those in detention," the DPSC said as the emergency powers were en-

By RUTH
PITCHFORD
in Johannesburg

forced. "We fear, and predict, the inevitability of deaths in detention."

But many more detainees come out of jail with wounds that do not show, civil rights workers believe.

A group of about eight mental health specialists is trying to track down some of the many detainees whom, they believe, leave prison anxious, depressed, irritable and emotionally distanced from family and friends — but afraid, suspicious or unaware of their need of psychiatric help.

"We believe that everyone has got a breaking point," said a psychiatrist who works in the group. "People become extremely sensitive to

anything that reminds them of detention. They develop insomnia.

"What is classic is a nightmare, recreating some aspect of detention, which recurs every night.

"Emotionally, there can often be a numbing, particularly when it concerns intimate emotions," said the psychiatrist, who cannot be named for professional reasons.

The worst pressure is probably on detainees in solitary confinement, kept indefinitely, their only contact with warders and interrogators, suffering sensory deprivation through being constantly alone in a bare cell.

A psychologist who works for the group said memories of jail were likely to flood back uncontrollably and without warning to ex-detainees. "They might suddenly start trembling or crying, or become very anxious."

But the psychiatrist said many tried to suppress "their" feelings and that too few were coming forward. "There's a stigma about psychiatry and they think they're being weak," he said. "There's a lot of macho thinking, particularly among people who are politically involved."

Many recent detainees were black pupils, who did not know such help existed, he said. There were language barriers and distrust existed, heightened because of interrogation by white police.

The group said detainees suffered in much the way that United States prisoners of war did in

Korea and Vietnam and like hostages — such as passengers on hijacked airliners — suffered now.

"We believe detention is at least as traumatic, and very often more stressful, than the stresses affecting hostages," said the psychiatrist.

"If people are isolated from the people who are important to them, they become dependent on their captors. They are in a state of fear and physical exhaustion. They are very vulnerable to changing their political beliefs," he said.

Some Americans in Korea took part in propaganda broadcasts, to the horror of some in the United States who, ignorant of the concept of brainwashing, saw them as traitors.

Black South African dissidents are more likely to return to their communities with their hatred of apartheid race laws intact — but deeply guilty, either for fear that they betrayed colleagues under interrogation, or because they feel they should not have been released while others are still held.

The psychologist said that local leaders among the hundreds held in the past few weeks might expect detention and be better prepared for it beforehand.

But, she added: "If someone is a leader, the conditions they are held under might be more extreme. If the authorities are determined to get information and to break someone, they can do it."

Sapa-Reuters

UNIONISTS' OUTCRY OVER DETENTIONS

AT LEAST 62 members of trade unions are in detention. Fourteen others are held under state of emergency regulations.

Several others have been questioned, their offices searched and documents confiscated during what police described as "routine check-ups", sources disclosed to the SOWETAN.

Some unionists are living in fear of their lives after death threats by "anti-trade union mercenaries." Others are in hiding for fear of being detained.

Sixty-two members of the Federal Council of Retail and Allied Workers Union (Fedcraw) were arrested after picketing and distributing pamphlets at several chain stores — Edgars, Jetts, and Sales House in Johannesburg. SAUUCO, Police Directorate said they will probably be charged with attending illegal gatherings.

By JOSHUA RABOROKO

Two members of African Workers Union (AWU) — Mr Cunningham Ngqunkana (general secretary) and Ms Mampule Makwela (typist), were held after their union office was searched and documents confiscated.

The organiser of Hotel Liquor Catering and Allied Workers Union (Halcawu) was also held after the office was searched in Johannesburg. The members of the Chemical Workers' Industrial Union (CWIU) — Mr Beki Ntshahlinshah (shop steward), Mr Ishidiso Ntampane (shop steward), and Mr Brian Moholo (organiser) — have been detained in terms of Section 50 of the Internal Security Act (Act 74 of 1982), according to police.

Trade unionists, including federation leaders of Fosatu, Cusa and the Azanian Confederation of Trade Unions (Azactu), have deplored the actions of the police.

"This total onslaught on trade unionists will not deter us from continuing our activities in the trade union movement," Azactu said.

Seeing is believing

(329) B. Day
19/9/85

THANK heavens for the Natal Bench of the Supreme Court, which continues to earn the great reputation that our judicial system once took for granted.

Mr Justice Leon has opened the first real crack in that miserable law — Section 29 of the Internal Security Act — which permits the police to detain people indefinitely for interrogation.

When he ordered the release of Paddy Kearney, director of the Diakonia church group in Durban, Justice Leon established the principle that the police must have reasonable grounds to detain a person and that they must disclose those grounds to the courts.

For churchmen and labour leaders, for black politicians and students, the implications of the Leon judgment are obviously of great importance.

The State, not surprisingly, has decided to appeal; but in the meantime there exists one, tiny judicial safeguard against an arbitrary and tyrannical system that has done SA infinite damage.

Neil Aggett died under interrogation, and so did Steve Biko; both were horribly treated, but in both cases magistrates could find nobody to blame.

By unofficial counts, dozens of other detainees have died by slipping on soap, or falling/jumping out of windows and, in at least one notorious case, from injuries inflicted by persons unknown.

Notoriety

One day, I have no doubt, a great artist will cast in bronze a memorial to the people who have died in detention and that bronze will fix for all time the verdict of history on John Vorster's fitness to be a trustee of the magnificent legal traditions which we inherited from Holland and Rome.

From the time he persuaded Parliament to suspend the right of *habeas corpus* — the bedrock principle of Western civilisation — SA has lain outside the community of civilised peoples. The results, predictably, have been death, injury, scandal, notoriety and a declining faith in the judiciary.

In fact, if the hostility of the civilised world towards SA seems puzzling, perhaps you haven't been paying enough attention to the treatment of detainees or to the provisions of the

Internal Security Act. The Act is a horror. Lawyers have hailed the Leon judgment as a breakthrough for civil liberties, precisely because, on the face of it, the law seems impenetrable.

Section 29 empowers any police officer of at least the rank of Lieutenant-Colonel to detain any person if he has "reason to believe" that person has committed or intends to commit an act of subversion, terrorism or sabotage, or is withholding from the police information about such an offence.

Sub-section 29 (6) of the Act seeks to forbid the courts to interfere. It reads: "No court of law shall have jurisdiction to pronounce on the validity of any action taken in terms of this section, or to order the release of any person detained in terms of the provisions of this section."

This uncompromising language is overcome if the courts simply insist, as Justice Leon did, on their right to determine whether the police are behaving within the law. The police, in short, cannot be a law unto themselves.

That's half the problem. The other half is the treatment of detainees once they are in the hands of the police, a matter on which there is cause for acute alarm.

Not only have many people died in detention (the numbers are disputed, but they appear to exceed 50 victims) or soon after their release, but there has been persistent evidence of maltreatment.

In at least one case — also in Natal — a court found that a detainee had been beaten to death although nobody was prosecuted.

From time to time, anxious relatives have applied for interdicts to forbid the police to injure detainees, and the applications have not been frivolous.

According to a study by the Institute of Criminology at the University of Cape Town, eight out of 10 detainees claim to have been tortured. The police deny this charge.

Who is lying? Police or detainees? The Internal Security Act has been

carefully constructed to make it almost impossible to learn the truth. In terms of the Prisons Act, judges may — and often do — pay unannounced visits to prisons to satisfy themselves that the prisoners are being humanely treated.

But the Internal Security Act says specifically in Section 29 (7) that no person other than the Minister of Justice or "a person acting by virtue of his office in the service of the State" may have access to a detainee unless they get the consent of the Minister or the Commissioner of Police; nor can any such person obtain any official information about detainees.

Instead, the government has appointed three former magistrates — a Mr Garwers, a Mr Strydom and a Mr Haasbroek — to visit detainees and to ensure that they are not being tortured.

In addition, detainees must be visited not less than once a fortnight by a magistrate and a district surgeon.

Entitled

Unhappily, magistrates inspire no great confidence, especially among black people, and the disgraceful conduct of doctors in the Biko case has undermined faith in medical visits.

However, some lawyers argue that, in the context of the Internal Security Act, any judge is "a person acting by virtue of his office in the service of the State" and that he is therefore entitled to access to any detainee.

Professor John Dugard of Wits believes that it is not even necessary to raise the issue before a court; any judge could decide tomorrow to go to John Vorster Square and demand to see a particular detainee. The likelihood is that the police would submit.

It is a pity that no judge, not even in Natal, has so far deemed it necessary to test his right to see prisoners, detained in terms of the Internal Security Act. Not many such visits would be required to create in the minds of the police a constant awareness of being under supervision.

No layman wants to preach to a judge, but any South African judge has the power, if he will put his responsibility to a society of laws above his duty to obey the dictates of an aberrant legislature, to undo some of the evil work of John Vorster.

All it requires is one unannounced, unpublishable, visit to a jail.



KEN
OWEN

Detention changed our son'

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An Alexandria teenager who was admitted to a psychiatric ward on release from two weeks in detention is back home with his family — but he is unable to pursue his old lifestyle. **STAR**

Johnny Mashiane (16) was detained on the third day of the state of emergency. When he was released he was admitted to the Hillbrow Hospital in a highly agitated state.

Today — almost two months after the declaration of the emergency — he is scarcely able to speak and his teenage stride has been reduced to a mere shuffle.

He is taking a variety of medicines and remains an outpatient at the hospital. Members of his family said he still "saw things" and spoke to objects that did not exist for them. 19/9/85

He is not able to join in ordinary conversations or pastimes.

The family is desperate to see some progress and recently took him to a faith healer, which did not help.

His brothers are careful not to ask Johnny too much about what happened in detention in case it should distress him.

"When I look at Johnny I think nothing has changed, he has not got better. It is only when I see photos of him now and compare them with the one they took in hospital that I can see that the wild look in his eyes has gone," one of his brothers said.

Civic leader held

PORT ELIZABETH
Port Alfred community leader and Rhodes University law student, Mr Gugile Nkwinti, a key figure in negotiations to improve conditions for blacks in the town, was detained yesterday under the emergency regulations.

His detention was confirmed last night by Lieutenant-Colonel Gerrie van Rooyen, the SA police liaison officer for the Eastern Cape.

A furniture store belonging to a Port Alfred farmer and businessman, Mr Dalys Sparg, was petrol-bombed yesterday morning.

Mr Sparg said damage estimated at up to R5 000 was caused when the front window was broken and petrol bombs were thrown inside. — DDC

CAPE TIMES 329
September 20, 1985 3

A judge did visit detainee

Staff Reporter

CAPE TIMES columnist Mr Ken Owen said yesterday he was delighted to hear that a judge from the Cape of Good Hope division of the Supreme Court had visited a Section 29 detainee.

In his column published in the Cape Times yesterday, he wrote that it was a pity that no judge "has so far deemed it necessary to test his right to see prisoners detained in terms of the Internal Security Act".

He said not many such visits would be required to create in the minds of the police a constant awareness of being under supervision.

All that was required "to undo some of the evil work of John Vorster" was one unannounced, unpublicized visit to a jail, he wrote.

Yesterday, after he had been told of such a visit, Mr Owen said: "I am delighted to hear that a judge in Cape Town has visited a Section 29 detainee, because only the judges have the status and esteem to reassure the public."

"My suggestion that judges do so was made respectfully with this in mind."

CAPE 7/45
20/9/85 329
Order to
restrain
police
sought

Supreme Court Reporter

AN URGENT application in the Supreme Court to restrain police from assaulting Mr Trevor Oosterwyk, a teacher detained under security legislation, will be contested, it emerged yesterday.

The matter, brought by Mr Benjamin Oosterwyk, the detainee's father, against the Minister of Law and Order, Mr Louis le Grange, is to come before court today.

The papers were initially brought before Mr Justice M R de Kock on Wednesday, but the hearing was postponed until yesterday, when both legal teams arrived but were told the hearing would be today.

Mr Benjamin Oosterwyk said in an affidavit before court that his son Trevor, 27, a teacher at Glendale High School, had been detained at 5.30am on September 3 under section 29 of the Internal Security Act by police who pulled him from his bed at gunpoint.

Mr Michael Norton, who was detained at the same time and later released, said in an affidavit he had been left in a room with Trevor due to a shortage of guards.

He said Trevor had told him that he and another detainee had been taken "into the mountains" and assaulted.

Mr Oosterwyk's face was swollen and his speech was slurred.

Mr Justice H L Berman and Miss Justice L van den Heever are to hear the case. Mr L J Krige, instructed by E Moosa and Associates, is to appear for Mr Oosterwyk. Mr C Y Louw, instructed by the State Attorney's office, is to appear for the Minister of Law and Order.

CAN 7/11/85 20/9/85

Rector defies ban on march

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By TONY WEAVER

OVER 2000 University of the Western Cape students and staff members yesterday gave the rector, Professor Richard van der Ross, a standing ovation after he led an attempt to march on Bellville police station in defiance of an order banning the protest.

Prof Van der Ross, the rector-designate, Professor Jakes Gerwel, the vice-rector, Professor Jaap du Rand, and the Dean of the Faculty of Dentistry, Professor Jairum Reddy, led the march.

They had intended to march to the Bellville police station to demand the release of student chaplain, Dr Allan Boesak, SRC president, Mr Llewellyn McMaster, SRC secretary Mr Russel McGregor, economics lecturer and UDF executive member, Mr Graeme Bloch, and two students, Mr Desmond Africa and Mr Steven Sabango.

An hour before the march, the Chief Magistrate of Bellville issued an order that the march would be illegal. After consultation with student leaders, Dr Van der Ross decided to go ahead.

'Confronted by Casspirs, Buffels'

At the gates in Modderdam Road, academic staff, non-academic staff and students, were confronted by three police Casspirs and four army Buffels, with a further three Buffels parked out of sight.

One of the Casspirs moved out and blocked the march, and Captain C G Van Schalkwyk announced over a loudspeaker that the march was illegal and asked the marchers to "please disperse".

At 1.20pm he gave the marchers five minutes to disperse and also warned the large contingent of local and foreign television crews and journalists: "You media people — if you do not leave the area you will be taken from this place to another place."

Professor Van der Ross walked over to consult briefly with Captain Van Schalkwyk, complimented him on his handling of the situation and requested the marchers to disperse.

Standing ovation for Van der Ross

This they did, returning to the main hall. As Professor Van der Ross entered, flanked by Professor Gerwel and Professor Du Rand, he was given a standing ovation by the marchers.

He told the students that "today you have given me the opportunity to reaffirm my faith in the young people of South Africa".

"Today I can put your hands safely in the hands of my successor."

Professor Gerwel said even if he had no formal inauguration as rector he would "regard today as a fitting inauguration for taking up my post".



gation (from left) Mr. Roger Hulley, the welts on the of Valhalla Park beaten by police. The rector of the University of the Western Cape, Professor Richard van der Ross, leads the march to Bellville police station yesterday. With him is Professor Jakes Gerwel (left) and Professor Jairum Reddy.



ross negotiates with Captain C G van Schalkwyk outside the university gates yesterday afternoon.

Picture: Tony Weaver

RELEASE BOESAK - PLEA BY US TOP EIGHT

EIGHT prominent Americans, including former Secretary of State Mr Cyrus Vance, yesterday called for the release of detained UDF patron Dr Allan Boesak.

They said the record of the South African Government "in causing injury within its jails" made them gravely concerned about Dr Boesak's wellbeing.

In a statement released in Cape Town last night, they say his "many friends and admirers" in the United States are "deeply concerned about his fate."

Among the signatories to the statement are: Mr Derek Bok, president of Harvard University, Mr A Bartlett Giamatti, president of Yale University (where Dr Boesak received an honorary degree in 1984), Mr David Hamburg, president of the Carnegie Corporation of New York and the Rev Theodore Hes-

SA PRESS ASSOCIATION

burgh, president of the University of Notre Dame.

They say the consequences of imprisoning Dr Boesak are "rapidly becoming very grave".

- Dr Boesak had at the time of his detention not

yet decided whether to attend Saturday's Convention Alliance meeting in Johannesburg, Mrs Dorothy Boesak, his wife, said yesterday.

One of the co-ordinators of the pilot meeting of the Alliance, said this week that Dr Boesak had planned to attend.

"There was some talk that he might attend,

but he was still deciding when he was detained," Mrs Boesak said.

- An urgent application is to be brought in the Cape Town Supreme Court next week for the release from detention of the president of the World Alliance of Reformed Churches, Dr Boesak.

Dr Boesak's attorneys

have confirmed that documents would be filed this week and the court hearing was expected next week.

Dr Boesak was detained at a roadblock on August 27, soon after he had announced plans for a march on Pollsmoor Prison where Nelson Mandela, the ANC leader, is held.

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POLITICAL DETAINEES

A strange silence

Government has been strangely silent so far about startling findings, released last week, claiming 83% of a sample of 176 former political detainees were tortured by police.

The only official response to the research by the University of Cape Town's (UCT) Institute of Criminology has been one police spokesman denying the use of force on detainees and calling for affidavits if atrocities are alleged, and another saying the report is being studied. A copy was sent by UCT to Law and Order Minister Louis le Grange.

The 30-month study by Don Foster and Diane Sandier concluded that torture of political detainees by police was widespread.

The director of the Institute, Dirk van Zyl Smit, said the Ford Foundation-funded research was one of the largest studies of the psychological effects of detention ever undertaken.

It is certainly the most comprehensive since Amnesty International probed conditions of detention in South Africa 10 years ago.

What makes the latest report more worrying is that more than 1 000 people are being held by police under Emergency regulations. There are already widespread allegations of police abuses and at least three detainees

have succeeded in the past week in obtaining interim court orders to halt alleged police assaults.

The UCT researchers found that torture of the detainees held at various times between 1974 and 1984 included beatings, burning of hair and beard, genital abuse and psychological abuse.

The sample included 145 men and 31 women. Of these, 127 were black, 18 coloured, 18 Indian and 13 white.

The study showed that 48% were subjected to multiple interrogation sessions of up to eight hours, while 6% claimed interrogation periods of between 16 and 24 hours. Only 17% of those questioned reported no form of torture whatsoever.

Not much protection

The report said it was worth noting that South African courts had not provided much protection for detainees.

"Courts have seldom found in favour of detainees, and do not seem to regard psychological coercion as sufficient grounds for ruling evidence from detainees as either invalid or inadmissible," they said.

They noted that detention without trial was "one of the central elements in the repressive apparatus of the South African state."

"In the minds of many people, the notions of detention and torture are synonymous

In the FM of August 30 it was reported that the Namibian daily newspaper *Die Republikein* has a circulation of "just over 7 000." The paper's management has now pointed out that the latest audited circulation figure was 10 332 copies per day. The FM apologises for the error.

despite State claims to the contrary," they said.

Detention was directly linked to political events, and was a central device to "control and suppress democratic black opposition to white domination."

Their study was an attempt to throw light on the "largely hidden events" occurring daily in prison cells and police stations in SA. ■

Meeting: 18 Peddie pupils arrested

Dispatch Reporter
EAST LONDON — Eighteen Ndabazandile High School pupils were arrested by police at the school near Peddie at midday yesterday.

A Peddie police spokesman, Lieutenant F. Y. Mafundityala, said the schoolchildren were found holding an unlawful meeting near a small stream.

Lieut Mafundityala said the police were headed by the District Commander, Colonel M. P. Giba, and Major J. Feliti.

He said the police had received information from pupils who wanted to go to school. No parents had reported to the police.

Lieut Mafundityala said the arrested school children, whose ages ranged between 11 and 18, would appear in the Peddie magistrate's court after investigations were completed.

He said most school children in the Peddie area wanted to further their education. These were the pupils who had helped the police.

Lieut Mafundityala said there were those pupils who wanted classes to be boycotted, and among them were outsiders who were intimi-

dating the school children. **DISPATCH**
He appealed to parents to come forward and give information to the police so that the police could take prompt action.

Lieut Mafundityala also confirmed that police arrested 239 Amazizi High School pupils last month for allegedly holding an unlawful gathering at a koppie at Mgababa village, near Peddie.

He said the pupils were arrested at midnight on August 30.

Lieut Mafundityala said 236 pupils had paid admission of guilt fines of R40 each.

The three, whose ages ranged between 11 and 17, who did not pay the admission of guilt fines were remanded. They will appear in court on October 8.

Lieut Mafundityala said the parents of the Amazizi High School pupils knew the children had intended to hold an unlawful gathering. The children were fetched at night from their homes, but the parents did not report this to the police.

Lieut Mafundityala said this was because parents were reluctant to co-operate with the police.

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20/09/85

Hundred pupils in court

29/09/85
Dispatch Reporter
EAST LONDON — One hundred pupils from Gobizembe Secondary School in Alice made a brief appearance before Mr C. Kwababa, the Alice magistrate on Wednesday. (329)

The pupils had been charged with holding an unlawful gathering at their school premises in August this year. (329)

No evidence was led and all were released on R20 bail each. (329)

The case will continue today. DISPATCH

Mr. S. Mlonyeni appeared for the state.

Mr M. X. Qabaka appeared for defence.

Curbs on Q'town funerals

Dispatch Reporter

EAST LONDON — Restrictions have been imposed on funerals of blacks in the Queenstown magisterial district from today until October 13.

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An order signed by a Queenstown magistrate, Mr A. C. van Heerden, imposed five conditions on all funerals of blacks in the district. They were:

- DISPATCH
- Funerals could only take place on a weekday.
 - Services had to be held inside a building.
 - When a service took place near a cemetery mourners had to travel to the graveside in motor vehicles. 20/09/85
 - No more than 50 people could be present at the burial.
 - The service could not be of a political nature.

The day the 'Zola Budds' came to school

A hallmark of the unrest in South Africa's townships has been the role of schoolchildren. Police consider them to be in the vanguard of the revolt. Psychologists think the detention of children may only increase their hostility. **SEFAKO NYAKA reports**



School yard in Soweto ... soldiers outside, pupils in the classrooms

FOURTEEN-YEAR-OLD Johanna Motaung — a pupil at the Hlengiwe Secondary School in White City, Soweto — still does not understand why she and 745 other pupils from her school had to spend a day and night last week locked up in Diepkloof Prison.

Last Thursday, members of the South African Defence Force rounded up Johanna and her fellow pupils and took them to the Moroka police station. They were later transferred to Diepkloof Prison under Emergency

regulations.

They were released on Saturday after their parents guaranteed that the pupils would attend school.

In the past month, hundreds of pupils in Soweto have been held overnight in a police station or prison.

Parents have appealed to police and the SADF to keep out of schools in order to avoid unnecessary tension in the townships.

"I was in class when the soldiers suddenly came in, motioning us with their guns to get out and get onto the

Hippus and Zola Budds (armoured cars)," said Johanna.

Her Form 11 class is furthest from the gate and she — and some of her classmates — had not been aware of any commotion before the Security Forces moved in.

"There had been a boycott of classes at the school, but after the police had given the pupils three days to make up their minds about getting back to class, the entire student body heeded the ultimatum," a teacher at the school said.

A member of the six-woman delegation recently appointed to look after the interests of detained schoolchildren, Mrs Bernadette Mosala, said the pupils were arrested on the school premises or in class.

"When I led a delegation on August 23 to negotiate the release of about 300 pupils arrested in Diepkloof, we were made to understand that only pupils who were outside the school premises at a given time would be liable for arrest," she said.

Mrs Mosala said on Thursday when they again met with the Soweto Divisional Commissioner of Police, Brigadier Johan Coetzee, she was informed that pupils must be in class, not only on the school campus, to avoid breaking the law.

She says the General told her that the police are aware that 10-year-olds are in the vanguard of "unrest in the townships".

"I can't say all the children arrested on Thursday are angels, but a great number of them are innocent. So why lock them up?" she asked.

"I wonder what attitude they are going to develop towards the law, not to mention the psychological scars they are likely to suffer as a result of their detention."

Social workers from the Johannesburg Child Welfare Society are interviewing the pupils and their families to assess what effects detention has had on the children.

The pupils at Hlengiwe were released only hours before a teacher at the school, Lunga Mboob, Henrietta Sithabe (mother of two of the detained children) and Howard Ferreira, director of Johannesburg Child Welfare, brought an urgent application in the Rand Supreme Court for the release of the schoolchildren.

The principal, J D Mataboge, said he wished the matter would pass "and pass forever."

"It is a mishap and every time it is brought up, it really hurts the children and the parents, resulting in a great deal of animosity."

A parents' meeting will be held at the school tomorrow to discuss the issue, Mataboge said.

Detention 'can make kids more aggressive'

By BARBARA LUDMAN

DETENTION could turn ordinary children into anti-social, aggressive youths, a founder of the Detainees' Counselling Service (DCS) said at the weekend.

"When we think about the long-term effects on adolescents who are being incarcerated and brutalised, we can anticipate not just free-range aggression and anti-social feelings but a response that will be channelled in a far more direct manner."

The DCS founder, a psychologist who cannot be identified for professional reasons, was speaking in Johannesburg at a meeting of professional groups involved with children — social workers, child welfare workers, paediatricians, educationists, lawyers, rape victim counsellors, psychologists and psychiatrists — called to discuss the "alarming situation concerning children in detention."

The DCS offers psychological help to released detainees. When the

Setting a code for incarceration

DR Robin Dyer from Natal University's Medical School has slammed the South African Paediatric Association for contemplating a code for handling children in detention because, he said, drafting such a code condones the practice.

Dyer told a medical conference in Durban this week that the Association is in the

process of drawing up such a code. "I find it horrific that the Paediatric Association can even suggest a code of practice for the treatment of children who are detained," he said.

"To even accept that children are being detained is abominable. By drawing up a code they are condoning this practice of the Security Police."

people" — breaking down suddenly, shaking and shivering, crying for no apparent reason. One's concentration is disturbed and a lack of sleep makes the victim irritable.

"Most of the literature on acute and traumatic stress in children deals with children caught up in disasters — landslides or floods — or subjected to various forms of hardship," he said.

Extrapolating from one form of

hardship to another, and from adult to adolescent responses, "we can speculate," he said, "on the psychological effects on children of detention."

One could expect a falloff in school studies, he said, general fearfulness, sleep disturbances and anxiety.

Children under seven subjected to stress would become more dependent, even clinging, and could suffer

medical problems.

Older children subjected to stress "have been found to become aggressive and anti-social."

A resolution passed by the 50 professionals at the weekend meeting noted the danger that children "are particularly susceptible to the development of the long-term adverse effects of these brutalising experiences such as anxiety disorders, particularly the post-traumatic stress disorder, depressive disorders, adjustment and behaviour disorders and even psychotic episodes".

The resolution, which will be carried back to professional bodies for discussion, expresses "deeply-felt horror and revulsion at the State's assault on children" and calls on the government "to release all detained children immediately into the custody of their parents or guardians" and to "put an immediate end to the Security Forces' harassment and detention of children".

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staff the service realised they would be asked to treat children as well as adults, he said, they searched medical literature for information on what detained children had suffered in other countries.

There was no information — presumably because children elsewhere are not detained.

"All the literature of the last 20 years pertains to adults," said the psychologist.

There was a fair amount of information dealing with children who had lived through war or survived concentration camps. And there was information on children in Chile and Argentina, but none of them had been detained, imprisoned or tortured. Their parents had been taken away."

There is plenty of information on the post-traumatic stress disorder which, he said, affects a vast number of released detainees everywhere — and has been made a compensatable illness in American veterans of the Viet Nam war.

On release, a victim might start re-experiencing his trauma, in the form of nightmares or as conscious, waking memories set off by unrelated events — the sound of a hooter, the slamming of a door.

"This leads to a number of important consequences," said the psychologist. "The victim may become withdrawn and asocial, unable to function in relationships with other



Picture: WILLIE DE KLERK, The Argus

United: Dr Allan Boesak outside court with family members after being freed on bail in the Malmesbury Magistrate's Court today.

Supporters clapped, chanted and sang.

Staff Reporter

DR Allan Boesak emerged from a court hearing at Malmesbury today a conditionally free man.

He stepped into the sunlight to cheers of "Boesak, Boesak, Boesak" from a crowd of about 300 supporters.

They clapped, chanted and sang as they formed a throng that swept him along to the vehicle taking him home.

The president of the World Alliance of Reformed Churches embraced friends and well-wishers as he walked.

"FREE MAN"

Minutes before, just after noon, Dr Boesak's legal representative, Mr S Desai, appeared in a passage of Malmesbury Magistrates' Court after paying bail of R20 000.

He stepped up to Mrs Dorothy Boesak and announced: "He's a free man now."

Mrs Boesak replied: "Oh — he's a free man."

Then Dr Boesak appeared from a doorway and the couple embraced. He kissed a daughter, then moved out to face the crowd and the media.

The rustic Swartland town of Malmesbury, known for its grain, its brei and two prime ministers, had not before experienced so much drama outside the courthouse.

Until the surprise hearing the town had no inkling that an international figure such as Dr Boesak would be in its midst.

One shopkeeper was surprised to learn that Dr Boesak would be appearing in the district court. Asked why Malmesbury, the shopkeeper commented: "They don't want trouble."

Dr Boesak first appeared in court, informally, about 10.30am. He greeted the media packed into A Court, put on a suit jacket, straightened a white tie, shook hands with a Press photographer and greeted a woman journalist with a kiss.

He appeared casual, though his face was gaunt. He left after about eight minutes. At 11.50am he reappeared in court for the formal hearing of the bail application.

Mr Desai addressed the magistrate on the question of bail. He said: "We consider the conditions stringent and reserve the right to apply for new terms later."

A "whoop" went round the court when the sum of R20 000 was mentioned. The magistrate, Mr A Dippenaar, warned that comments or noisy utterances from the public gallery were unacceptable.

Such behaviour would leave him no alternative but to clear the court — an action "I wouldn't like to do".

AGENTS 20/9/85

Staff Reporter

329

MALMESBURY. — Dr Allan Boesak, international church leader and patron of the United Democratic Front, was released on R20 000 bail today after appearing in Malmesbury Magistrate's Court.

He appeared in connection with four charges under Section 54 of the Internal Security Act, but no charges were put to him in court.

Three of the charges relate to school and consumer boycotts and the disinvestment campaign, and the fourth to discussions allegedly held in connection with such boycotts.

Dr Boesak was met outside the court by a crowd of jubilant supporters who travelled to Malmesbury after news of his pending appearance spread through Bellville South, where he lives.

The hearing was postponed to November 6 in Malmesbury Magistrate's Court.

Dr Boesak, president of the World Alliance of Reformed Churches, has been in detention for nearly a month.

Dr Boesak arrived at the court at 10.45am and was allowed to meet reporters briefly before the hearing.

Looking drawn and tired, he greeted local and foreign journalists warmly and cheerfully.

The magistrate, Mr A P Dippenaar, allowed the cameramen to take pictures in the court for five minutes before the hearing started as Dr Boesak walked in.

Greeted his family

His wife Dorothy, their four children and his sister, Mrs Edna Piek, arrived minutes before the case began, in spite of expectations that they would not have made it in time from Montagu, where Mrs Boesak was to have spent the weekend.

Dr Boesak greeted his family affectionately as he walked to the dock.

The news that Dr Boesak was to have appeared in court was sudden and unexpected. Church colleagues, his staff and even his lawyers knew only this morning that he was to appear.

Mr Desai said the defence had little alternative but to accept the amount of bail. He said they would accept bail conditions, although they considered them "extremely stringent", but would apply for amendment of the bail conditions.

The tiny courtroom was so tightly packed with journalists, friends of Dr Boesak and curious locals that reporters could hardly move their arms to take notes. There was an excited hubbub for 35 minutes while Dr Boesak consulted his lawyers in a nearby office.

When the court case began — 45 minutes after its scheduled time — spectators whistled when the amount of bail was announced. The magistrate warned spectators that he would not "allow comments and utterances and noises like the ones I've heard from out there".

He added that as far as bail conditions were concerned "I take it for granted that the accused will immediately leave for Bellville".

"If one looks at the conditions it is quite clear that he should do so."

The prosecutor was Mr P J van der Merwe. Mr S Desai, instructed by E Moosa and Associates, appeared for Dr Boesak.

Terms of bail will restrict him to Bellville

ACCORDING to Dr Boesak's lawyers, his bail conditions are that he:

- Must report to Bellville police station daily between 7am and 9pm.

- May not leave his home between 9pm and 6am.

- Must hand in his passport within 24 hours.

- May not leave the magisterial district of Bellville without the permission of the police district commandant.

- May not directly or indirectly communicate with State witnesses whose names have been given to him by the district commandant.

- May not speak at meetings of more than 10 people except at bona fide church services in the NG Sendingkerk in Bellville South.

- May not propagate or encourage a consumer boycott, school boycott, academic boycott or disinvestment campaign.

- May not visit educational institutions except bona fide house visits to members of his congregation as a priest at UWC.

- May not be interviewed by the media.

- May not attend funerals without permission of the district commandant and, if permission is granted, police may attach conditions.

Boesak out on bail

Cathcart men ⁽³²⁾ detained

DISPATCH
Dispatch Reporter

EAST LONDON — The Border police liaison officer, Lieutenant Dot van der Vyver, yesterday confirmed the detention of four Cathcart men on Wednesday last week.

The four are Mr Tembile Dastile, a clerk at the East London Cape Development Board, Mr Vusumzi Socala, a teacher, Mr Zuko Mzwakali and Mr Butibuti Tubula.

She said the four had been detained under section 50 of the Internal Security Act.

Seven in Q'town detained

QUEENSTOWN — Seven people here were detained under the Internal Security Act yesterday. (329)

The police regional liaison officer for the Border, Lieutenant Dot van der Vyver, confirmed yesterday that an Mlungisi Ad Hoc Residents Committee (MRC) executive member, Mr Jacob Bodlani, a Queenstown youth organisation member, Miss Noncedo September, the MRC vice-chairman, the MRC vice-chairman, Mr Vukile Feni, a shop assistant, Mr Vuyisile Sihlahla, a Queenstown boycott committee executive member and bank clerk, Mr Sandi Mgidlana, the manager of an insurance firm, Mr Machule Maqhuazima, and a member of the MRC executive, Mrs Blanche Mdudu, have been detained in terms of Section 50 of the Internal Security Act.

She also confirmed the detention on Monday of the MRC chairman, Mr V. V. Mjila, and its secretary, Mr Linda Sishuba, also under the same section.

This section allows for detention without trial for 48 hours, which can be extended to 12 days if deemed necessary. —

DDR

20/09/85 DISPATCH

Cape Times 20/9/85

UDF organizers flee

Staff Reporter

SEVERAL United Democratic Front organizers fled from a closed organizational meeting in Athlone on Wednesday after the AME hall in Hazendal was surrounded by police, a UDF spokesman said.

UDF interim organizer Mr Naseegh Jaffer last night said police had surrounded a house adjacent to the hall where about 20 organizers and representatives

of UDF area committees were to have met at 7.30pm.

Plainclothes policemen were positioned at different places outside and at the entrance of the hall, he said.

Most of the people in the hall jumped over walls to escape. No one was arrested.

A police liaison officer for the Western Cape, Captain Jan Calitz, said last night that police had held a routine observation at the meeting.

329

CAR 71443
20/9/85 329

Order to restrain police sought

Supreme Court Reporter

AN URGENT application in the Supreme Court to restrain police from assaulting Mr Trevor Oosterwyk, a teacher detained under security legislation, will be contested, it emerged yesterday.

The matter, brought by Mr Benjamin Oosterwyk, the detainee's father, against the Minister of Law and Order, Mr Louis le Grange, is to come before court today.

The papers were initially brought before Mr Justice M R de Kock on Wednesday, but the hearing was postponed until yesterday, when both legal teams arrived but were told the hearing would be today.

Mr Benjamin Oosterwyk said in an affidavit before court that his son Trevor, 27, a teacher at Glendale High School, had been detained at 5.30am on September 3 under section 29 of the Internal Security Act by police who pulled him from his bed at gunpoint.

Mr Michael Norton, who was detained at the same time and later released, said in an affidavit he had been left in a room with Trevor due to a shortage of guards.

He said Trevor had told him that he and another detainee had been taken "into the mountains" and assaulted.

Mr Oosterwyk's face was swollen and his speech was slurred.

Mr Justice H L Berman and Miss Justice L van den Heever are to hear the case. Mr LJ Krige, instructed by E Moosa and Associates, is to appear for Mr Oosterwyk. Mr C Y Louw, instructed by the State Attorney's office, is to appear for the Minister of Law and Order.



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For example:
● Three-piece button back Dralon Lounge Suite
Was R1 150

ITEMS GREATLY REDUCED TO C

CROWN OIL
750 ml R1,69

TOILET ROLLS
500 sheets

SIMBA BLOS



SHOWROOM SAMPLES AND OTHER Q
ITEMS GREATLY REDUCED TO C

For example:
● Three-piece button back Dralon Lounge Suite
Was R1 150

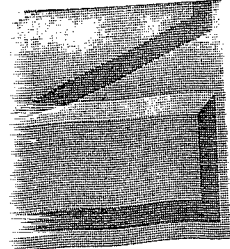
● All pictures attractively framed — Less 20%

● Boudoir Chairs
● Bedside Lamps
● Brass and Glass Dressing Table
Was R750
Were R88

● Oak Coffee Table
Was R334

Lazy-Boy Recliners all drastically reduce

AND A SHOWROOM FULL OF OTHER BARGAINS
CONCOURSE GOLDEN ACRE PH



way to launch the alliance and to obtain the broadest spectrum of support.

reaction

CAPE TOWN 21/9/85 (329)

Suit on detainee dismissed

Supreme Court Reporter AN application in the Supreme Court to restrain police from assaulting detainee Mr Trevor Oosterwyk was dismissed yesterday.

It failed on two counts, Miss Justice Leonora van den Heever said. It had not been established whether there had been an injury, nor whether there was a reasonable possibility that Mr Oosterwyk would be assaulted in future.

She said the test had to be objective, not based on newspaper reports and repeated cries of "Wolf! Wolf!"

The evidence of former fellow detainee Mr Michael Norton, who said in an affidavit that he had heard that Mr Oosterwyk was assaulted, had been discredited, she said.

Lieutenant Johannes Engelbrecht of the security police in Cape Town said Mr Oosterwyk himself had denied he had been assaulted, blindfolded or made to persuade another detainee to make a statement to the police.

Dr Henry Baigel, district surgeon for Cape Town, said in an affidavit that he had seen Mr Oosterwyk for the

second time on Thursday, and he had not complained of any injury.

A magistrate, Mr Hendrik van Wyk, declared in a statement that Mr Oosterwyk had said he had been slapped once, but did not wish to complain as he did not regard it as serious.

Miss Justice Van den Heever presided, with Mr Justice H L Berman. Mr C Y Louw, instructed by the State Attorney's office, appeared for the Minister of Law and Order. Mr L J Krige, instructed by E Moosa and Associates, appeared for Mr Oosterwyk's father, Mr Benjamin Oosterwyk, who brought the application.

Judge's order releases three

DURBAN. — A judge yesterday ordered the release of three detainees held under a rule used frequently in crackdowns on dissent.

Mr Justice Andrew Wilson of the Natal Supreme Court ordered the release of Mr Richard Steele, Ms Anita Kromberg and Ms Sue Britton, activists of the End Conscription Campaign, because police refused to give reasons for their detention.

Section 29 of the Internal Security Act, under which they were being held, says that the police must have good reason to detain people under the rule, which allows indefinite solitary confinement, lawyers said.

The Supreme Court in Durban on September 11 ordered the immediate release of church worker Mr Paddy Kearney in the first test of the Internal Security Act in a court. — Sapa-Reuter

TODAY

3-ROOMED FLAT IN
VREDENOEK

TO BE
AUCTIONED

TURN TO THE
AUCTION PAGES
IN TIMES
CLASSIFIED

Accused DISPATCH named

21/09/85
Dispatch Reporter

EAST LONDON — The names of the 46 people who appeared in the Mdantsane magistrate's court on charges of illegal gathering are:

Elvin John Fredericks, 28, Mzwandile Mampunye, 35, Mtyantli Atwell Msauli, 43, Galelele Williams Sitho, 58, Joel Vela, 34, Vuyisile Sokwane, 28, Liza Maqokolo, 28, Mike Baso, 26, Mzameki Mlingane, 27, Xoliswa Mganga, 28, Ntsikelelo Sikoli, 30, Fikile Seya, 31, Moxolo Tuku, 26, Pamela Tawete, 35, Guy Ratazayo, 28, Snyabulela Mabengeza, 28, Alfred Tatana Ndindwa, 57, Zukiswa Faku, 21, Samson Nube, 32, Mthuthuzeli Norman Sibewu, 35, Ntsikelelo Bungane, 30, Rufus Rweni, 35, Zolile Bukani, 24, Mlindeli Wellington Mnyamana, 35, Tobile Maqina, 28, Mphuthumi Xhapha, 33, Vumile Danile, 28, Malcomess Mgabela, 53, Mbulelo Mawo, 22, Solomon Thololo, 36, Nicholson Zamikhaya Xabe, 31, Vuyo Mabutho, 22, Lungile Bam, 27, Dick Phiri, 32, Lunke Mombewu, 48, Deborah Komosa, 32, Nompumelelo Dyani, 19, David Thandani, 32, Luyanda Mapukula, 21, Nkosiphendule Matshaya, 26, Mxolisi Bhenguza, 34, Msonderi Simandla, 33, Ezile Dangaia, 52, and three minors whose names cannot be published.

The forty-six appeared before Mr F. Erasmus last Thursday and bail of R50 each was granted.

Their trial was postponed to September 27.

Judge orders release of three detainees

20/9/85 Mercury

Court Reporter

A DURBAN judge yesterday ordered the immediate release of three detainees being held by the security police under Section 29 of the Internal Security Act.

The order was made by Mr Justice Wilson in the Supreme Court, Durban, when he heard an urgent application for the release of Richard Steele, Anita Helen Kromberg and Susan Barbara Britton.

The three were detained on September 9.

In an affidavit, Mrs Dorothy Winifred Steele said she was the mother of Richard Steele and a friend of Anita Kromberg.

She said that her son was closely connected with the End Conscription Campaign and was a deeply religious person.

Reconciliation

In 1980 he had been court martialled for refusing to answer his national service call-up and had been sentenced to 18 months' detention barracks.

Referring to Anita Kromberg, Mrs Steele said she was regional secretary for the International Fellowship of Reconciliation, a Christian-based body aimed at facilitating reconciliation between individuals and other groups.

She said neither her son nor Miss Kromberg were withholding information from the police and were not engaged in secret subversive activities.

In another affidavit Mrs Colleen Suzette Graham said she was the daughter of Mrs Susan Barbara Britton and said her mother was employed by Diakonia and was the organiser of the White Development Project which involves close liaison with white parishioners of the Diakonia member churches to increase the awareness of social injustice in South Africa.

Non-violence

She was also the Diakonia representative of the End Conscription Campaign.

The affidavit stated she was a Christian pacifist and dedicated to the cause of non-violence.

Ordering the release of the detainees Mr Justice Wilson said he was bound by the decision of Mr Justice Leon who last week ordered the release from detention of Paddy Kearney, director of Diakonia who was also being held by the security police. Mr Justice Wilson said there was no difference in the present case to that of Mr Kearney's.

Mr C Nicholson appeared for the applicants and Mr J H Combrink SC for the police.

Joyful embraces, tears and bouquets of flowers from family and friends greeted the released detainees at a thanksgiving service held in Durban yesterday.

During the service they were blessed by members of a visiting delegation from the World Council of Religion and Peace. All three told the Mercury they had been kept in solitary confinement but had been treated well.

TV sport

The Belgian Grand Prix is featured in this afternoon's Sport '85 programme on TV 1. The line-up is: 2 54 Hockey - Opel Club Champion of Champions Tournament. 3 12 Fencing, SA vs W Germany. 3 28 Hockey. 3 38 Showjumping. 3 58 Hockey. 4 20 Table tennis, SA Open Mixed Doubles Final. 4 40 Showjumping. 5 03 Wrestling. 5 12 Volleyball, inter-provincial championships. 5 34 Belgian Grand Prix. Sport on TV 4 at 11 15 features the London Powerboat Grand Prix, a documentary on surfing techniques, and the Men's World High-Diving Challenge.

Snakes alive

PEKING—A young Chinese peasant ate more than 1 800 live poisonous snakes to cure himself of convulsions.

The cure was effective but after eating snakes for two years in north east Jinlin Province peasant Wang Biao has become addicted to them and needs to swallow one before every meal.

He has started breeding them to ensure he has enough to last him through the winter. — (Sapa-Reuter)

Editor dies

PRETORIA—Mr Allen Russell, former finance editor of the Pretoria News, died here yesterday, aged 61. He retired from the Pretoria News in March this year.

...WY A FOR THE cation. ... 24/9/85 (329)

Judge's order releases three

DURBAN. — A judge yesterday ordered the release of three detainees held under a rule used frequently in crackdowns on dissent.

Mr Justice Andrew Wilson of the Natal Supreme Court ordered the release of Mr Richard Steele, Ms Anita Kromberg and Ms Sue Britton, activists of the End Conscription Campaign, because police refused to give reasons for their detention.

Section 29 of the Internal Security Act, under which they were being held, says that the police must have good reason to detain people under the rule, which allows indefinite solitary confinement, lawyers said.

The Supreme Court in Durban on September 11 ordered the immediate release of church worker Mr Paddy Kearney in the first test of the Internal Security Act in a court. Sapa-Reuter

Boesak on subversion

charges

Staff Reporter

CM 6-7/1-1-5
21/9/85
329

DR ALLAN BOESAK, president of the World Alliance of Reformed Churches, was charged in Malmesbury with subversion and released from detention yesterday on R20 000 bail with "stringent conditions".

Dr Boesak, a patron of the United Democratic Front, was not asked to plead and the case against him was postponed for further investigation until November 6 in Malmesbury Magistrate's Court.

He faces three charges of subversion and one of "promoting or convening" a prohibited gathering, namely the march to Pollsmoor Prison.

The first subversion charge concerned alleged transgressions of Section 54 of the Internal Security Act on six occasions in August this year, mostly in churches, church halls or civic centres.

An alternative charge concerns a Section 54 transgression through encouraging people not to buy at certain establishments.

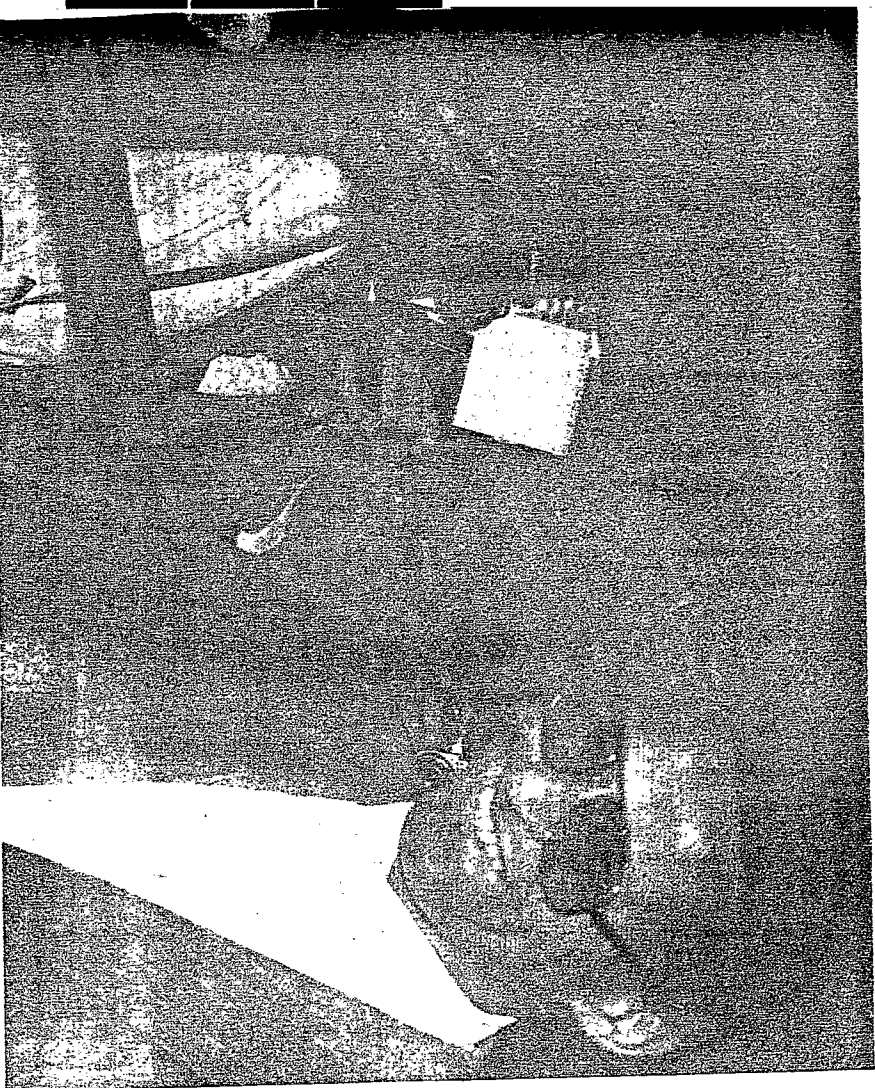
Restricted to Bellville

Encouraging teachers not to teach is the basis of the second charge. The third concerns calling on foreign institutions to withdraw from South Africa or not to make further loans to South Africa.

Conditions of bail, which Dr Boesak's counsel Mr S Desai described in court as "stringent", prevent Dr Boesak from attending any meeting of more than ten people, apart from his church, Bellville Baptist Church.

Dr Boesak is also restricted to Bellville Magistral district. He may not be interviewed by the press. He must also report daily to Bellville police station. He may not attend any funeral or religious function. He may not visit any educational institutions other than to preach or not propagate a consumer or educational boycott or disinvestment.

Mr A P Dippenaar, the magistrate, Mr A R Acherman, with Mr A P Meyer, Kew and instructed by the State Attorney's office, appeared for the State. Mr Desai was instructed by E Moosa and Associates.



Dr Allan Boesak in the Magistrate's Court in Malmesbury yesterday. ● More pictures, page 9

Cape Times Newscolor: Dan Bosman

Civil rights ripple effect?

By SHAUN HARRIS

THE release of a section 29 Internal Security Act detainee after a Supreme Court judgment this week is expected to start a flood of court applications to seek the release of other detainees held under the same law.

Mr Justice Leon ruled in Durban that Mr Paddy Kearney, held under one of South Africa's most controversial security laws, be released, overruling section 29 of the Internal Security Act for the first time.

Professor Tony Matthews, of the University of Natal, an internationally recognised expert on security legislation, called Mr Justice Leon's decision "the most important civil-rights judgment in decades".

"The judgment is particularly gratifying as until now section 29 has been the most arbitrary and frightening form of detention," Professor Matthews said.

Under section 29 of the Act a policeman can arrest and detain a person if he has reason to believe that he has committed, or intends to commit, an offence as defined in the section.

In his decision this week Mr Justice Leon said a police officer had to have a factual basis on which he based his belief, and that he was satisfied that the court was not precluded from investigating whether the necessary jurisdictional facts objectively existed.

He said that Durban's Archbishop Denis Hurley and Miss Carmel Rickard (Mr Kearney's wife) who made the application for Mr Kearney's release, had given detailed reasons for their statements that no reasonable man could have cause to believe that Mr Kearney could have withheld information from the police.

Wounded woman arrested

23/09/85
329
DISPATCH

EAST LONDON — A woman was slightly wounded and arrested and a man was arrested at an illegal gathering in Queenstown at the weekend, police reported yesterday.

A situation report issued by the police public relations division in Pretoria said the crowd stoned police who used birdshot to disperse them.

An earlier report said a petrol bomb was thrown at a private home in Queenstown and a delivery van was robbed and set alight in Duncan Village.

The national vice-president of the Azanian People's Organisation, Mr Phambile Ntloko, said yesterday hundreds of people were turned away from the scheduled funeral of Mr Andile Matshoba, 18, in Mlungisi township, Queenstown, on Saturday.

— DDR.



Marshals carry the coffin of Ntomb...



Dr Boesak embraces one of many well-wishers who crowded around him after he delivered a sermon in the Ned Geref Sendingkerk in Bellville-South yesterday morning.

Boesak will 'resist to the end'

THE Rev Allan Boesak, defiant in the face of subversion charges brought by the government, pledged to his congregation yesterday: "I will resist them to the very end."

Dr Boesak, president of the World Alliance of Reformed Churches, was detained with out charge on August 27 and charged on Friday with subversion. He was released on R20 000 bail and ordered not to speak at public gatherings apart from church services, among other tight bail restric-

tions.

Dr Boesak, 39, preaching at the Bellville Dutch Reformed Church, said he was near despair during his three weeks in detention in Pretoria before he was charged and freed on bail.

"I wrestled with God. I fought with God. And the moment came when I fell on my knees and cried as I've never cried before, maybe for the first time since I was a little boy," he said in his sermon. He said he thought "God would work through the inter-

national community to put pressure on the South African Government to let me out — but that didn't happen."

But finally, Dr Boesak said, "the man who has been numbed before God for almost three weeks, in 21 days of prayer and sometimes just bread and fasting, has learned to depend on the spirit of God alone. That, I think, was my great discovery. To remember the promise of God, to become as numble as I have before God, and to believe that the world of God is true."

"Let me make it clear to you today, I have not given up my conviction, he said. "I just non-violent struggle is God's will. It is God's struggle. I will continue to do that as long as God gives me breath in my body."

Dr Boesak implored those fighting apartheid not to turn to violence, saying: "Violence will destroy us as it will destroy the people who use it against us."

"Violence will destroy our

soul even as their violence has destroyed their soul."

"They have no God left except the God of their guns and their Casspits and their tanks and their violence. Let the pray to that God."

"Even today I do not hate them. I will not hate them. But I will resist them to the very end, because I love a country and my people a country too much to allow oppressors to destroy us. This we must know. Evil is alive, the people who are failed to battle," Dr Boesak added. (Sapa-Af)

CH 1 7/14/85 23/1985

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Bail problems for Boesak

By BARRY STREEK

AN application for a change in Dr Allan Boesak's bail conditions would be made because the restrictions were affecting his work in the church, his attorney, Mr Essa Moosa, said yesterday.

"We haven't decided yet when we will make an application, but we will definitely do so," Mr Moosa said. The application would be made "as soon as possible", perhaps this week.

Mr Moosa said that as a result of the bail conditions, Dr Boesak had had to cancel a church appointment in Stellenbosh for tonight.

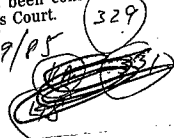
Dr Boesak is also due to chair the annual meeting of the World Alliance of Reformed Churches in New Delhi from October 8 to October 19, but his existing bail conditions would prevent his doing so.

An application for a change in bail conditions would have to be made in the Magistrate's Court in Malmesbury, where Dr Boesak was released on R20 000 bail on Friday.

Dr Boesak also has the right to appeal to the Supreme Court after an application for a change in bail conditions has been considered in the Magistrate's Court.

CAPT TILAK

24/9/85

329


QRT TIME 24/9/85
Freed ECC

man 'to fight'

(229) Staff Reporter

THE chairperson of the End Conscription Campaign in the Western Cape, Mr Mike Evans, is "more determined than ever to fight for the release of detainees" following his release from Pollsmoor Prison yesterday afternoon after 15 days in solitary confinement.

Mr Evans, who was detained under Section 29 of the Internal Security Act earlier this month, said last night he was determined to continue fighting for an end to conscription and to the system of detention without trial.

"The worst things about my experience in detention were the isolation, the lack of access to news and the constant threat that I could be kept there indefinitely," he said.

Mr Evans said he was convinced his detention, and the detention of other ECC members in Durban, was part of a nation-wide investigation into the ECC's activities.

Dispatch Reporter
EAST LONDON — Mr Mbuyiselo Mbotya, 35, of Ginsberg, died in hospital on Saturday, the Border police liaison officer, Lieutenant Dot van der Vyver, confirmed yesterday.

Lieut Van der Vyver said Mr Mbotya had been arrested on Friday evening for a criminal offence. He had been taken to police cells in King William's Town where he was taken ill.

She said police took him to hospital in King William's Town and he was transferred to Frere Hospital in East London on Saturday morning.

The cause of his death was not known and police were still investigating. Lieut Van der Vyver said.

She said it would be improper to reveal the

Arrested man dies in hospital

reason for Mr Mbotya's arrest.

Mr Mbotya was a member of the King William's Town Youth League and the United Democratic Front.

Dr Ben Hall, medical superintendent at Frere Hospital, confirmed Mr Mbotya had died at the hospital and his body taken to Cambridge mortuary.

He did not know the cause of death, saying it was a "police case".

Miss Nomtandazo Mbotya said her brother

was arrested on Friday evening while walking with a girlfriend. Two policemen put her brother into a van and drove away.

They received a telegram from Frere asking her parents to go urgently to the hospital. They arrived at 1.45 pm.

Mbuyiselo was in a ward and could not speak. His eyes were closed and he seemed to have difficulty breathing.

She and her mother learnt later that her brother was to have had a head operation.

He had been working in Port Elizabeth until four months ago. Earlier last week he had been arrested with rioting schoolchildren at Ginsberg township near King William's Town, and later released, she said.

Pta activists are arrested

TWO POLITICAL activists have been arrested and the houses of three others attacked by unknown people in Atteridgeville, Pretoria, this week.

329
Mr Kgaogelo Lekgoro, a reporter with The Eye newspaper and a member of the Atteridgeville/Saulsville Residents' Organisation, and Mr Morakabe Seakgwa, a member of the Vaal Civic Association, were taken by police from Mr Lekgoro's Ditodi Street, Atteridgeville, home on Sunday night.

STAR
Three other Pretoria activists' homes were damaged after an attack early on Monday morning. The SOWETAN was told yesterday.

Mrs R Mphahlele, an executive member of Asro, was attacked and her Gomba Street home stoned by unidentified people. All the window panes at the front of her house were smashed. No one was hurt.

The home of the former president of the Saulsville/Atteridgeville Youth Organisation, Mr Decon Mathe, was also

By MONK NKOMO

attacked and windows shattered. 25/9/85

The Daus family's home at Motau Street was also attacked. The Daus have a teacher, a trade unionist and a Sayo member in the family.

Similar attacks were reported at the weekend, when 12 houses — including those of seven policemen and a former reporter — were petrol-bombed in Atteridgeville and Soshanguve.

Brigadier H C Lerm, Divisional CID Officer for the Northern Transvaal, yesterday said although he could not categorically confirm the arrest of Mr Lekgoro and Mr Seakgwa, "a few people have been arrested in connection with the petrol bomb attacks in the township at the weekend".

A spokesman for the police directorate of public relations in Pretoria yesterday said both men had definitely not been detained in terms of security legislation.

The police spokesman could not confirm the arrest of a student under police guard at the Kalafong Hospital.

The student was allegedly hit on the jaw by a rubber bullet fired by the police when violence

Detainees released

Cape Times 28/9/85
329

Political Reporter

SIX people in Worcester who had been held for two months under Section 29 of the Internal Security Act were yesterday released.

A spokesman for the six, Mr Abel Dlikilili, chairman of the Western Cape Civic Association (WCCA), said he and five others were released yesterday afternoon.

They were detained on July 23 and were held at Allandale Prison in Paarl, he said.

The others released were Mrs Miriam Moleleki, a member of the United Women's Organization, Mr Lizo Kapa, a WCCA member, Mr Juan Karriem, Mr James Issel and Mr Donovan Petersen.

A spokesman for the police public relations division in Pretoria said comment would be made following a telexed message to his division. A telex was sent to Pretoria soon afterwards.

EAST LONDON — Two Zwelitsha teachers and three other people have been detained by Ciskei authorities, say relatives.

The teachers are Mr Kaya Mabece, of Nompundulo High School, and Mrs Nomntu Bongco, of Zone 4 creche, Zwelitsha.

The others are the president of the King and District Rugby Union, Mr Mluleki George, Mr Bonisile Botile and a Mr Magalela.

A King William's Town attorney acting on behalf of the five people, Mr D. T. H. van Heerden,

Ciskei police detain five, relatives say

said yesterday relatives claimed they were detained on Friday.

Mr Van Heerden said a sergeant in the Ciskei security police had confirmed to him that Mr George had been detained in terms of section 26 of the Ciskei National Security Act.

Mr Mabece was detained a couple of months ago after a class boycott at his school.

The Ciskei police liaison officer, Lieutenant Mavuso Ngwendu, said he could not confirm or deny the detention as senior officers were at a meeting.

Detainee in 'depressed mental condition'

Judge told of 'risk of suicide'

329 Morarjee 24/9/85

Court Reporter

A DETAINEE held under Section 29 of the Internal Security Act but presently in hospital was a suicide risk because of his depressed mental condition, a Durban judge heard late yesterday.

This was stated in papers before Mr Justice Kriek when he heard an urgent application regarding detainee Shirish Soni.

The application was brought by Mr Soni's father, Mr Manakial Morarjee, against the Minister of Law and Order, the Commissioner of Police and the Divisional Commissioner of Police for Port Natal.

In his application Mr Morarjee stated his son was taken into detention on June 29 this year.

He had been allowed to take clothes and fruit to his son at C R Swart Square.

He said he and his wife had been told they were not to worry about their son as he was 'fine and very strong'.

He said that on August 5 he was told by the security police that his son had been admitted to St Aidan's Hospital suffering from depression.

On August 7 his wife had been granted permission to visit their son at

the hospital.

She was allowed 30 minutes with him. He said he'd accompanied his wife to the hospital.

He said he managed to get a glimpse of his son from the doorway and saw him lying on the bed looking weak and with an unnatural stare in his eyes.

On August 8 his wife, his daughter-in-law and himself had consulted Dr Ashwin Valjee, a psychiatrist, about his son. Dr Valjee was treating his son.

He told them that the son was very frightened, mentally disturbed and very weak.

On August 26 Mr Morarjee was told that his son had been discharged from hospital.

On September 11 however he heard that his son had been readmitted to St Aidan's on the advice of Dr Valjee.

On September 12 Dr Valjee had said to him that his son was not mentally well.

Dr Valjee told him that in his opinion his son should not be discharged from hospital because further interrogation would result in permanent damage to his mental condition.

In an affidavit, Dr Valjee said the detainee

had told him he was deeply worried about his wife who is pregnant and that he had lost a great deal of weight and had problems with sleeping and suffered nightmares.

He had said he was terrified of his interrogators and was certain that the ward had been 'bugged'. He had stated that he could not cope with his interrogation and isolation.

The doctor said that the detainee had often cried unashamedly and his voice was broken and often cracked.

In another interview with the detainee, the doctor said his moods ranged from being extremely sad to bitterly angry.

This had convinced him that the patient was not in full control of his faculties.

He said that on September 19 the detainee appeared very depressed again and could not explain this.

This, said the doctor, obviously increased the risk of suicide.

The Judge ordered that a rule be issued calling upon the respondents to show cause on October 11 why it should not be declared that the detention of Mr Soni be unlawful and of no force and effect, and why it should not be

ordered that he be released from detention.

The Judge also ordered that pending the discharge or confirmation of the rule the respondents and any persons acting under their command or control were interdicted and restrained from interrogating or questioning in any manner Mr Soni without the prior permission of Dr Valjee.

He ruled too that Mr Soni should not be discharged from hospital without the permission of Dr Valjee.

He also ordered that Mr Soni be allowed access to and the use of a cassette tape player together with music cassettes subject to them being scrutinised by the persons detaining him.

He is also to be permitted to receive reading material of his choice subject to the right of scrutiny by the persons detaining him.

He will also be permitted to receive visits by members of his family subject to compliance with the usual rules of St Aidan's Hospital.

Mr M Wallis assisted by Mr P Olsen instructed by Mr V Soni of the Legal Resources Centre appeared for the applicant and Mr J Combrink SC for the respondents.

UDF man Drama as bishop dies after confronts police arrest over detainee

EAST LONDON — An Eastern Cape UDF member arrested on Friday evening died the next day.

A police spokesman for the Eastern Cape confirmed yesterday that Mr Mbuyiselo Mbotya (35) of Ginsberg, outside King William's Town, was arrested for an alleged criminal offence and taken to police cells where he became ill.

She said police took him to hospital in the town, but he was transferred to Frere Hospital in East London on Saturday morning.

She said the cause of his death was not known and police were investigating. It would be "improper" to reveal the reason for his arrest.

Mr Mbotya was also a member of the King William's Town Youth League.

The Frere Hospital medical superintendent, Dr Ben Hall, said he did not know the cause of Mr Mbotya's death. — Sapa.

There was drama yesterday when the Anglican Bishop Suffragan of Johannesburg East, the Rt Rev Simeon Nkoane, demanded that police explain to a mother why her son was being detained. 25/9/85

The confrontation came at the Mzinoni offices of the Bethal Development Board after the joint funeral service of two unrest victims.

Mrs Kate Mahlangu of 16th Street, Mzinoni, had earlier told the bishop her life had been made "unsafe and unhappy" by the arrest of her son, Simon Mbuzeni Mahlangu, last Wednesday night. Her home was petrol-bombed the following night.

Mrs Mahlangu said her son was the breadwinner as she was sickly and unemployed.

Police were taken aback when Mrs Mahlangu wailed and clutched the bishop, who was also overcome by emotion

and wept.

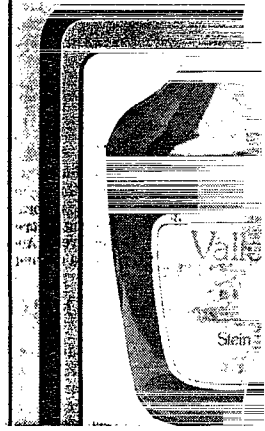
Earlier a police officer explained to the mother and the bishop that her son was being held in terms of section 50 of the Internal Security Act.

Bishop Nkoane said: "God condemn section 50 if it is going to deprive families of breadwinners." STATE

Bishop Nkoane had told the police that Mrs Mahlangu had said if the police were detaining her son for a reason she did not know of, or if they killed him, "they had better shoot me as well".

A heated argument followed, in which the police officers told the bishop Mr Mahlangu had been involved in acts that were aimed at endangering peace and the lives of other people.

The confrontation ended after the police officers accompanied the Bishop and Mrs Mahlangu to the Bethal police station where she was allowed to see her son.



Torture claims studied

2-5-1985
Political Correspondent
The Minister of Law and
Order, Mrs. Louise
Grange, is studying a re-
port which claims that
physical and psychologi-
cal torture is standard
treatment for detainees.

A spokesman for Mr. de
Grange said today that
the Minister had not had
time to go through the re-
port in detail and there-
fore could not comment.

The report was com-
piled by a senior Univer-
sity of Cape Town psy-
chology lecturer, Dr. Don
Foster, and a former In-
stitute of Criminology re-
searcher, Ms. Birne
Sandler.

According to them
there was "clear and de-
finitive evidence that
physical torture occurred
on a widespread basis"
and it was a "common
experience" for those
held under security laws.

Those interviewed
were 145 men and 31
women of all races de-
tained between 1974 and
1984.

Le Grange declines to comment on court order

329

Own Correspondents

STAR

The Minister of Law and Order, Mr Louis le Grange, and the Department of Prisons have declined to comment yet on the interim court order granted by the Port Elizabeth Supreme Court yesterday restraining police from assaulting detainees.

A spokesman for Mr le Grange said today the Minister had so far seen only newspaper accounts of the order and would await the full official report before commenting. 26/9/85

A Prisons Service spokesman said the matter was still sub judice and the department could therefore not comment.

Part of the spokesman's statement said: "The interim court order requires the Prisons Service to convey the content of the order to all detainees being held at Port Elizabeth prisons in terms of emergency regulations.

"The Prisons Service will adhere to and carry out this interim court order with diligence and to the letter, and will in pursuance of any subsequent court order that may ensue, proceed to deal with the outcome accordingly."

Court order restrains SAP

Medical men back detainee doctor's action

By Andrew Beattie

Members of the medical profession are impressed by the actions of a young doctor whose conscience and sense of ethics could no longer be reconciled with what she saw in Port Elizabeth prisons.

Yesterday an order by the Port Elizabeth Supreme Court restrained the South African Police from assaulting detainees in the Uitenhage and Port Elizabeth magisterial districts.

The order was the result of revelations of an extensive reported pattern of police abuse of state of emergency detainees.

Mr Justice JPG Eksteen granted the order after an application brought by 44 people, including a medical officer at the district surgeon's office, Dr Wendy Orr, who testified that detainees were systematically assaulted and abused after their arrest.

'LACK OF CONCERN'

Dr Orr had been obliged to examine detainees at St Albans and North End prisons, where she found the departments of Prisons and Health to be "rather callous in their lack of concern for the plight of the detainees".

And, she said, police were "quite unrestrained" in the abuses they inflicted upon detainees because they believed themselves to be enjoying immunity under the state of emergency.

While respected medical practitioners and academics congratulated Dr Orr on her stand, many pointed to the inadequate legislative protection of detainees and the suspension of normal procedures under the state of emergency as factors which make such incidents possible.

Professor Trefor Jenkins, of the University of the Witwatersrand Medical School, said: "If what Dr Orr said about the prison authorities turning a blind eye to the plight of the detainees is true, this would be a dreadful indictment of the Department of Health — the employers of district surgeons. It is their responsibility to ensure the maintenance of the health of detainees and prisoners."

CODE OF ETHICS

He said that Dr Orr had acted in terms of the Declaration of Tokyo — an international code of ethics for doc-

two district surgeons — Dr Ivor Lang and Dr Benjamin Tucker.

The two were later found guilty of "unprofessional conduct" by the council for their lack of adequate treatment to Black Consciousness leader Mr Steve Biko while he was in detention shortly before his death.

The council suspended Dr Lang and Dr Tucker from duty as district surgeons, but also suspended the implementation of this measure.

Dr Lang is presently assistant district surgeon for Port Elizabeth, and was acting superior to Dr Orr at the time she examined detainees who had been assaulted, in the absence of his senior, Dr Tucker.

"This case (involving Dr Orr) highlights the crucial and pivotal role of district surgeons in preventing torture of detainees and prisoners by police," said Professor Jenkins.

"And this is why the SAMDC's inquiry into the behaviour of the Biko doctors was so important."

Dr V Makena, president of the South African Medical Discussion Group, which represents about 150 black doctors, said that practitioners had a clear duty to ensure that an injured detainee was taken to a Medical Officer of Health and properly cared for.

"Some of the doctors in the group have reported instances of people consulting them who have been seriously assaulted by police, especially since the state of emergency was declared."

"We demand that the state of emergency be lifted immediately and action be taken against those responsible for such assaults."

'SAFEGUARDS MISSING'

Dr Abu-Baker Asvat, Azanian People's Organisation (Azapo) health secretary, suggested a "more humanitarian approach" on detentions, adding that "obviously safeguards against these sorts of abuses are missing".

"Only access to close relatives or to a lawyer or a private practitioner of the detainee's choice could ameliorate this position."

"A more humanitarian view of detention would help, but of course the present state of emergency gives the police carte blanche..."

Dr Yusuf Veriawa, of Coronation Hospital — who was also involved with Professor Jenkins in the court application against the SAMDC — said that allegations of police abuse of detainees were not something new, al-

back detainee doctor's action

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CODE OF ETHICS

He said that Dr Orr had acted in terms of the Declaration of Tokyo, an international code of ethics for doctors involved in treating prisoners or detainees who have been abused.

"The medical profession, as a whole, must express their support and solidarity with Dr Orr if she is in any way victimised as a result of her actions."

Professor Jenkins was one of a number of doctors who recently won a court order against the South African Medical and Dental Council (SAMDC)

two district surgeons — Dr Ivor Lang and Dr Benjamin Tucker.

The two were later found guilty of "unprofessional conduct" by the council for their lack of adequate treatment to Black Consciousness leader Mr Steve Biko while he was in detention shortly before his death.

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"Only access to close relatives or to a lawyer or a private practitioner of the detainee's choice could ameliorate this position.

"A more humanitarian view of detention would help, but of course the present state of emergency gives the police carte blanche..."

Dr Yusuf Veriawa, of Coronation Hospital — who was also involved with Professor Jenkins in the court application against the SAMDC — said that allegations of police abuse of detainees were not something new, although they had increased recently.

"Over the years I have seen a lot of detainees after they have been in detention. There is no doubt in my mind that this type of thing happens frequently. I don't find it shocking or striking any longer.

"However, I want to congratulate any doctor who cares that much for the welfare of individuals to be able to

Detainees' doctors can insist on independence

W. Mail 26/9/87
By WEEKLY MAIL
REPORTER

DOCTORS who treat detainees could face medical malpractice suits unless they are allowed complete clinical independence, a medical symposium was told in Durban this week.

Professor David McQuoid-Mason, Dean of the Faculty of Law at the University of Natal, issued this warning at a symposium organised by the South African Medical and Dental Association.

He said no doctor was under an obligation to give medical treatment to anyone, except in an emergency. He advised doctors to refuse to treat detainees unless they were allowed complete independence and were allowed to exercise their own judgment.

"They should refuse until the person is moved to a hospital or out of that environment. The doctor's duty is to the patient, and not to the State or the police," Prof McQuoid-Mason said.

He said once a doctor had accepted the responsibility of treating a detainee he was responsible for that detainee's health. If his patient was under police interrogation or had been injured while in detention, the doctor should get in touch with a relative of the detainee who should bring urgent court action against the police, he said.

The interests of the patient were paramount and doctors who claimed they were operating under "superior orders" had no legal defence to charges of medical malpractice.

"The patient also determines what is breach of confidence. If your patient tells you he has received injuries at the hands of the police, and that he was assaulted, and wants you to inform his parents or relatives, then it is incumbent on you to do this. Otherwise, you could find yourself facing legal action," the professor warned.

"The doctor was under no obligation to inform the police of what his patient had told him."

"In fact, if you do you might find yourself in breach of confidence," Prof. McQuoid-Mason said.

Court orders SAP to stop detainee assaults

Conscience drove doctor to court

MR. JUSTICE J P G Eksteen yesterday granted an order restraining police from assaulting detainees at Port Elizabeth's St Albans and North End prisons and future detainees in the Port Elizabeth and Uitenhage magisterial districts.

The Prisons Department was instructed to read out the order to prisoners at those jails.

The application, brought by Port Elizabeth district surgeon Dr Wendy Orr and 44 other applicants, was not opposed.

Orr told the Supreme Court she had been responsible for detainees at St Albans and North End prisons since August 21.

"There seems to me to be an extensive pattern of police abuses upon detainees held under the emergency regulations," she said. "The overwhelming evidence convinces me that detainees were being systematically assaulted and abused after they arrested and before being admitted to prison, and also during their incarceration when they were being interrogated by police at Louis le Grande Square."

"What disturbs me most is that detainees are being taken out of my care for the purpose of interrogation and, during the course of this interrogation, brutally assaulted," she said.

Complaints of assault had been made "on a vast scale". Detainees almost always have injuries consistent with their complaints and more often than not inconsistent with lawful infliction.

Orr said she had received instructions not to endorse medical records requesting investigation of alleged assaults, but had noted complaints of assault on prison admission cards.

Because police were acting under emergency regulations and apparently believed they enjoyed immunity, some were "quite unscrupulous" in the abuses they inflicted on detainees.

The Departments of Prisons and Health seem to me to have turned a blind eye and are concerned only to ensure that, if there should be trouble, they are not to be blamed," she said.

Orr said she had examined detainees — up to 360 in one day —

injury.

Instructed by her superior, assistant district surgeon Dr Ivor Lang to make copies of admission cards of those complaining of assault, she had extracted 286 for the period July 22 to September 16.

In 153 cases injuries were such they could not have been inflicted lawfully.

In 60 cases, detainees had facial injuries, eight had perforated eardrums, 26 had weals and blisters on "unusual" parts of their bodies, seven had injuries consistent with an assault on a restrained victim, 48 had such a multiplicity of injuries they could not have been inflicted during arrest or while displaying a mob, and four not injured on admission were later found to have injuries consistent with assault.

In one case, the detainee had complained of assault on admission. When Orr examined him, he was "severely injured" bruising on his genitals. — Sapal

Business Day Reporter

DR WENDY ORR, an applicant in yesterday's urgent Supreme Court action to restrain police from assaulting detainees, is a woman whose conscience could no longer be reconciled with what she says she saw almost daily.

Orr graduated from the University of Cape Town in 1963. In January this year she started work as a medical officer at the office of the district surgeon in Port Elizabeth.

As a result of her experiences examining emergency detainees, she said she felt morally and professionally bound to bring the application.

"It ultimately became clear to me that, unless I made a stand and did something about the plight of the detainees, I would be compromising my moral beliefs and my perception of my professional responsibility."

"My conscience told me I could no longer stand by and do nothing."

"Overwhelming" evidence convinced her detainees were being systematically assaulted and abused. "An inordinately large proportion complained to me that they had been assaulted by the police. They presented symptoms consistent with their complaints, mostly severe multiple weals, bruising and swelling."

One man's prison card showed he had not complained of assault on admission. When Orr examined him, he was "severely injured".

Judges urged to prevent torture

(329) B. Day 26/9/85

TOP civil rights experts have called for the intervention of judges to prevent police from torturing detainees, following yesterday's landmark judgment in the Port Elizabeth Supreme Court.

The court interdicted the police from assaulting detainees held under emergency regulations following an urgent application brought by 44 applicants.

If the order is upheld it will overcome the indemnity of the police under emergency regulations and could open the way for detainees to sue the police on grounds of alleged assault, according to instructing attorney Clive Thompson.

Evidence was presented by Dr Wendy Orr, a medical officer at the District Surgeon's Office, responsible for the care of detainees.

In papers before court Orr said her work brought her into daily contact with detainees, and that the "overwhelming" evidence presented to her was that detainees were being systematically as-

PETER WALLINGTON
and CLAIRE PICKARD-CAMBRIDGE

saulted and abused.

The cases she cited included:

□ A man who claimed he was forced to eat his own hair;

□ A man who had severe and deep bruising on the lower back and buttocks, "consistent with a violent assault with a blunt instrument";

□ The examination of about 170 detainees, about half of whom alleged they had been assaulted. Several had eardrums freshly perforated, and one had so many weals that Orr could not count them;

□ A detainee with a badly bruised and swollen foot and toes, who said a policeman had dropped a brick on his foot while he was barefoot. The injuries were consistent with such treatment;

□ A man made to drink petrol;

□ A torture known as the "helicopter", whereby a detainees' wrists are handcuffed behind the ankles and he is then suspended by a pole passed through the limbs, set spinning and assaulted.

The national chairman of Lawyers for Human Rights, Jules Browde, SC, said although the interdict only applied in the Port Elizabeth-Uitenhage region, it would be persuasive authority throughout the country in granting orders on similar cases.

He hoped the interdict would lead to regular visits to jails by judges — hopefully in every Supreme Court division — with judges taking turns to visit these prisons regularly. He said visits should apply to all detainees.

Professor John Dugard, director of the Centre for Applied Legal Studies, said the interdict indicated the need for judicial intervention to put an end to widespread substantiated allegations of police torture and brutality.

Dugard said it was the first time an interdict had been granted in respect of so many detainees and unnamed detainees and said he hoped it would have an impact beyond Port Elizabeth.

Progressive Federal Party Law and Order spokesman Helen Suzman has called for an independent inquiry into allegations of police torture, and said the judgment was a "serious reflection on the manner in which police were abusing their authority".

Judgment to curb police torture

(329) B. Day 26/9/85

Suzman called on Justice Minister Kobie Coetsee and Commissioner of Police General Johan Coetsee to carry out their undertaking, given to a PFP delegation two weeks ago, "that serious steps would be taken against police found abusing their power".

The Detainees Parents' Support Committee welcomed the judgment. A DPSC spokesman said he hoped other district surgeons would follow the "courageous step" taken by Orr and step forward with details of abuses in other areas.

The Black Sash, who said they were "delighted" with the judgment, echoed

◀ From Page 1

the DPSC's sentiments.

The chairman of the PFP committee monitoring police action in the Western Cape, Paul Vorwerk, said it was possible torture was more widespread.

He cited a two-and-a-half year report by University of Cape Town criminologists which found that 83% of a sample of former detainees suffered torture of some form while in police custody.

A police spokesman in Pretoria said he had no comment on the judgment.

4 black shops close after owners arrested

By KIN BENTLEY
FOUR shops in Port Beaufort's black townships — which have served the community during the black con-
sumer boycott there — have effectively been closed due to the arrest of their owners under the emergency regula-
tions.

The four shops are owned by the Beaufort Boycott Organising Committee and are a safe, Lieutenant-Colonel Gerrie van Rooyen, who closed down the shops after arresting the owners and said six el-
derly people were among community members detained.

The committee described the arrest of the businessmen and the effective closure of the shops as a "subtle retali-
atory measure by the police on behalf of white commerce".

The police spokesperson for the Eastern Cape, Lieutenant-Colonel Gerrie van Rooyen, today confirmed the de-
tention under the emer-
gency regulations of the four shop owners, but denied that the shops had been closed by po-
lice.

He said they might have had to close be-
cause their owners were detained, although he had learnt that one had since re-opened.

He confirmed that shop owners Mr Z Non-
dumo, Mr M H Kiviers, Mr A Geje and Mr N

community centre.
The chairman of the Port Beaufort Chamber of Commerce, Mr Rich-
ard Roy, a wholesaler, today appealed to organisers of the boy-
cott to contact the chamber so that they could discuss black grievances.

He said such leaders could approach him in confidence. Anonymous statements said de-
mands were "no substi-
tute for open discussion

since July 22.
Col Van Rooyen also confirmed that the fol-
lowing people had been detained: Mr Z Non-
dumo, Mr M H Kiviers, Mr A Geje and Mr N

colt the committee said in a statement the boy-
cott would only end once its demands were fully met and all detained leaders were immedi-
ately and unconditionally released.

The statement says attempts by families of the detainees to see them have been unsuc-
cessful. It adds that Mr Zeu is in a "critical state of health".

"The demands the committee has made are: "The withdrawal of the SADF and riot police from the townships; the resignation of all Government-sponsored local councillors and the scrapping of the Black Local Authorities Act; the lifting of all bans of meetings imposed on community organisations; the building of houses; the provision of employment to the un-
employed; the abolition of the pass law system; and the building of a

2 held in Mdantsane

Dispatch Reporter

EAST LONDON — The president of the Mdantsane Chamber of Commerce and a local attorney were detained yesterday, according to their relatives.

They are Mr L. F. Siyo and Mr Hintsu Siwisa, both of Mdantsane.

Mr Siyo's son, Cosmo, said yesterday his father, a former Ciskei cabinet minister, was picked up by police and taken to the Mdantsane police station.

He said he went to the charge office, where he collected his father's clothing.

A clerk at Mr Siwisa's firm of attorneys, Mr Mandla Mayekiso, said that Mr Siwisa was picked up at his Mdantsane offices late yesterday afternoon.

Mr Siwisa is an executive member of the Border region of the United Democratic Front.

The Ciskei police could not be reached for comment.

DISPATCH

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Teacher released

Staff Reporter 229

A TEACHER at St Joseph's College, Mr Gareth Rossiter, was yesterday released from detention under Section 29 of the Internal Security Act.

He said last night he had been held at Pollsmoor Prison for two weeks.

He was detained by security police on Wednesday, September 11, at Wynberg Magistrate's Court where he faces a charge of "reckless driving" following an incident after he had erected posters in Claremont for a UDF meeting.

"I'm pleased to be released, but note with disquiet the continued detention of various others and call for their release, particularly the release of Mr Graham Bloch," he said.

● The Western Cape Civic Association has condemned the detention of one of its Kraaifontein members, Mr Errol Fransman, a third-year engineering student at UCT.

Police confirmed his detention and the arrest of pupils Ambrose Albertyn and Benedict Michael Demar.

Torture report makes release of detainees more urgent

Cape Times 26/9/85 329

This article on detainees and their relatives was submitted by ODETTE GELDENHUYS on behalf of the Cape Town branch of the Detainees' Parents Support Committee.

"WE demand the release of our loved ones. In the light of findings published by UCT (that 83 percent of detainees are tortured) we know we cannot safely leave our family in your hands. We will be convinced of their safety only if we see them now."

This was the demand put to the Security Police on September 18 by us, the relatives of the 30 people held in detention in Cape Town. However, our husbands, wives, fathers and children are under Section 29 of the Internal Security Act, which when stripped of the legal jargon, means the following for the individuals concerned:

- They are held in solitary confinement.
- They have no right to see their family or a lawyer.
- They can be held for as long as the police wish to do so.

Interrogation

It is in the power of any lieutenant-colonel or policeman above him to put the above into operation.

This is the section of the Internal Security Act which is most often used to quietly remove scores

of individuals and hold them for extensive interrogation.

The rights available to a Section 29 detainee are clearly so limited as to be virtually non-existent.

It comes as an unpleasant surprise when one realizes that these individuals, who are representative of the ideals of thousands of democratically minded South Africans, have less rights than the average housebreaker or rapist. More important than having access to a lawyer and having the right to remain silent, ordinary criminals are regarded as innocent until proven guilty.

However, our detained family members have to prove their own innocence by answering the questions of the Security Police in a "satisfactory" manner — to quote the Internal Security Act, and even then they may not be released.

As relatives who have been affected by both the material and psychological affects of deten-

tion, we are forced to look beyond ourselves. Emergency, or no state of emergency, detention is a form of harassment constantly used by the government against its political opponents.

Our experiences of harassment, fear and intimidation can be multiplied by 148 — the number of August detentions nationally as recorded by Detainees' Parents Support Committee (DPSC) — or even by 517, the police figures for August.

Secrecy

Not only does this present us with a nationwide picture of hundreds of families in a situation of uncertainty, but it also highlights the sinister cloak of secrecy under which the security police operate.

The discrepancy between the DPSC and police figures effectively means 369 people have gone missing. Not only do some of these families not know what is happening to their relatives in detention, others do not even know their kin are being subject to solitary confinement.

Like our relatives who as concerned citizens have led normal lives within their various communities, these figures represent similar people. Because of their reverence for life and their enthusiasm about the future they have as academics, workers, students, community organizers and professionals thrown their weight in with democratic groupings working for change.

While we support their courage and objectives, many of us face difficulties. The majority have families, and while the husbands are in detention, the women have to be the strong ones and

keep the family together. Especially mothers with young children have abruptly been cast on their own resources. Many of the children witnessed the early knock on the door.

Uncertainty

We as mothers, husbands, wives and lovers also have to deal with uncertainty and mental strain. We have not seen our relatives since they have been taken. We do not even know where they are being held. How can we be assured about their physical and psychological well-being?

A representative study on detentions by the Institute of Criminology at UCT found that 83 percent of all detainees are tortured. How can we know that our loved ones make up the 17 percent who are not abused, beaten, handcuffed and blindfolded? How can we be sure that they are not being put through gruelling interrogation sessions of eight hours or more at a time?

Solitary

How can we believe they are being seen by the police-appointed inspector of detainees? Since 1983 only a third of all detainees claim to have been visited.

We then have to conclude that their entire detention situation subjects them to mental torture; that their confinement to a solitary situation for an indefinite period means that pain and suffering are intentionally inflicted on them.

We are therefore compelled to demand the immediate release of our family members and all other detainees subject to similar conditions of abuse.

The DPSC plans to

produce regular details of family members held in detention for their patriotic beliefs and ideals.

One such person is a 51-year-old advocate, Mr Dullah Omar.

As a brilliant scholar who obtained his BA Lib at UCT, and as a dedicated legal practitioner for more than 20 years, he has twice been offered international scholarships.

This honour was bestowed on him by London University in 1981 and Harvard University in 1982.

Passport

He was effectively prevented from receiving these honours by the government's refusal to grant him a passport.

However, there is no way in which the trust and faith of Mr Dullah Omar's community, in his dedication to them, can be crushed.

Not only is he the elected chairman of the Thornhill Residents Association but he unrelentingly uses his legal skills to the benefit of his community.

Mr Omar works closely with, and is strongly supported by, his wife Farieda and their children aged 12, 19 and 22. Mr Omar was detained at his home on August 23, his son's 22nd birthday.

Along with Mrs Farieda Omar, we say: Release Mr Dullah Omar, and all other detainees. They are our concern but also those of all South Africans, who because of their desire for a non-racial democratic society, live under an imminent threat of detention.

This threat will not deter us, it makes us only more determined to work for a South Africa where human rights will not be an ideal, but the right of all. The courage and determination of the people in detention demand that we cannot rest; that we must say no to the injustices that surround us.

Cape Times, Thursday, Sep
26/9/85

Conscience made Dr Orr act on detainees

PORT ELIZABETH. — It was eventually her conscience that convinced Dr Wendy Orr she had to do something about the plight of detainees she saw every day.

In the Supreme Court here yesterday she was one of 44 applicants for an urgent interdict against the Minister of Police, senior police officers and several policemen, restraining them from assaulting detainees at present held in the St Albans and North End prisons and any future detainees in the Port Elizabeth and Uitenhage magisterial districts.

Systematic assaults

Her work as a medical officer in the Port Elizabeth district surgeon's office brought her into daily contact with detainees being held under emergency regulations.

The "overwhelming" evidence presented to her in the prisons convinced her that detainees were being systematically assaulted and abused.

From the beginning of August she examined about 20 newly admitted detainees a day.

"An inordinately large proportion of them complained to me that they had been assaulted by the police. They presented with symptoms consistent with their complaints, mostly severe multiple weals, bruising and swelling," she said in papers before the court.

An early case she recalled was of a man who, according to his prison admission card, had not complained of being assaulted when he was admitted.

"When I saw him he was severely injured. His injuries included large areas of severe and deep bruising on the lower back and buttocks.

"The bruises were prominently purple, red and consistent with a particularly violent assault with a blunt instrument.

"His condition was such that I was unable to take a history from him," she said.

A second case involved a detainee called Mr Edward Mentoor. He complained that during the course of interrogation by the SAP he had been forced to eat his own hair.

On August 16, she examined about 170 detainees who had been admitted the previous day. Roughly half alleged they had been assaulted. Several had eardrums freshly perforated, consistent with a heavy blow on the side of the head.

On September 4, she examined about 360 detainees. About half complained of assault and most of their injuries were consistent with this.

She also examined detainees arrested at a meeting in Uitenhage on September 11.

'The helicopter'

One complained of being made to drink petrol and several mentioned "the helicopter" — a practice in which a person's wrists are handcuffed behind the ankles and he is then suspended by a pole passed between the limbs, set spinning and assaulted.

● Dr Orr graduated from the University of Cape Town in 1983 and completed her housemanship at the Port Elizabeth Provincial Hospital in 1984.

In January 1985, she started work as a medical officer with the Department of National Health and Population Development at the office of the district surgeon in Port Elizabeth. — Sapa

CAP. TIMES 26/9/85

Belhar detainees released on bail

329 Staff Reporter

THREE detainees appeared in the Magistrate's Court and were released on bail yesterday, hours before their lawyers applied to the Supreme Court for an urgent interdict restraining police from assaulting them and declaring their detention invalid.

They are Mr Andre Jetha, 21, Mr Jerome Booysen, 21, and Mr James Odendaal, 19, all of Belhar, who were held under Section 50 of the Internal Security Act on charges arising out of alleged arson at a school in Belhar. They were released on R250 bail each yesterday after a brief appearance in Goodwood Magistrate's Court on charges of arson.

In the application before Miss Justice Leonora van den Heever in the Supreme Court, Mr Booysen, a clerk at Sanlam, said in an affidavit taken by attorneys while he was in custody, that he had been assaulted while held at Brackenfell police station.

He had been questioned about whether he was involved in the United Democratic Front. When he said "no", a motor car tube was wrapped around his head, he alleged.

"I screamed and struggled and in the process hit my head against the wall and landed on the floor. As I landed on the floor, I was pinned down by about four people who held on to my hands and arms.

"While I was pinned down, a person pulled the tube tightly around my head. I could not breathe."

He almost lost consciousness and while he was lying on the ground someone stood on his stomach and he was kicked in the stomach.

Mr Booysen said: "I was then picked up by my hair. I was slapped and hit in my stomach."

Mr Jetha, an apprentice draughtsman in Athlone, who was also taken to Brackenfell police station, alleged he was kneed in the stomach, threatened with death, beaten on the neck, punched in the stomach and had a tube wrapped around his face.

Mr Odendaal, a labourer for an electrical contractor, alleged he was thrown bodily to the ground, throttled, assaulted on his genitals and subjected to a variety of other assaults.

Miss Justice Van den Heever ordered that the application be referred for hearing at a date to be decided as a matter of "some urgency" for a decision on costs.

Mr W G Burger, instructed by the State Attorney, appeared for the Minister of Law and Order. Mr Anwar Albertus, instructed by R H Stuurman and Company, appeared for the three men.

PE court rules on assaults

Own Correspondent

PORT ELIZABETH. — A young district surgeon yesterday applied successfully in the Supreme Court here for an interim order restraining police from assaulting detainees in the Port Elizabeth/Uitenhage magisterial districts.

The urgent application was brought by Dr Wendy Pauline Orr and 43 others, including prominent churchmen and relatives of detainees.

An order was granted restraining police from assaulting detainees at St Albans and North End prisons and future detainees in the Port Elizabeth/Uitenhage magisterial districts.

The order, with a return date of November 26, was not opposed by the respondents, the Minister of Law and Order, Mr Louis le Grange, and 12 policemen.

Detainees 'systematically assaulted'

In terms of Mr Justice Eksteen's ruling, police are restrained from assaulting or threatening to assault 36 detainees in particular — including unionists and members of local political and civic organizations — and any person being detained under the emergency regulations at the St Albans and North End prisons, as well as anyone who is in future detained in the Port Elizabeth/Uitenhage area.

In papers before the court, Dr Orr said overwhelming evidence presented to her in the St Albans and North End prisons since she joined the Department of National Health and Population Development in January this year, convinced her that detainees were being systematically assaulted.

Dr Orr said she had examined about 20 newly admitted detainees daily since the beginning of August this year. "An inordinately large proportion of them complained that they had been assaulted by police."

Even in incomplete official records of assault complaints, 236 complaints had been recorded from July 22 to September 16.

She added that detainees almost always showed injuries consistent with their complaints of assault.

"They are not getting the proper medical care to which they are entitled and which I feel morally bound to give them."

Dr Orr said it had become clear to her that complaints of police assaults were not being properly investigated. "I received instructions not to endorse the medical records requesting an investigation of the alleged assaults."

'Immunity'

She said she had gained the impression that because police were acting under the emergency regulations and because they apparently believed that they enjoyed an immunity under those regulations, "they or some of them are quite unrestrained in the abuses that they inflict upon detainees."

Dr Orr said the departments of Prisons and Health seemed to her to have turned a blind eye and were concerned only to ensure that if there was trouble they would not be blamed. "I have also found them to be rather callous in their lack of concern for the plight of detainees."

Dr Orr described her application as urgent because "the police are apparently engaged in a pattern of daily assaults upon detainees. For

every day that goes by those apparently unrestrained assaults continue"

She cited a number of assault cases with which she had been involved.

A large number of detainees had been arrested on August 15 this year. "I had to examine about 170 of them the next day. I would estimate that roughly half of them alleged that they had been assaulted by the police. Most of them showed injuries consistent with these allegations. They had weals, bruising, blisters over their backs, arms and on the palms of their hands. Some had lacerated lips and the skin over their cheekbones was split. Several had their eardrums perforated."

Of 153 cases she had examined, Dr Orr said:

- In 60 cases detainees had facial injuries consistent with being struck in the face.

- In eight cases detainees had perforated eardrums as a result of trauma to the ear consistent with blows to the head.

- In 26 cases detainees had weals and blisters consistent with quirt blows on unusual parts of their bodies, for instance on the palms of their hands.

- In seven cases detainees had other unusual injuries consistent with an assault on a restrained victim but inconsistent with a violent attempt to arrest a man or disperse a mob.

- 48 detainees had such a multiplicity of injuries that they could not have been inflicted during the course of arrest.

- One detainee's genitals were bruised.

Mr Justice Eksteen ruled in terms of the application that the Minister of Law and Order and other high-ranking policemen take all steps within their power to prevent any member of the police from perpetrating assaults or making threats, and also declared that no member of the police enjoyed any immunity in terms of the emergency regulations against civil or criminal proceedings arising out of an assault on a detainee.

Conscience made Dr Orr act, page 3

CAM Times 27/9/66
329
**Advocate freed
from detention**

Staff Reporter

CITY advocate Mr. Dulah Omar was yesterday morning released from detention under Section 29 of the Internal Security Act.

Mr Omar had been held in solitary confinement since a police crackdown on United Democratic Front leaders on August 23.

Relatives and friends gathered at the Omar home in Rylands yesterday afternoon. One of Mr Omar's daughters said a doctor was with her fa-

ther and that he could not yet speak to the press.

Mr Omar's detention resulted in a spate of calls for his immediate and unconditional release.

Prominent colleagues, Mr Sidney Kentridge, SC, Mr Ismael Mohamed, SC, Mr Arthur Chaskalson, SC, Mr Gerald Gordon, QC, 65 City advocates and attorneys, the Cape Bar Council and the Thornhill Residents Association all endorsed the call.

● Another Section 29 detainee, Mr Joseph Marks, was released on Monday afternoon. He said yesterday he had been held at Pollsmoor Prison and "under the circumstances" had been treated well.

Girl, 17, says: Short policeman beat me

By EBRAHIM MOOSA

A 17-YEAR-OLD Bishop Lavis girl yesterday told police she was beaten by police over about six hours at the Brackenfell police station on Tuesday.

Miss Cheryl Phillips, a mairic pupil and head girl at the Wynberg Senior Secondary School, was detained under section 50 of the Internal Security Act at a roadblock on Modderdam Road on Tuesday.

As a representative of the Western Cape Student Action Committee (Weesac), Miss Phillips was on her way to a student rally at the University of the Western Cape when police searched her in which she was travelling and found some pamphlets in her bag.

Swollen

At a press conference yesterday her swollen and eyes were swollen and bruised and there were multiple bruises on her neck.

Two medical reports confirm that she had multiple bruises ranging between 5cm and 7cm on her upper neck, a sub-



Tuesday.

conjunctival haemorrhage in her right eye and damage to her right ear. Miss Phillips Bellville was taken to and then police station and then to Brackenfell police station where she was interrogated.

During the interrogation a "short policeman" in plainclothes spotted a comment she had made in her diary about police action in Belgravia on September 17.

He reacted by saying:

"Will you wait here a while and be handled?" Do you want to know how a girl treats someone?" Miss Phillips said, she then "gave me a shot (blow) on my ear."

"I was quite terrified," she said. She said he and other policemen made "vulgar remarks" to her.

"The same policeman then hit me again. By then I wasn't scared because of the hatred that overpowered me. She said the short policeman returned with a "black guy". They jeered at her, made verbal remarks and the neck so that she reeled to the ground.

Teachers

She said she was called a whore and thrown to the ground. Her hair was pulled and she was repeatedly smacked by the two policemen. She was hit with a fist in her right eye.

Miss Phillips said she was questioned about two teachers at her school, Mr. A. Semaar and Mrs. M. Sassen —

To page 2

C 1 27/9/85 A

From page 1

and their role in student activities. Police also wanted information about Weesac.

She said she was exhausted and estimated the interrogation stopped about 5pm.

After she had spent more than an hour in the cell, a plainclothes policeman — a Mr. Steenkamp — a Mr. Steenkamp from Cape Town, arrived to interrogate her.

"Everybody's (the police's) attitude to me changed," Miss Phillips

Mr. Steenkamp then questioned her for more than an hour and instructed the other policeman to give her medication, she said.

On Wednesday morning she was taken to Cape Town where she was interrogated and later examined by a district surgeon.

Miss Phillips was released on Wednesday afternoon. Her lawyer, Mr. Nadeem Humayt, she had filed an affidavit and a charge against the police

today. A police spokesman in Pretoria said that if Miss Phillips had any grounds for complaint she must file an affidavit against the police

Mr. Steenkamp's arrival they asked her: "How are you?"

Mr. Steenkamp then questioned her for more than an hour and instructed the other policeman to give her medication, she said.

On Wednesday morning she was taken to Cape Town where she was interrogated and later examined by a district surgeon.

Miss Phillips was released on Wednesday afternoon. Her lawyer, Mr. Nadeem Humayt, she had filed an affidavit and a charge against the police

Cap. Times 27/9/85
Grassroots sisters detained

Staff Reporter 329

TWO sisters, Mrs Judy Fisher and Mrs Jenny Gonzalves, were detained under Section 50 of the Internal Security Act at their parents' home in Lansdowne last night.

Mrs Fisher's husband

Anton said last night that his wife worked for the Grassroots Education Trust. She was also the first secretary of the Cape Youth Congress when it was started in 1983, he said.

Mrs Gonzalves works for the Grassroots newspaper.

Ciskei policeman dead: 17 held

EAST LONDON — Seventeen people have been arrested in connection with the death of a uniformed policeman at Zwelitsha, the Ciskei police liaison officer, Lieutenant Mavuso Ngwendu, said yesterday.

He said the policeman was killed after he was stoned to death by a mob in zone 6 on Wednesday evening.

Lieut Ngwendu said the dead policeman had been posted to guard Ciskei government buildings, and was apparently unarmed when he went to buy food for his colleagues at a nearby café where he was attacked.

Lieut Ngwendu said the name of the 24-year-old policeman would be released when his next-of-kin have been informed.

Lieut Ngwendu said among unrest-related incidents which occurred in Ciskei was the destruction of two vehicles in separate incidents in Zwelitsha on Wednesday.

A furniture shop truck was set alight by a mob of about 50 at 1 pm in zone 9. The front portion of the truck was extensively damaged, and damage has been estimated at R17 000.

Lieut Ngwendu said that at about 1 am yesterday a dairy vehicle was set alight and completely destroyed in zone 5. The damage was estimated at R15 000.

Arrests had been made in connection with both incidents.

Police, SADF hold 56 in Mlungisi

QUEENSTOWN — Fifty-six people were arrested in Mlungisi here in a police and military swoop on Wednesday night, the Border police liaison officer, Lieutenant Dot van der Vyver, said yesterday.

A spokesman for the Group 39 military headquarters in Queenstown said the military acted only in supportive role and he referred further inquiries to the police.

— DDR.

Pupils will not write examination

27/9/85 Sowetan

SCORES of pupils detained under the emergency regulations will not write their end-of-year examinations, a spokesman for the Prisons Department said yesterday.

A response from the prisons authorities read: "Detainees under terms of emergency regulations are treated in rules laid out in Gazette 9878 of August 21, 1985, which provides (under Rule II) that no detainee shall be entitled to study or enrol for any studies except with the permission of the person in command of the prison in question, acting with the concurrence of the Commissioner of the South African Police or any person acting on his authority."

Prison

But, according to a spokesman for the South African Police Public Relations in Pretoria pupils detained under the emergency regulations "will either be released or charged" in order that those who had enrolled for the exams could write.

The SAP spokesman said: "The detention of youths in prisons has resulted in improved attendance at schools countrywide and a decrease in class disruptions."

Although both departments could not supply the number of

By MOJALEFA MOSEKI

pupils detained it is estimated that they number hundreds. Most of them are matriculants and members of the banned Congress of South African Students (Cosas). Several parents whose children had enrolled for the final examinations have been visiting Black Sash offices in Khotso House to inquire whether they would be allowed to write in prison.

The PRO for the Department of Education and Training, Mr Edgar Posselt, said attendance in schools countrywide had improved. Asked whether sporadic class boycotts, stayaways and other school disturbances will not have effect on the results, he said: "It will, but I hope they will not be bad because some pupils are studying seriously on their own and have teachers to help them with problems encountered."

He said his department could do nothing to help those detained because "we cannot interfere in the affairs of another department".

"We have an obliga-

tion to all those who have registered to write their final exams and will do everything in our power to see to it that they do write," Mr Posselt said.

DETENTIONS

FM 27/9/85

Targeting unionists

As the political turmoil gripping SA continues, the Federation of SA Trade Unions (Fosatu) has made allegations of death threats levelled at trade union leaders. It has also released details of passport refusals to unionists and a list of unionists who have been detained.

Fosatu says it has released the information because it believes it is important that government's "repressive actions be exposed publicly." The actions listed, says Fosatu, have been "carried out by the security forces or in certain cases by persons or organisations unknown."

Death threats

According to Fosatu, its president, Chris Dlamini, is one of several of its senior office bearers who have received "persistent" death threats recently. Others are: Muzi Buthelezi — Fosatu regional secretary in northern Natal; Jerry Ntombela — vice-president of the Transport and General Workers' Union (TGWU); and Jerry Mbonambi — president of the Paper, Wood and Allied Workers' Union (PWAU).

Fosatu also says the authorities have refused passports to several of its office-bearers who were to travel to New York to the United Nations hearing on transnational

sinister links between government and business. Passports are denied to our representatives to the UN hearing. But representatives of industry can go to the same hearings without difficulty."

The federation also alleges that "persons unknown" entered the Fosatu printing unit and stole the originals of the submissions which were due to be presented to the UN, telephone books and other documents.

Passport refusals

The following unionists have had their passports refused in recent weeks, according to Fosatu:

- Mfiseko Seneke — an organiser for the National Union of Textile Workers (NUTW) who was due to speak at the UN and to visit Canada in connection with the union's relationship with Bata;
- Phillip Dladla — a shop steward at BTR Sarmcol who was due to go to the UN and to the United Kingdom with regard to the Sarmcol dispute;
- Thembinkosi Mkalipi — vice-president of Fosatu and the Chemical Workers' Industrial Union (CWIU) who was due to visit Germany; and
- Moses Mayekiso — organiser of the Metal and Allied Workers Union (Mawu) who was due to visit the UK.

The federation says 16 Fosatu unionists have been detained or had their homes searched recently (some of the detainees

have been released, while others remain incarcerated). In addition, four Fosatu shop stewards were arrested and questioned in Natal while handing out pamphlets relating to the consumer boycott in the area.



ing end of death threats

estment will hurt black workers. How- when black worker representatives to speak for themselves, they are denied ports. This also once again raises the

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W.C. Adams 28/9/88

Ex-detainee tells how he feared jailer's call

From KEN VERNON,
Weekend Argus Bureau

PORT ELIZABETH. — A former detainee, the Rev Hamilton Dandala, described in an affidavit before the Port Elizabeth Supreme Court this week his dread each morning as he heard the heavyfooted approach of the jailer bringing the list of those to be interrogated that day.

His affidavit was one of a number from former detainees which supported the successful application for an interdict restraining the police from assaulting detainees.

Shocked, in pain

"The daily appearance of the warder was an event everyone feared and lived in dread of," testified Mr Dandala.

When a name was called out there was usually a murmur of sympathy and apprehension, since it was soon established that those who were taken for

interrogation usually returned shocked and in pain."

● Ilron Rensburg allegedly returned with a smashed nose, a split lip, battered face and restricted neck movements after one interrogation. He testified that he was forced to clean up his own blood before being allowed back to prison.

● Mr Rensburg, a pharmacist, described how Dennis Neer allegedly returned with a suspected broken arm, a swollen and cut face, and walking with difficulty after a session with the police.

● One alleged practice described in affidavits before the court is known as the "helicopter", where a detainee's hands are shackled in front of his shins while a stick is placed behind his knees, forcing him into a crouching position.

The helpless prisoner is then suspended and kicked into a spin, hence the name of the torture.

It was about 1.30 am on June 29 when Mr Shirish Soni was allegedly visited by six security policemen at his Durban Home.

According to his father, Mr Manakal Morarjee, the policemen searched Mr Soni's business premises and one of them said: "Your boy has been a very naughty boy and we are going to keep him for the week-end or so."

Mr Soni was then taken away and detained under Section 29 of the Internal Security act.

Mr Morarjee said his son was in good physical and mental condition when he was arrested.

Twelve weekends later last week, Mr Soni had not been released from detention.

Broken

According to papers before the Durban Supreme Court, Mr Soni was a completely different person from what he was before his detention.

Among some of the descriptions of him given by a psychiatrist, Dr Ashwin Valjee, and Mr Soni's wife, Ruweida, were:

- a total broken man;
- looking thin, haggard and washed out;
- was in a suicidal frame of mind;
- disorientated and unaware of his surroundings;
- often trembled, looked visibly afraid and anxious.

It was on the basis of such observations that Mr Morarjee asked the court to order the immediate release of his son, "as there was no useful purpose being served by his continued detention".

He said his son, who was admitted on two occasions to the St Aidan's

Detainees[●] in court battles

FOCUS

By
SAM
MABE

Hospital for psychiatric care, was not mentally fit to be detained for interrogation and was no longer capable of answering questions.

He also argues in his affidavit that his son's detention was illegal because it was no longer in terms of the provisions of Section 29 of the Internal Security Act.

Mr Morarjee said that on August 30 he was allowed to see his son at C R Swart Police Station. He said he was shocked at his tired, weary and dishevelled appearance.

"He informed me that he was being kept in isolation and complained that the food given to him was unpalatable," said Mr Morarjee.

Dr Angelo John Lasich, senior lecturer in the Department of Psychiatry at the University of Natal, said he examined Mr Soni for about 90 minutes at C R Swart Square Police Station on August 5.

In his affidavit Dr Lasich said that he found Mr Soni to be highly confused and struggling to think. He was suffering from depression and was a suicide risk.

He said his condition was caused by his detention and the conditions under which he was detained.

Concerned about Mr Soni's mental state, Dr Lasich said he recommended that he be transferred to hospital as soon as possible.

On September 19 he examined Mr Soni again and concluded that Mr Soni was unlikely to recover from his mental disorder unless he was released from detention.

He said he doubted if Mr Soni would for the foreseeable future be able to cope with even mild interrogation.

Mr Soni's wife, Ruweida, said in her affidavit that she visited her husband in hospital on August 6. She said that when he saw her, he jumped with a wild expression on his face and shouted: No, no, I am OK, I am OK, go away."

She said she realised that her husband appeared "terribly" afraid when speaking of the security police. During one visit to him, she noticed that he was disorientated and did not even recognise her.

Dr Valjee, a special psychiatrist who treated Mr Soni in hospital, said in his affidavit that Mr Soni told him that he had problems with sleeping and he suffered recurrent nightmares.

He told him that he was terrified of his interrogators and was certain that his ward was "bugged".

Isolated

Dr Valjee said: "Mr Soni looked thin, haggard and washed out. He often cried unashamedly and his voice was broken and often cracked. I found him to be very afraid and he displayed a morbid phobia for the security police."

He said Mr Soni's condition improved gradually while in hospital because of the medication and psychotherapeutic assistance he received, visits by his wife and his mother and being in a hospital environment and not interrogated.

Dr Valjee said he warned the district sur-

geon that Mr Soni might suffer permanent mental damage if he were to be isolated again and subjected to sensory deprivation.

When Mr Soni was brought to him on September 9, he looked a totally broken man. He appeared depressed and suicidal.

Dr Valjee said he would have to reconsider whether he should continue treating Mr Soni unless his recommendations were implemented. He said that if he continued treating him under the same conditions, he would be assisting in his further breakdown.

The court ordered that the Minister of Law and Order, the Commissioner of Police and the Divisional Commissioner of Police for Port Natal show cause on October 11 why Mr Soni's detention should not be declared unlawful or why he should not be released immediately.

The court also ordered that until October 11, Mr Soni should not be interrogated or questioned in any manner, not be visited by the police who interrogated him, not be assaulted or even discharged from hospital without Dr Valjee's permission.

Mr Soni should also be allowed the use of a cassette tape-player together with music cassettes, to receive reading material of his choice and allowed visits by members of his family.

• Meanwhile, the Natal Supreme Court has ordered the release of Mr Paddy Mearney, who was held in terms of Section 29 of the Internal Security Act.

Three other detainees, Mr Richard

P.T.O.

Successful court application

NOTES FOR TABLE A

1. NUMBER : W
p.
2. NAME : O
3. SEX : M
4. AGE : G
5. MARITAL STATUS

6. RELATION TO H

From Page 4

Steele, Ms Anita Kromberg and Ms Sue Britton were also released after a successful court application in the Natal Supreme Court.

- The Port Elizabeth Supreme Court had ordered the police to stop assaulting all current and future emergency detainees. This followed a court action in which a district surgeon, Dr Wendy Orr, said emergency detainees in Port Elizabeth and Uitenhage were systematically and brutally assaulted on a massive scale by the police.

Dr Orr said in her affidavit that one of the former detainees she spoke to told her that she was made to eat her own hair and another one was forced to drink petrol.

- Mr Andrew Nhlapo (19), of Soweto, who was detained on July 31 spent some time at Baragwanath Hospital. He has since been discharged from hospital and is back in detention.

- Miss Patience Muravha (23), secretary of the Soweto Young Congress, was detained between August 21 and September 2, during

which time she became ill. She spent three weeks at Baragwanath Hospital.

Her lawyers are believed to be considering court action concerning her treatment during interrogation and her care in prison.

- Miss Cheryl Phillips (17), a matric pupil in Wynberg, Cape Town, has made an affidavit in

which she alleges that she was assaulted by at least five policemen during her six-hour interrogation while held in terms of Section 50 of the Internal Security Act.

Two doctors who examined her reported that she had multiple bruises and other injuries in her right ear canal and in her right eye.

: M
: LT
: W
: D
: NM

: HD
: H
: W
: S
: D
: GF
: GM
: F
: M
: B
: Z
: L
: NR

Note : All relationships described by the first letter in the word describing the relationship with the exception of 'Z' for sister. Complicated family relationships can be described in the same manner. (For example, Mother's sister's son could be recorded as MZS)

7. RESIDENT STATUS : Permanent - P; Weekly Commuter - W;
Monthly Commuter - M; Yearly Commuter - Y
8. ACADEMIC EDUCATION : Record highest educational level obtained. If never attended school - O. Record Sub-A as A and Sub-B as B
9. VOCATIONAL EDUCATION : Write in post - J.C., teaching diploma, nursing qualification, trade qualification, etc.
10. EMPLOYMENT STATUS : Not economically active - N (i.e. not working for an income and not wanting to do so, because of schooling, duties at home, maternity illness, disability, resting, expecting to start a job later, retired, etc.)
Employed - E (includes people home on leave)
Unemployed - U (people looking for work)

DURBAN. — The assault of people in police custody was something no civilised nation could tolerate, the Judge-President of Natal said today.

Mr Justice Milne said this was particularly so in a country which professed to follow Christian principles.

He was sitting with a full Bench in the Supreme Court, Durban — the first time that a full Bench has been convened in Durban.

Sitting with Mr Justice Leon and Mr Justice Wilson, he heard an application by the wife of Natal Indian Congress member Mr Billy Nair, who is being held in terms of Section 29 of the Internal Security Act.

This month the police were ordered to show cause by today why they should not be restrained from assaulting Mr Nair while he was in detention.

Not admitted

Mr Justice Milne, with Mr Justice Leon and Mr Justice Wilson concurring, by consent granted the order restraining the police from assaulting Mr Nair and using any unlawful pressure on him to influence him to answer questions or make statements. The police were also ordered by consent to pay the costs of the application.

Mr A J du P Buys SC, who appeared on behalf of the Minister of Law and Order, said although his clients consented to the order they did not admit any of the allegations against them.

After granting the order Mr Justice Milne said a strong prima facie case had been made on the affidavits that Mr Nair was assaulted by a Warrant Officer de Wet and a Sergeant van Sluys.

"We take an extremely serious view of the matter," he said, "and we direct that the affidavits are to be sent forthwith to the Attorney-General of Natal with a request that he or one of his senior staff consider the matter."

Obligation

"We deem it desirable in the interests of all concerned that the inquiries be controlled by a senior person outside the police force."

"Perhaps it is also not inappropriate to remind the police that it is their duty, indeed there is an obligation on the State, to ensure that the detainee is (in the words of an appeal court judge as long ago as 1964) 'at the end of his detention released with his physical and mental health unimpaired'."

In a statement, the senior magistrate of Durban, Mr K A Templeton, quoted a statement taken by him from Mr Nair under oath at Brighton Beach police cells on September 16.

He recorded Mr Nair as referring to Warrant Officer de Wet who had interrogated him on Tuesday, September 3, saying: "He, Warrant Officer de Wet, became very agitated. He then said 'you damn bastard' and struck me on the left side of my face."

Perforated

"He struck me three or four times. While he was doing this Mr 'van ST' was seated next to me. He was quite tall. He kept punching me on the right hand side of my hip and stomach below the ribs. I was in an absolute daze and felt the pain on the left hand side of my face."

Later in the statement, Mr Nair said: "On Thursday I was taken to the district surgeon. He examined and found damage to my left eye. He also found my left eardrum was perforated."

At the end of the statement, Mr Nair said: "I was told by one of the Indian detectives that I should rather co-operate with the police here, otherwise I will be taken to Pretoria where things will be much worse."

District surgeon Dr S M Pensil said in a report dated September 5 that on examining Mr Nair he had found bruising of the left eye and perforation of his left eardrum.

Argus Correspondent

Judge warns police of duty to detainees

ARGUS 30/9/64
529

30/09/8-

The names of those detained last week are:

do	72 Lision Thube	?	102 Tsechous Matangana	do
do	73 Nluleki Thadine	?	128 Nxolise Sadike	do
do	74 Zamele Noaka	?	104 Keke John Mofokeng	do
do	75 Muthutsha Seqhala	?	105 Patrick Kweakhile	do
do	76 Kolisi Majoka	?	108 Samuel Jonas	do
do	77 Derick Mahayita	?	107 Irwin Gollath	do
do	78 Ludwe Nxyhe	?	108 Hendrik Barnard	do
do	79 Ghandi roxo	?	109 Henry Human	do
do	80 Malaya Sam	?	110 Vernon Mostert	do
do	81 Mbyuyiselo Zudiko	?	111 Stanley Heilbron	do
do	82 Mdulelo Tosi	?	112 Pietie Schutte	do
do	83 Jacob Mabella	?	113 Biphino Sankie	do
do	84 Moolman Stado	?	114 Zegizima Nzuza	do
do	85 Bonisie Spokwe	?	115 John Booi	do
do	86 Norman Nlakahe	?	116 Whitley Fikizolo	do
do	87 Theba Windvogel	?	117 Buyisile Grigis	do
do	88 Tosemlele Mali	?	118 Desember Booi	do
do	89 Lingele Jobe	?	119 Benson Ntwa	do
do	90 Robert Buthelezi	?	120 Dennis Malahlaman	do
do	91 Gladys Jedna	?	121 Terence Makili	do
do	92 Nelson Niki	?	122 Michael Kontana	do
do	93 Henry Mitchell	?	123 Freddie Mambra	do
do	94 Kias Thembeke	?	124 Elvis Ntebe	do
do	95 Sidwe Donald	?	125 Mncedigi Lanadazi	do
Benoni	96 Lucky Ntamo	JHB	126 Gladman Sikoko	do
do	97 Alex Thaoele	do	127 Vuyani Kobi	do
do	98 Harold Mahonko	do	128 Montlatsi Paxi	do
do	99 Gregory Sauls	do	128 Tsezamile Modobe	do
do	100 Edward Jansen	do	130 Mooman Stabo	do
do	101 Sydwell Diamini	do	— Sapa	do

329 (78)
C. P. K. S.
**UDF man dies
in East London
after arrest** 29/9/85

EASTERN Cape political activist Mbuyiselo Mbotya died in hospital in East London last weekend after he was arrested on Friday night.

East London police have confirmed the detention and death of Mr Mbotya, 35, saying he was arrested for "criminal" offences.

Mr Mbotya was a member of the King William's Town Youth League and also a UDF member. Funeral arrangements have not yet been made.

Cops barred from 'suicidal' detainee

CP Correspondents

SECURITY cops have been banned from questioning a "suicidal" detainee who is being treated for severe mental problems in a Durban hospital.

Relatives of Shirish Soni have won a temporary court order restraining the cops from interrogating the 29-year-old detainee, who they said had "deteriorated" while in detention.

They claim Mr Soni's mental condition is so bad there can be no purpose in keeping him in detention any longer.

They failed in their bid to have him freed - but were granted an interim order which prevents the cops from interrogating him.

The desperate bid to protect Soni - the fifth Durban application in the last month - comes only days after the dramatic Eastern Cape Supreme Court ruling restraining the SA police from assaulting detainees in Port Elizabeth and Uitenhage.

The ruling follows complaints by district surgeon Dr Wendy Orr about the "systematic assault and abuse" of detainees.

In the Durban case, two psychiatrists who treated Mr Soni say in affidavits that he is "suicidal" and might never recover.

● John Laisch claims Mr Soni is unlikely to recover unless he is released, and adds: "The patient's mental state does not allow him to be interrogated without a very high risk of permanent brain damage."

● Ashwin Valjee says interrogating Mr Soni would be "a pointless exercise", and describes him as "a totally broken man".

In another affidavit, Mr Soni's wife - five months pregnant with their first child - tells how, when he first saw her after his detention, he knelt at her feet and wept like a baby.

Mr Soni spoke repeatedly of "slipping away" and was severely depressed, she said.

He also was terrified of the security police and was certain his ward was bugged.

He had lost a great deal of weight, his voice was cracked and he had an unnatural look in his eyes, she said.

● Police methods will come under the spotlight yet again on Monday, when a criminal case opens against two Uitenhage policemen who allegedly sjambokked an 18-year-old youth they had manacled to a table.

C.I. res

329

29/9/87

**Ciskei cops
detain
rugby boss**

9/9/85
ACTING Border Rugby Union
president Editor Mluleki
George has been detained by
Ciskei security police under
Section 26 of the Internal Security
Act.

Detained in Zwelitsha with
Mr George were Bonisile Botile
and a Mr Magalela.

'WE'LL SUE THE COPS'

29/9/85
C.P.R.
39

By MUDINI MAIYHA

THREE students charged with intimidation will sue the Law and Order Minister for damages after their cases are finalised.

Sipho Sidu, 19, from Dennilton and Paul Matshiqe, 19, and Mxolisi Mdo-dana, 20, from Phe-feni, Soweto, plan to claim a total of R30 000 in damages.

Lawyer Krish Naidoo is preparing the claims against

the Minister. He is waiting for a doctor's report which will determine how much each will claim.

Mr Sidu was allegedly assaulted with sjamboks by cops inside Mohlalatsi Senior Secondary school grounds - where he is a student - on September 9.

Cops ordered students, who were marching on the circuit inspector's office, to return to the school.

The students were trapped inside when the cops surrounded the school.

Mr Sidu was allegedly flogged with sjamboks after cops entered the school. He claimed he was later taken to a district surgeon who gave him incorrect medication.

This was confirmed by a doctor who examined him on

Friday

Dube's Daliwonga High School matric students Mxolisi Mdo-dana and Paul Matshiqe were arrested on Monday and Tuesday respectively.

They were allegedly punched and forced to do exercises at the Orlando police station. Mr Modana claims his buttocks were used as an ashtray by cops and he was kicked in the private parts.

Both students' faces were swollen for several days from the alleged assaults.

They said several cops who saw them at Diepkloof prison advised them to take action against the cops who allegedly assaulted them.

Mr Sidu is out on conditional bail of R250; Mr Matshiqe and Mr Mdo-dana are out on R100 bail each.



Sipho Sidu shows his back, criss-crossed with sjambok lashes, after he was allegedly assaulted by cops.

Sick detainees

329 By STAN MZIMBA

THREE Transkei Internal Security Act detainees have been admitted to various hospitals in the homeland.

A recently qualified doctor, Zola Dabula, has been admitted to Umtata General Hospital - where he was doing his housemanship before he was detained last month.

Hospital authorities told City Press Dr

Dabula was suffering from hypertension. Democratic Progressive Party secretary general S Xobololo has also been admitted to All Saints Hospital near Engcobo. Acting superintendent Dr N Pandey said the detainee was suffering from hypertension.

He was detained two months ago.

President Kaiser Matanzima's former son-in-law Prince Madikizela is also at All Saints Hospital, suffering from colitis - an inflammation of the bowels.

He was detained earlier this month.

PLANS are underway to kick detained Natal UDF chairman Mcebisi Xundu out of his Lamontville parish - and then ban him from Natal. (329)

If the plan fails, attempts will be made to cancel the church site lease agreement.

Rev Xundu, the rector of Lamontville's St. Simon's Anglican Church, has been in detention since early August and has since been transferred to Pretoria. He is also Joint Rent Action Committee vice-chairman.

A motion by councillor Mthembeni Xudu, of SJ Smith Hostel, calling for Rev Xundu's removal from Lamontville, was unanimously accepted by the pro-Inkatha Ningizimu community council this week.

According to Ningizimu community council chairperson Ella Nxasane, Mr Xundu uses the church site and buildings for political meetings addressed by him and other political activists from outside Lamontville.

"As a result, violence planned there by Xundu and others during the past two years has escalated throughout the province," said Mrs Nxasane.

She also claimed that an urgent request had been delivered by a delegation of SJ Smith Hostel dwellers to Natal's Anglican Bishop, Michael Nuttall, for the immediate removal of Mr Xundu.

If Bishop Nuttall does not respond positively to the request, the council intends cancelling the church site lease.

Bishop Nuttall confirmed he had received the request, but that it could not be considered because Mr Xundu was in detention.

Umlazi leader on Inkatha hit-list

FUGITIVE Umlazi Residents' Association chairman David Sponono Gasa briefly surfaced this week - and revealed a plan by top-ranking Inkatha officials to kill him and then "cut him to pieces".

He said he would only come out of hiding when he was sure he would not fall into the hands of Inkatha's imps.

Mr Gasa told City Press he was informed by friends who had infiltrated Inkatha that he featured prominently on a hit-list of UDF supporters and sym-

The Umlazi Residents' Association is an affiliate of the UDF. Mr Gasa fled his Umlazi B Section home last month after it was petrol-bombed twice by armed men and razed to the ground. He had also received several death threats. One anonymous caller said he was going to be "cut into pieces".

"My friends told me to go into hiding because they had heard I was going to be detained by the Security Police and then handed over to Inkatha. A hit squad would then have cut me 'to bits' until I died.

The Durban police PRO could not confirm whether a warrant of arrest had been issued for Mr Gasa, and refused to comment on "wild allegations" that police would hand Gasa over to the imps.

And Inkatha Central Committee member Peter Davidson said the allegations were "wild and laughable".



DURBAN WANTS BAIL EASED

LAWYERS representing United Democratic Front patron Allan Boesak have applied for a relaxation of his bail conditions - to allow him to consult him in their Athlone and Cape Town offices.

Dr Boesak has to consult his lawyers before bringing an application to ease other bail conditions.

The bail conditions forbid him leaving the Bellville Magisterial District without the permission of the Police District Commandant, and bar him from leaving his home between 9pm and 6am.

Dr Boesak's wife Dorothy said her husband, who is president of the World Alliance of Reformed Churches, was unable to fulfill church commitments because of the bail conditions.

Lawyer Essa Moosa said he had written to the District Commandant in Bellville asking permission for Dr Boesak to leave Bellville to consult him at his Athlone offices and advocate S Desai in his city offices.

"We have had no reply yet, but we are trying to get permission as urgently as possible," said Mr Moosa.

★ IN Durban, Ronnie Khoza, who was detained under Section 29 of the Internal Security Act for four weeks, was released on Tuesday afternoon. Mr Khoza is among Durban's Section 29 detainees who have been released following a successful Natal Supreme Court application for the release of former Section 29 detainee Paddy Kearney, two weeks ago.

Delighted friends Simphiwe Mgodisho, (left), and Thoko Msani were at the prison to meet him.

Mandela hailed

ONE OF the main avenues in Senegal's capital Dakar has been named Nelson Mandela Street in honour of the jailed SA leader.

An official statement also said one of Dakar's principal squares opposite Senegal's Parliament Building would in future be known as "Soweto Square".

A competition will soon be held to judge designs for a statue to be built in the square commemorating the anti-apartheid struggle. - Sapa.

kei cops accused dent's death

Blood was found in the minibus used by his kidnappers.

His cousin - lawyer Dumisa Ntsebeza - says CID chief Lieutenant J Ngili told him later: "A security police member has reported that they shot somebody."

lier this year after a spate of student protests on campus.

● Meanwhile, Transkei cops say they detained five people in the homeland this week.

They are Mzimkhulu Masiwa - employed by the Umtata City Fnci-

Press finds missing youth

By SANDILE MEMELA

A SOWETO father Isiah Koko Nyangwa's eight-day search for his missing son Duke Gerald ended this week when City Press confirmed that the youth had been detained.

Mr Nyangwa of 588 Letsatsi Street in Orlando East, said he went to all police stations in a bid to trace his son's whereabouts, but his efforts drew a blank.



Mr NYANGWA
Son found

Gerald, a Bona High matric student went missing five weeks ago - on August 18 - when police besieged a parents-student meeting at the DOCC Hall in Orlando and arrested 55 students.

The SAP's Public Relations Division in Pretoria confirmed in a telex, after inquiries by City Press, that Gerald was detained under the emergency regulations.

However, they did not disclose where he was being held.

"I had been to all major police stations, including the Police Directorate in Pretoria but my efforts drew a blank," said Mr Nyangwa.

"Now I can sleep with ease, but I'm still worried because exams are drawing near."

Gerald has worked hard throughout the year and may miss out on exams, he said.

He said all the other 54 youths arrested with his son have since been released but his son was still in custody.

"I cannot understand why he has not been released.

"He was not a political activist and didn't belong to any organisation," said Mr Nyangwa.

"If only I could know where he is held maybe I could furnish him with material to study as he is a dedicated student," he said.

against South Africa.

Its two defence attaches in Pretoria have been summoned home immediately and indefinitely as part of the package, adopted by the rest of the 10-nation community on September 10.

British Foreign Secretary Geoffrey Howe said in a statement that Britain, which held back from accepting the measures at the time, now saw them as "a legitimate and necessary political signal to the South African Government".

But he said Britain remained opposed to all-out economic sanctions against South Africa as they believed they would hurt the black majority more than the whites.

Britain is the world's largest investor in South Africa and its fourth largest trading partner.

Diplomatic sources said the British action was also a symbolic warning to South Africa's white rulers of European resolve to press for a halt to the crackdown on anti-apartheid campaigners in which thousands of activists have been arrested.

In a speech to the UN General Assembly this week, Sir Geoffrey called on South Africa to establish an acceptable system of government, but said he doubted this would be achieved through mandatory economic sanctions against Pretoria.

★ AFRICAN nations may boycott next year's Commonwealth Games because of the Australian cricket tour of SA.
The African Amateur Athletic Confederation will take "whatever steps necessary" to discourage sports contact with SA. - Sapa.

Belgium boots out SA envoy

THE Belgian Government has asked South Africa to withdraw its military attaché from Brussels.

The action, aimed at emphasizing Belgium's opposition to apartheid, appeared to go beyond the punitive measures - political and economic - agreed to by nine of the 10 European Economic Community nations earlier this month.

Belgian Foreign Ministry spokesman Patrick van Haute said the government "wants the withdrawal of the SA military attaché in Brussels within a reasonable time".

He stressed that this did not amount to an expulsion of the attaché. - Sapa

'Ditch race polices

CAM Times
28/9/85
320

Bid to prevent police assaults

Own Correspondent

PORT ELIZABETH. — A Port Elizabeth district surgeon, Dr Wendy Orr, is among 43 applicants who will bring an urgent Supreme Court application today which seeks to restrain the police from assaulting all detainees in the area.

A statement released by the Federation of South African Trade Unions (Fosatu) said yesterday that as a result of investigations by Fosatu, 43 applicants filed an application in the Supreme Court in Port Elizabeth yesterday.

"The court papers are very long (about 350 pages) and include a large amount of detail on alleged assaults," Fosatu said.

The applicants include the Right Rev Bruce Evans, Anglican Bishop of Port Elizabeth, the Rev George Irvine, head of the Methodist Church in the Eastern Cape, the Rev De Villiers Soga, president of the Interdenominational Ministers Association of South Africa, and the National Automobile and Allied Workers' Union, a Fosatu affiliate.

The respondents include the Minister of Law and Order, the Divisional Commissioner of Police in the Eastern Cape, the District Commander of Police in Port Elizabeth, the District Commander of Police in Uitenhage and eight other policemen.

Rule nisi

The applicants are seeking a rule nisi calling on the respondents to show cause why an order should not be made restraining the police from assaulting or threatening to assault 36 detainees in particular — including unionists and members of Port Elizabeth political and civic organizations — or any person being detained under the emergency regulations at the St Alban's and North End prisons in Port Elizabeth and anyone who is in future detained in the Port Elizabeth/Uitenhage region.

The applicants further ask that the Minister of Law and Order and five other respondents — high-ranking police officers — take all steps within their power to prevent any member of the police from perpetrating assaults or making threats, and also to declare that no member of the police enjoys any immunity in terms of the emergency regulations against civil or criminal proceedings arising out of an assault on a detainee.

The applicants will also ask the court to rule that emergency regulation detainees in the area may be removed from their place of detention only after a written order is signed by the Minister of Law and Order or a person authorized by him.

CAPE TIMES 27/9/85
329

'One complaint' for PE judge

Own Correspondent
PORT ELIZABETH. — The Judge-President of the Eastern Cape, Mr Justice Cloete, said yesterday judges of his division had seen hundreds of detainees under the emergency regulations and he personally had had only one complaint of an assault.

The other judges reported confidentially to the Minister of Justice, Mr Coetzee, and he could not speak on their findings, he said.

Mr Justice Cloete said he was responding to a statement by Professor John Dugard, of the University of the Witwatersrand, who said it was unclear whether judges were entitled to visit detainees held under the Internal Security Act and that most would take the view that they were "not State officials".

The Judge-President said all had taken an oath which had the effect of making them officers of the State.

Mr Justice Cloete said that for decades it had been the practice for judges in his division to make frequent unannounced visits to all jails

within the circuits in the Eastern Cape every time they went on circuit.

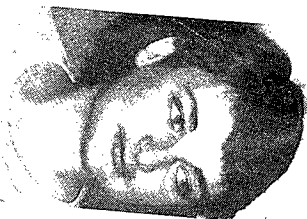
Mr Justice Kanne-meyer and Mr Justice Zietsman had since August 16 visited St Albans and North End prisons in Port Elizabeth and he himself had visited St Albans Prison and, on Saturday, Middelburg Prison.

At Middelburg six prisoners had asked to see him. All had had good reason to do so, but none had complained of assaults.

Only once was he approached by a prisoner who complained of an assault. The man, who had been in prison two days, told him he had been whipped. He said he had invited the man to show him his injuries in private, but the man said he had no injuries to show.

Mr Justice Cloete said his statement was not intended to have any bearing on an application concerning treatment of detainees brought before the Supreme Court in Port Elizabeth this week.

It would be improper to comment on a pending case, he said.



PROPERTY OF
CHURCHILL
Dr Wendy Orr

Call for probe into 'torture'

JOHANNESBURG. — The Progressive Federal Party yesterday called for an independent inquiry into widespread allegations of police torture and brutality suffered by detainees. And in Pretoria the Minister of Law and Order, Mr Louis Le Grange, would not comment on claims of "systematic" and "brutal" assaults made to a Port Elizabeth judge by district judge Dr Wendy Orr on Wednesday.

"The minister is awaiting a report on the circumstances leading to the interdiction" of the Law and Order spokesman. Dr Orr was one of 43 applicants, responsible for the Supreme Court interim order restraining police from assaulting detainees in Port Elizabeth prisons.

Mr Justice Eksteen ordered police in Port Elizabeth and nearby Uitenhage to end assaults on detainees held in terms of the two month-old state of emergency. Future detainees are all protected by his instructions.

A Prison spokesman in Pretoria said the Prison Services would inform detainees of the court order and "advise them to carry out this interim court order with diligence and to the letter".

The PPP's spokesperson on Law and Order, Mrs Helen Suzman, called for an independent inquiry into the torture charges. She said the Commissioner of Police, General Johan Coetzee, and the Minister of Justice, Mr Koole Coetsee, two weeks ago told a PPP delegation that "serious steps would be taken against police found abusing their power".

Mr Le Grange said in a recent interview, "I have often stated in public that neither I nor the Commissioner of Police will condone any form of violence on the part of the police and strict instructions in this regard have been issued."

Chris Erasmus reports that Dr Orr was appointed yesterday by the Deputy Dean of the University of Cape Town's Medical School, Professor J P van Niekerk, to investigate if the department was considering disciplinary action against Dr Orr. Dr Erasmus said: "I would prefer not to make any judgment about Dr Orr's extraordinary action in not using official channels to bring the matter to the attention of the department before we have received reports and all the facts from all the parties involved."

Dr Orr, who graduated from UCT Medical School in 1983, is employed as a medical officer in the Port Elizabeth district surgeon's office. Professor Van Niekerk said Dr Orr's stand was "very much in accord with the faculty's views."

"She has been in a way we would hope all our former students would behave..."

The allegation by Dr Orr that she was instructed not to endorse

certain medical records "will certainly be investigated", the deputy director (medical services) for the Department of Health in Pretoria, Dr JJ Heynders, said yesterday.

He asked if the department was considering disciplinary action against Dr Orr. Dr Heynders said: "I would prefer not to make any judgment about Dr Orr's extraordinary action in not using official channels to bring the matter to the attention of the department before we have received reports and all the facts from all the parties involved."

Dr Orr, Owen Correspondent and UPI

CAPE TIMES 28/9/85
Mkhize freed from detention

Staff Reporter 329
THE Joint Rent Action

Committee publicity secretary and UDF activist, Mr Ian Sipho Mkhize, was released from police detention on Thursday after being held for more than a week.

Mr Mkhize, of Ham-

banathi township, was detained in Cape Town under Section 29 of the Internal Security Act. No charges were brought against him.

Mr Ronnie Khoza was also released on Thursday after being in detention for more than four weeks. He is a member of a UDF affiliate, the Newcastle Youth League.

A senior member of the Natal Indian Congress, Mr Praveen Gordon, was released in Durban yesterday after 30 days in detention under Section 29 of the Internal Security Act.

The Transvaal chairman of the Chemical Workers' Industrial Union, Mr B Moholo, and two organizers stationed in Sasolburg, Mr T Ntshane and Mr B Ntshahintshali, were unconditionally released from detention on Thursday.

Cape Times
28/9/85

Omar appears for 20

Court Reporter

CIVIL-RIGHTS advocate Mr. Dullah Omar, who was released on Thursday after more than a month in detention, yesterday represented 18 people who were arrested when they demanded to see Mr. Omar and other detainees.

The people were arrested outside Caledon Square when they tried to deliver a letter to the Commissioner of Police demanding to see their detained relatives.

No charges were put to the people and they were not asked to plead.

The hearing was adjourned to November 11 and the people were warned to appear.

They are: Mr Azaad Ally, 22, of Rylands, Mrs Belele Tinto, 31, of Guguletu, Mrs Vivienne Madekwa, 38, Guguletu, Miss Brenda Marks, Retreat, Ms Desiree Shereen Le Roux, 22, Mowbray, Ms Margot Lynn, 26, Observatory, Mrs Kay Jaffer, Wynberg, Mrs Mary-Anne Adam, Mrs Fatima Omar, 22, Rylands, Ms Petra Scop, Observatory, Ms B A Pitt, 26, Observatory, Mrs Sophie Makhetho, 63, Guguletu, Mrs Maggie Lesiea, Guguletu, Mrs Marjorie Pather, 59, Grassy Park, Mrs Paskelina Tyeku, 50, Guguletu, Nabom Santo, 28, New Crossroads, Mrs Lettie Malindi, 63, Guguletu, and Mr Rahmat Omar, Rylands.

A warrant was issued for the arrest of Mr Lukied Mko, 36, who failed to appear.

Mr BJ Viljoen was the magistrate. Mr DJ Brand appeared for the State. Mr Omar and Mr LA Rose-Innes, instructed by Mr E Mohammed of E Moosa and Associates, appeared for the 18.

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MONDAY 30th

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THE FACTS

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LUTHERGAAN CHURCH

MCCARTHY CENTRE

DERRICK

WINE FACTORY

the facts

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NEW DON'T WASTE TIME

Also re-upholster

Town PH: 46 3470

152 Sir Lowry Road

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Detainees: Staff shun Doctor Orr

By *Argus* From KEN VERNON, Weekend Argus Bureau

28 PORT ELIZABETH — A young district surgeon whose allegations of widespread and systematic assault and torture of state of emergency detainees here led this week to an urgent Supreme Court order restraining police, has been "sent to Coventry" by colleagues in the Government department she works for.

8 Dr Wendy Orr, 25, was the main applicant, along with 44 others, in seeking an urgent interdict from the Port Elizabeth Supreme Court to prevent policemen from assaulting detainees held at the St Albans and North End Prisons under the state of emergency regulations.

The interdict applies especially to 36 detainees named in the application, as well as all future detainees who may be held in the Port Elizabeth and Uitenhage magisterial districts.

Since the news, the elfin, red-headed doctor has sat almost a prisoner in her office in the centre of Port Elizabeth.



"On orders: 329 Dr Wendy Orr

Switchboard operators at the Government's Eben Danges Building where Dr Orr works this week refused to put any telephone calls through to her "on orders from Pretoria". She has to have her outgoing calls approved as being "official business".

"Since Wednesday, when the order against the police was granted, I have not heard one single word from anyone in the department," she said.

Dr Orr's immediate superiors, who oversaw her work as the doctor responsible for the welfare of prisoners at the North End and St Albans Prisons, are Dr Ivor Lang and Dr Benjamin Tucker.

Two months ago Dr Lang and Dr Tucker were found guilty of misconduct by the South African Medical and Dental Association over their role in the death of black consciousness leader Mr Steve Biko.

Dr Tucker was suspended from practice for three months, sentence suspended for two years, while Dr Lang was cautioned and reprimanded.

In the absence of any word from her superiors Dr Orr says she intends to "sit tight and continue with my work".

"No matter what action is

taken against me, like this silent treatment, I will not be forced into resigning."

The quiet young woman is an unlikely candidate for the worldwide attention her action has attracted. She is in her job only because she has to work for the Government for three years to repay the bursary on which she went to medical school.

"I have never been involved in politics," she says. "No, I took the action I did purely because I was not prepared to compromise my medical ethics."

"To protect people"

"My aim was not to make any political statements or create any political repercussions. I did it only to protect people who were unable to protect themselves."

Dr Orr, who is single, leads a quiet social life and is the daughter of a Methodist minister in Port Elizabeth.

She is naturally worried about what action — apart from being "sent to Coventry" — her Government employers may take against her.

But she has been heartened by many calls of support from other doctors. Many of whom have offered to employ her.

TOTALITARIANISM - DETENTION
1985

OCTOBER MONTH

News 1/10/81

'Miss Molly' wiped off the blood, says youth

Argus Bureau
PORT ELIZABETH — A youth told Port Elizabeth Regional Court that "Miss Molly" came into a police office where he was being assaulted and wiped blood off his face.

Two policemen, Detective-Constable Grey Simanga and Detective-Constable Alfred Lubenga, are charged with assault with intent to do grievous bodily harm to Mr Sandile Norman Kona, 18, at Uitenhage on March 17 this year.

The two men pleaded not guilty yesterday.

The case arose after a complaint by Mrs Molly Blackburn, MPC for Walmer, who visited the police office that day.

Mr Kona said that during March he was arrested on a charge of arson and a bail condition was that he had to report daily to the Uitenhage charge office.

On Sunday March 17 he went with his sister to report about 9am. His sister was told to leave and he was told to wait.

KICKED

He was taken to an office where Mr Simanga accused him of swearing at him on January 16. He denied this and said he had been in custody.

He was locked in a van for about 30 minutes. When he was taken back to the office Mr Simanga hit him on the head with a bunch of keys and hit him on the body with his fists. He was also kicked.

He said then Mr Lubenga appeared, kicked and hit him, bashed him against a wall and kicked him in the stomach. He was handcuffed to a table leg and Mr Simanga kicked him.

He was being held face down and assaulted with the sjambok when "Miss Molly" appeared with other white women.

Mr Kona said "Miss Molly" was shocked when she saw what was happening. The two assailants left the office and "Miss Molly" wiped blood off his face with a handkerchief.

Afraid, in pain and wanting to be released, he made a statement to police but did not relate everything that had happened. He made a statement the following day to "Miss Molly" after being released.

Tuesday, October 1, 1985

Full Bench orders police not to assault Billy Nair

11/10/85 329 Mercury

Court Reporter

THE Judge President of Natal said yesterday that if detainees were being assaulted in police custody, it was a state of affairs no civilised nation, particularly one which professed to follow Christian principles, could for one moment tolerate.

Mr Justice Milne made this statement from a Full Bench of the Supreme Court, Durban, sitting with Mr Justice Wilson and Mr Justice Leon.

He was granting an order restraining the police from assaulting or using unlawful pressure on Natal Indian Congress member Billy Nair to try to influence him to answer questions or make any statements.

The application was brought on behalf of Mr Nair, presently being held under section 29 of the Internal Security Act, by his wife.

Mr A J du P Buys, SC, appearing on behalf of the Minister of Law and Order, said although his client had consented to the order he did not admit any of the

allegations.

Mr Justice Milne said: 'In our view a strong prima facie case has been made on the affidavits that the detainee was assaulted by a W/O de Wet and a Sgt van Sluys.

'We take an extremely serious view of the matter and we direct that the affidavits are to be sent forthwith to the Attorney General of Natal with a request that he or one of his senior staff consider the matter.

'We are aware that the detainee laid a charge of assault against the police on September 9 and that a statement has been taken from the detainee by a lieutenant in the uniform branch.

'We deem it desirable in the interests of all concerned that the inquiries be controlled by a senior person outside the police force.

'Perhaps it is also not inappropriate to remind the police that it is their duty, indeed there is an obligation on the State, to ensure that the detainee is in the words of an Appeal Court judge as long ago as 1964, 'at

the end of his detention released with his physical and mental health unimpaired'.

A senior Durban magistrate, Mr K Templeton, in a statement quoted a statement taken by him from Mr Nair at the Brighton Beach police cells on September 16. In this statement Mr Nair had referred to W/O de Wet who interrogated him on September 3, saying that W/O de Wet had become very agitated.

The policeman had said: 'You damn bastard' and struck him on the left side of his face. He had been struck three or four times, claimed Mr Nair.

Mr Nair also said that another man he knew only as 'man kept punching him on the right side of his hip and stomach below the ribs.

Mr Nair had also said in his statement that he had been taken to be examined by a district surgeon who had found his left ear drum perforated and damage to his left eye.

Mr P A Magid appeared for the applicant.

Ciskei police arrest 85 at meeting

329

DISPATCH
01/10/85

Dispatch Reporter
EAST LONDON — Eighty-five people were arrested in Tshabu Village near Berlin last week for allegedly holding an illegal gathering, Ciskei's police liaison officer, Lieutenant Mavuso Ngwendu, confirmed yesterday.

Lieutenant Ngwendu said the 85 were arrested while holding a meeting at a school.

He said groups of youths forced all the residents at the village to attend the meeting.

The police were alerted by some residents.

When the police arrived, they were pelted with stones and the police dispersed the crowd with sjamboks, he said.

The latest arrests bring to 790 the number of people arrested in Ciskei for unrest-related

offences during the past two months.

Late in August, 230 pupils from Emazizini Secondary School were arrested for allegedly holding an illegal gathering, 230 pupils from Gobizembe Secondary School in Alice were arrested at a gathering last month, 16 other pupils from Zimlindle Secondary School and 18 from Ndabazandile Secondary School near Peddie were also arrested for allegedly holding an unlawful meeting.

Recently, 46 people were arrested in Mdantsane at an alleged unlawful meeting while 56 others were arrested in Potsdam for alleged public violence. Eight pupils from Nompundung Secondary School in Zwelitsha were also arrested in connection with an alleged illegal gathering.

Dr Meer to stay in hospital

ARGUS 1/10/80 329
Argus Correspondent

DURBAN. — An urgent application by the wife of Natal Indian Congress member, Dr Farouk Meer, to have her husband released from detention was postponed after police undertook not to remove Dr Meer from the H F Verwoerd Hospital in Pretoria pending the outcome of the application.

Mr Acting Justice Kroon by consent postponed the application until Monday, October 7.

Dr Meer, 46, was arrested in Durban on August 23 in terms of Section 29 of the Internal Security Act.

In the agreement reached between the parties yesterday, the police also undertook not to interrogate Dr Meer

while he was in hospital. He has a suspected heart condition.

The police also undertook to allow Mrs Meer and her three children to visit Dr Meer for 45 minutes every day and to allow him a cassette player, music and light reading material.

Counsel for the police, Mr J Combrink SC, said he wished to make it very clear that the fact that his clients had consented to the adjournment should not be construed as submitting to the jurisdiction of the court.

Mrs Rashida Meer asked that her husband's detention be declared unlawful and the police be restrained from interrogating him without written permission from a psychiatrist.

CAPE TOWN
1/10/85

329

De Jonge deadline

PRETORIA. — Yet another deadline in the lengthy diplomatic dispute involving Dutch fugitive Mr Klaas de Jonge was reached at midnight when the extended lease on the Netherlands Embassy's old premises here expired.

The South African security police want Mr De Jonge for alleged arms and ammunition smuggling for the ANC, and the Netherlands Government has so far refused to hand him over and especially extended its occupancy of the old embassy premises to provide the academic with a refuge pending an acceptable settlement of the impasse.

The latest deadline arose last week when the landlords, Nedbank, said they wanted the Dutch out and the offices for new tenants.

'Excellent relations'

A spokesman for the Dutch Embassy said yesterday: "The position has not changed from what it was last month... the political and economic sections of the embassy will be staying indefinitely in the Nedbank building while negotiations continue."

Asked if the Netherlands Government had decided to defy openly the landlord's request to vacate the offices, he said: "We've had excellent relations with the bank — even since before the war — and we expect a solution within that framework."

In the interests of the negotiations, he did not want to comment further.

For weeks, and yesterday again, the South African Department of Foreign Affairs has remained tight-lipped on the issue, saying only that negotiations with the Netherlands Government are continuing.

In the meantime, plainclothes security policemen maintain their round-the-clock watch, from the pavement, on the Nedbank offices. — Sapa

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Judges order police to cut out assaults

329 3 Day 1/10/85

IF IT were true that detainees were being assaulted while in the custody of the police, it was a state of affairs which no civilised nation, and particularly one which professed to follow Christian principles, could tolerate for one moment, the Judge-President of Natal said yesterday.

Mr. Justice Milne was sitting with a full Bench in the Supreme Court, Durban — the first time a full Bench had been convened in Durban.

Sitting with Mr. Justice Leon and Mr. Justice Wilson, Congress member Billy Nair, who is being held in terms of Section 29 of the Internal Security Act.

Last month police were ordered to show cause by yesterday why they should not be restrained from assaulting Nair while he was in detention.

Mr. Justice Milne, with Mr. Justice Leon and Mr. Justice Wilson concurring, by consent granted the order restraining the police from assaulting Nair and using any unlawful pressure on him to try to influence him to answer questions or make any statements.

The police were also ordered by consent to pay the costs of the application. A J du P. Buys, SC, who appeared on behalf of the Minister of Law and Order said that, although his clients consented to the order, they did not admit any of the allegations made against them.

After granting the order, Mr. Justice Milne said that a strong prima facie case had been made on the affidavits that Nair was assaulted by a Warrant Officer De Wet and a Sergeant Van Sluys.

"We take an extremely serious view of the matter," he said, "and we direct that the affidavits are to be sent forthwith to the Attorney-General of Natal with a request that he or one of his senior staff consider the matter."

"We are aware of the fact that the detainee had a charge of assault against the police on September 9 and that a statement has been taken from the detainee by a lieutenant in the uniform branch.

"We deem it desirable in the interests of all concerned that the inquiries be controlled by a senior

person outside the police force.

"Perhaps it is also not inappropriate to remind the police that it is their duty, indeed there is an obligation on the State, to ensure that the detainee is, in the words of an appeal court judge as long ago as 1964, 'at the end of his detention relieved with his physical and mental health unimpaired'."

In a statement, the senior magistrate of Durban, K. Nair under oath, at Brighton Beach police cells on September 16.

He recorded Nair as referring to Warrant Officer De Wet who had interrogated him on Tuesday, September 3, saying: "He, Warrant Officer de Wet, became very agitated. He then said 'you damn bastard' and struck me on the left side of my face.

"He struck me three or four times. While he was doing this Sergeant Van Sluys was seated next to me. He was quite tall. He kept punching me on the right hand side of my hip and stomach below the ribs. I was in an absolute daze and felt the pain on the left hand side of my face." — Sapa.

CAPE TIMES 11/10/85
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Bloch tells of 'solitary'

Staff Reporter

MR Graeme Bloch, an executive member of the United Democratic Front who was detained on August 23, was released from detention yesterday.

Another UDF member, former publicity secretary Mr Jonathan de Vries, was released at the weekend.

Mr Bloch, a former editor of the University of Cape Town newspaper, Varsity, said last night he had been held in solitary confinement during his detention.

During that time he had been visited by police, magistrates and a judge and had been allowed study materials, but had not been allowed visits by his family.

"My experience has confirmed that although I was not physically abused, even solitary confinement is a form of mental torture," he said last night.

"This experience has strengthened my resolve all the more to fight for the release of all detainees and political prisoners and for the end of the system which necessitates such action."

● Two Peninsula teachers, one a deputy school principal, were released from detention yesterday.

They are Mr Nabil Swart, deputy principal of Alexander Sinton High School, and Mr Abe Fortuin, a teacher at Scottsdene Secondary School. Both were detained on September 17.

Mr Swart said last night that he had been held at Pollsmoor in a cell with several other people.

'Abused'

"We were first two, then eight and then 12," he said.

Mr Swart said he had first been taken to Brakenfell police station where he had been physically and verbally abused. He had laid a formal charge with the police in Bellville and had made a sworn statement to his attorney.

Mr Fortuin said last night that he had been held with Mr Swart at Pollsmoor after being kept at the Bellville police cells for three days.

"I was not abused in any way," he added.

● It is believed that several students and pupils have also been released but their identities could not be established last night.

Judge slams assaults on detainees

In the second major judgment on police brutality within a week, the Judge President of Natal, Mr Justice Milne has said the Bench takes an extremely serious view of assaults on detainees.

Sitting with the full Natal Supreme Court Bench, Judge Milne's warning follows a growing number of court applications for the protection of detainees in all major centres except Johannesburg over the last month.

However, Law and Order Minister Louis Le Grange is unlikely to comment on two recent court interdicts restraining police from assaulting detainees, a spokesman for the department said yesterday.

This followed news yesterday that the Durban Supreme Court had upheld an order restraining police from assaulting Natal Indian Congress member Billy Nair, who is being held under Section 29

CLAIRE PICKARD-CAMBRIDGE

of the Internal Security Act.

Police were interdicted from using any unlawful pressure on Nair to try and influence him to answer questions or make statements.

A police spokesman also declined to reveal whether they would be contesting a Port Elizabeth Supreme Court application by Dr Wendy Orr and 43 others for an interdict to restrain police from assaulting detainees held under emergency regulations in the area.

Applications for orders restraining police from harming detainees have been made on behalf of at least nine people held under Section 29 of the Internal Security Act in Cape Town and Durban, while most applications in the Eastern Cape affect those held under emergency powers.

A Detainees Parents' Support Committee (DPSC) spokesman said two applications had been granted in the Port Elizabeth area.

One had been brought by Orr and 43 others and affected an undisclosed number of detainees in the area, while another affected Benedict Tsidiso Habasisa.

A similar application by Tetani Jordan was granted by the Grahamstown Supreme Court on September 9.

In Durban an interdict affecting Nair has been upheld, with interim interdicts being granted in the cases of Shurish Soni, Sibonela Ngubane, brothers Yunus and Riaz Shaik and a 16 year-old detainee who may not be named.

The Cape Town Supreme Court has

● To Page 2

● See Page 3

Judge slams police brutality

heard applications by Andre Jefftha, Jerome Booysen and James Oodendaal.

An application affecting Trevor Oostewyk in Cape Town was dismissed on September 21.

At least 11 charges are being investigated against members of the security forces following complaints about police behaviour during recent unrest.

A police spokesman confirmed the charges and said they had started a high-level investigation after allegations of police brutality in Valhalla Park about two weeks ago.

Subsequent allegations of heavy-handedness by police have been made by residents of several areas, including Elis-

ies River and Guguletu.

SOPHIE TEMA reports that complaint offices set up by the SADF in several black townships are threatening to withdraw because of the poor response from residents.

Police spokesmen said they had urged residents to register their complaints. But many Orlando East residents interviewed yesterday said they were frightened of being seen near the centres because they feared victimisation by other people, including the security forces themselves.

● See Page 3

CAPE Times 1/10/85

329

Judge: Assault 'not tolerable'

DURBAN. — If it were true detainees were being assaulted in police custody, it was a state of affairs which no civilized nation, particularly one professing to Christian principles, could tolerate for one moment, the Judge-President of Natal said yesterday.

Mr Justice Milne was sitting with a full Bench in the Supreme Court, Durban — the first time a full Bench had been convened in Durban.

Sitting with Mr Justice Leon and Mr Justice Wilson, he heard an application by the wife of Natal Indian Congress member Mr Billy Nair, who is being held in terms of Section 29 of the Internal Security Act.

Earlier this month the police were ordered to show cause by yesterday why they should not be restrained from assaulting Mr Nair. Mr Justice Milne, with Mr Justice Leon and Mr Justice Wilson concurring, by consent granted the order restraining the police from assaulting Mr Nair and using unlawful pressure to influence him to answer questions or make statements.

'Serious view'

The police were also ordered by consent to pay costs. Mr A J du P Buys, SC, said on behalf of the Minister of Law and Order, Mr Louis le Grange, that although his clients consented to the order, they did not admit any of the allegations against them.

After granting the order, Mr Justice Milne said a strong prima facie case had been made on the affidavits that Mr Nair was assaulted by a Warrant Officer De Wet and a Sergeant Van Sluys: "We take an extremely serious

view of the matter and we direct that the affidavits are to be sent forthwith to the Attorney-General of Natal with a request that he or one of his senior staff consider the matter.

"We are aware of the fact that the detainee laid a charge of assault against the police on September 9 and that a statement has been taken from the detainee by a lieutenant in the uniform branch.

"We deem it desirable in the interests of all concerned that the inquiries be controlled by a senior person outside the police force.

'Health unimpaired'

"Perhaps it is also not inappropriate to remind the police that it is their duty, indeed there is an obligation on the State to ensure that the detainee is (in the words of an Appeal Court judge as long ago as 1964), 'at the end of his detention released with his physical and mental health unimpaired'." Mr Justice Milne said.

In a statement, the senior magistrate of Durban, Mr K A Templeton, quoted a statement taken by him from Mr Nair under oath on September 16 concerning interrogation on September 3: "He, Warrant Officer De Wet, became very agitated. He then said 'you damn bastard' and struck me on the left side of my face.

"He struck me three or four times. While he was doing this Mr 'Van S T' was seated next to me. He was quite tall. He kept punching me on the right-hand side of my hip and stomach below the ribs. I was in an absolute daze and felt the pain on the left hand side of my face." — Sapa

CAPE TIMES, Wednesday

Deadline on De Jonge's immunity

PRETORIA — The South African Government is to withdraw its recognition of the diplomatic immunity of the Netherlands Embassy's old premises where Dutch fugitive Mr Klaas de Jonge has been evading arrest by security police since July 19.

In a note to the Netherlands Embassy here yesterday, the Minister of Foreign Affairs, Mr Pik Botha, said recognition of the offices as diplomatic premises would be withdrawn on October 6.

This latest move in the diplomatic crisis between the two governments means security police will then be able to enter the building and arrest Mr De Jonge, who was originally detained in July for alleged arms and ammunition smuggling for the banned African National Congress.

They will be able to do so immediately after midnight next Monday.

The Netherlands Embassy moved to new premises in a Pretoria suburb at the end of August but extended its lease on the Nedbank offices in the city centre until midnight on Monday night to give Mr De Jonge continued diplomatic immunity.

Yesterday a Dutch Embassy spokesman insisted the offices would continue to be occupied by the political and economic sections in defiance of a landlord's request they move out.

In his note Mr Botha said the government reiterated its standpoint that a diplomatic mission could not be used to give refuge to a fugitive from justice.

In The Hague last night the Dutch Government said South Africa "cannot unilaterally withdraw the diplomatic immunity" of the Pretoria building.

International law does not allow a host country to withdraw the immunity of foreign embassies on its territory, a Dutch Foreign Ministry spokesman said.

Police in a light moment

A lighter moment in the De Jonge drama occurred a few minutes after midnight on Monday when policemen who had been on guard outside the building for days played a joke on waiting reporters and photographers by escorting one of their colleagues, who was hidden under a blanket, out of the building and into a waiting car which sped off.

The hoax was quickly exposed, however, when an embassy spokesman stated emphatically that Mr De Jonge was still with them. — Sapa

Doctor tells of shackled man

Own Correspondent

PORT ELIZABETH — Dr. Cape Town medical practitioner, who is also a member of the Black Sash, told the Regional Court here yesterday that she had not found any serious injuries on a youth allegedly assaulted by two policemen at Uitenhage police station on March 17.

Before the court were Detective Constable Grey Simanga and Detective Constable Alfred Lubengu who are charged with assault with intent to do grievous bodily harm to Mr Sandile Norman Kona, 18. Both policemen have pleaded not guilty.

Dr Elizabeth May Thompson told the court she had only briefly examined Mr Kona soon after entering the room where he was allegedly assaulted. He had a laceration on his forehead from which blood was oozing and one inside his upper lip. She had seen blood on his lips.

'Aching'

"He also seemed dazed. I asked him if he was in pain and he told me his whole body was aching," she said.

Earlier yesterday Mr Gideon Huisamen, for the defence, asked that Mrs Di Bishop be excluded from the court before he continued his cross-examination of Mr Kona.

He said Mrs Bishop was a witness in the case and had been seen continually in the presence of Mrs Molly Blackburn, who was also a witness in the case still to be called by the State.

Detention

The State prosecutor, Mr J L Venter, told the court that Mrs Bishop would no longer be called as a witness, and the magistrate, Mr C J R Naude, ruled that Mrs Bishop could remain.

Dr Thompson told the

court that she and other members attending a Black Sash conference in Port Elizabeth had accompanied Mrs Blackburn to Uitenhage after receiving a request for assistance from parents in Uitenhage whose children were in detention.

On arrival in Uitenhage they had gone to the charge office but had been referred to offices of detectives.

Sjambok

On entering a room, Dr Thompson had noticed a youth lying on the floor. "He was shackled to a table leg with his hands behind his back. I knelt down next to him and was the first to touch him to do a brief examination to establish if he needed immediate medical care.

"I also noticed a black man, standing about two-and-a-half metres away from the youth holding a sjambok in his hand which pointed upwards," she said.

She would not be able to identify this man.

The case continues today.

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Cusa president
held briefly 2/10/85

Business Day Reporter

JAMES Mndaweni, president of the Council of Unions of South Africa (Cusa) which represents about 150 000 workers, was detained for questioning early yesterday and released three hours later, according to a council statement.

Police said they could not confirm his alleged detention until today.

Mndaweni was elected president of Cusa in 1984 and has been active in the Food and Beverage Workers Union for several years. He is also a shop steward at Unilever.

Cusa has reiterated its abhorrence of security legislation and the current state of emergency.

UDF detainees released

(329)
DISPATCH
03/10/85

Dispatch Reporter
EAST LONDON — Four executive members of the Border branch of the United Democratic Front detained under the Internal Security Act in the past six weeks have been released.

The publicity secretary of the Border branch of the UDF, Mr Andrew Hendricks, was arrested in Knysna on September 11.

Mr Hendricks said last night that he had been held at Fort Glamorgan and released here yesterday.

Mr Mzuzwana Mdyogo-

lo, who is also the Border branch secretary of the South African Allied Workers Union (SAAWU), was arrested at the union's East London offices on September 3. He was also released here yesterday.

The treasurer of the Border branch of the UDF, Mrs Ntombazana Botha, also released yesterday, was arrested at the offices of the insurance company she worked for on August 23.

Miss Lucille Meyer, who is also a Pefferville community worker, was arrested on August 23 and released yesterday.

Three DISPATCH reported 329 held in Transkei

UMTATA — Two businessmen and a teacher are claimed to have been detained by Transkei security police during a dawn raid yesterday. The legal representative of the families of the three men, Mr Dumisa Ntsebeza, said police raided the homes of the three and took them away after conducting an extensive search of their homes.

Those reported to have been detained are Mr Victor Ngaleka, a Cala bookshop assistant, Mr Godfrey Silinga, a Cala high school teacher who is also a former political prisoner and Mr Monde Mvimbi, a Cala businessman.

The head of the country's security police, Lieutenant-General L. S. Kawe, was not available for comment last night.

—DDR

I AM LISTENING AT THE NAT PARTY CONGRESS.
IT COULD BE ALBERT LUTHULI SPEAKING



BUT I JUST CAN'T
BELIEVE THEM! **14**

Courts challenge the state

FOR the first time in decades, South Africa's courts are challenging the State on key civil rights issues: detention without trial, the treatment of prisoners and forced removals.

A spate of extraordinary decisions in the Supreme Court and the Appellate Division has:

- Led to the release of four detainees;
- Highlighted allegations of torture in police custody;
- Restrained police from assaulting or torturing all Emergency detainees in the Port Elizabeth and Uitenhage districts;
- Declared unlawful one of the country's most infamous forced removals.

COURT ORDERS HALT ON DETAINEES' INTERROGATION - P4

According to Professor John Dugard, director of the Centre for Applied Legal Studies, South Africa's judges are showing a renewed concern for events in the country and a concern to make clear the independence of the judiciary in key areas.

During the 1960s and 1970s, the courts often simply rubber-stamped government actions of the most extraordinary kind.

The first sign that the judiciary was challenging the government came with the order of the Natal Supreme Court to release

Paday Kearney from Section 29 detention last week.

Three other urgent applications followed and detainees Richard Steele, Anita Kromberg and Sue Barton were duly released.

This was the first time the courts have called into question the harshest of South Africa's security laws.

The unusual nature of this judgement was enhanced by a Port Elizabeth Supreme Court order restraining police from assaulting all current and future Emergency detainees in the

area.

The order was given after a young district surgeon, Dr Wendy Orr, told the court that Emergency detainees from Port Elizabeth and Uitenhage were systematically and brutally assaulted on a massive scale by police.

Her evidence was endorsed by 42 other affidavits. Eighteen affidavits mentioned in the application included prominent trade unionists, members of United Democratic Front affiliates and Azapo office bearers.

Supporting affidavits, which ran to 273 pages, were made by relatives, leading clergymen and former detainees. ● TO PAGE 3

Judges challenge detentions

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W. Mail
3/10/85

● From PAGE 1

The order was not opposed by the respondents, the Minister of Law and Order and 12 other policemen.

In papers before the court, Orr — who was appointed a district surgeon in January after completing her housemanship last year — describes an extensive daily pattern of police abuse of scores of detainees.

She says the departments of prisons and health have turned a blind eye and are concerned only with ensuring that they are not themselves blamed.

Orr said she had examined an average of about 20 newly-admitted detainees daily in the North End and St Albans prisons since the beginning of last month. On August 16 she examined about 170 detainees.

"An extremely large proportion of them complained that they had been assaulted by the police," she said.

Bizarre complaints made to her were that one detainee had been made to eat his own hair and another forced to drink petrol.

Detainees she examined had weals, bruising and blisters all over their bodies. "Some had lacerated lips and the skin over their cheekbones was split. Several had perforated eardrums," she said.

"What disturbs me most is that detainees are taken out of my care for interrogation and brutally assaulted."

And, in Durban, the Supreme Court has been ordered to stop interrogating detainee Shirish-Soni because of his mental condition. (Full story on page 4)

More applications for the release of detainees under Section 29 are expected to follow the Kearney judgement.

Professor Tony Mathews, professor of law at the University of Natal, this week acclaimed the judgement as the kind "that would restore credibility to our courts".

He said it was significant that the authorities, who had been free up to now to do what they wanted, now had to give some account of their reasons for detaining a person.

"The significance of this is that the principles of the rule of law have been brought by the courts in the areas of Section 29, and this possibly extends into other areas. Once the step is taken to control police discretionary powers, this control possibly extends into other areas which involve such discretionary powers," he said.

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Court halts detainee's interrogation

SECURITY police have been ordered not to question a Durban detainee being given psychiatric treatment in hospital.

In the first case of this kind, the relatives of Shitish Soni, 29, have brought an application in the Supreme Court asking for his release because of his mental condition.

Two independent psychiatrists claim that Soni, held since June under Section 29 of the Internal Security Act, is unfit to answer questions and add they doubt he will ever recover

fully.

Relatives say the purpose of Section 29 detention is to allow the police to question a detainee. If this is not possible — as it is alleged is the case with Soni — he may no longer be detained.

Both psychiatrists claim Soni is suicidal. Psychiatrist Ashwin Vajjee said Soni was in no condition to

BY WEEKLY MAIL REPORTER

Durban

answer any police interrogation. "His only consequences would be to worsen his condition ... further interrogation will most likely result in permanent mental damage."

Psychiatry lecturer John Lutsch said Soni was "a suicidal risk" and added,

"He is unlikely to recover from his present mental disorders unless he is released from detention altogether. The patient's mental state does not allow him to be interrogated without a very high risk of permanent brain damage."

Pending the argument of the case on October 11, an interim order has been granted by consent, in terms of which

police may not question Soni without the permission of his psychiatrist. The police who have been interrogating him in detention may not come into his room or have contact with him. He may not be discharged from hospital or taken back to police cells without his psychiatrist's permission.

He is to be allowed a tape recorder and music cassettes, certain reading material, daily 30-minute visits by his wife, who is five months pregnant with their first child, and a 30-minute weekly visit by his family.

Police ^{AKG 5}
^{3/10/85}
free 10 ³²⁻⁷
detainees

Staff Reporter

ALL but three of the anti-apartheid activists detained in the Western Cape in terms of the Internal Security Act have been released.

The United Democratic Front and the Detainees' Parents Support Committee welcomed the release of the detainees.

The two bodies reiterated their call for the immediate release of three people still in detention: Mr Zoli Malindi, Western Cape president of the UDF; Mr Saleem Badat, an organiser for the community newspaper Grassroots; and Ms Shirley Gunn, a Clothing Workers' Union organiser.

Ten detainees released yesterday are Mr Christmas Tinto, Western Cape UDF vice-president; Mr Wilf Rhodes, chairman of the Cape Areas Housing Action Committee (Cahac); Mr Mountain Qumbella; Mr Russel McGregor and Mr Llewellyn MacMaster of the UWC SRC; Mr Joe Adams, treasurer of the UDF in the Western Cape; Mrs Mildred Lisea, UDF executive member; Mr Willie Simmers, Cahac secretary; Mr Mansoor Jaffer, Grassroots employee; and Ms Shahieda Issel, UDF committee member.

At least 32 Western Cape people, including the president of the World Alliance of Reform Churches, Dr Allan Boesak, were detained under Section 29 of the Internal Security Act just before and after the planned "Free Mandela" march to Pollsmoor Prison.

Section 29 provides for indefinite detention for interrogation purposes.

Welcoming the release of the detainees, a UDF spokesman said their place remained "alongside us in the just struggle for freedom".

"It has been the demands and pressure by parents, students and teachers and others in the community that has brought about their release."

The DPSC, which also welcomed the release of detainees, said detentions would not deter them "in our fight for a non-racial and democratic South Africa".

Capl. F. J. J. J.
3/10/68
Dutch
warn
SA over
De Jonge

From IAN HOBBS

LONDON. — The Dutch Foreign Ministry yesterday warned of "grave consequences" if fugitive Mr Klaas de Jonge was arrested in breach of diplomatic immunity.

The Netherlands also rejected a South African statement that from next Tuesday it will withdraw diplomatic immunity from the embassy building in which Mr De Jonge is sheltering.

"The Dutch Government is of the opinion that the immunity of the Chancellery cannot be unilaterally waived by the host government," a Foreign Ministry spokesman said.

The ultimatum was issued on Tuesday by the Minister of Foreign Affairs, Mr Pik Botha.

'Delicate'

The Dutch spokesman in The Hague said his government was involved in "delicate day-to-day" discussions with the South African Government over Mr De Jonge's fate.

He said there was no question of Mr De Jonge being surrendered to South Africa and the Dutch Government maintained its request that he should be allowed to leave South Africa freely.

He said the consequences for South Africa's relations with Holland would be "very grave indeed" if Mr De Jonge, wanted in connection with the discovery of arms caches, was threatened in breach of diplomatic agreements.

The Dutch Government has maintained its old embassy offices as an immune area although all its business should have moved to new offices a month ago.

12 detainees released

CAPE TOWN 3/10/85 329

Staff Reporter

TEN prominent student and civic leaders held under Section 29 of the Internal Security Act — some since before the attempted mass march to Pollsmoor Prison on August 28 — were released from custody yesterday.

They are: Mr Wilfred Rhodes, vice-president of the UDF; Mr Joe Adams, UDF Western Cape treasurer; Mr Llewellyn MacMaster, president of the SRC of the University of the Western Cape; Mr Russell McGregor, secretary of the UWC SRC; Mr Mountain Qumbela, UDF regional executive member; Mr Mansoor Jaffer, Grassroots organizer; Ms Shaheeda Is-sel, area committee member of the UDF; Mr Christmas Tinto, a prominent UDF leader; Ms Mildred Lesia, an

executive member of the United Women's Organization, and Mr Willie Simmers.

A UCT student and Students of Young Azania (Soya) organizer, Mr Victor Steyn, was released on Tuesday.

The names were confirmed by the Detainees' Parents' Support Committee and a local attorney, Mr Essa Moosa.

● In Durban the UDF Natal regional chairman, the Rev Mcebisi Xundu, was released on Tuesday after being in detention for more than four weeks, our correspondent reports. No charges were brought against him.

Mr Xundu was detained in Pretoria under Section 29 of the Internal Security Act.

● A police spokesman in Pretoria said they had no record of the Cape releases but confirmed Mr Xundu's release.

LE VALUE

THIS LOW PRICE
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district

scheduled elections

250 youths in court

KING WILLIAM'S TOWN — A total of 250 youths, mostly pupils, appeared in the magistrate's court here in two separate cases of attending an illegal gathering.

They were arrested after the funeral of an ex-Robben Island prisoner, Mr Joe Gentse, on Monday.

In the first case, 114 youths appeared. Those who were 17 and under were released into the custody of their parents

and those 18 and over were granted R40 bail.

Their attorney, Mr T. M. Mdlatana, asked the court to record visible injuries on those who allegedly sustained them while in police custody. Some had injuries on their faces and body.

The case was postponed to October 25.

In the second case 250 people faced the same charges. Their case was postponed to today. — DDR

Indian leader Meer freed from detention

The president of the Natal Indian Congress (NIC), Dr Farouk Meer, was released from detention yesterday. (329)

Dr Meer (46), who was arrested in Durban on August 23 in terms of section 29 of the Internal Security Act, was released from the H.F. Verwoerd Hospital in Pretoria. ST/AR

Dr Meer was transferred to the hospital, where he spent about two weeks, because his physical condition had deteriorated. 4/10/85

Dr Meer told *The Star* that, although he was happy to be free, he was disturbed that other detainees were still being held.

An application by Dr Meer's wife, Mrs. Rashida Meer, for her husband to be released from detention was to have been heard in the Durban Supreme Court on October 7.

Mrs Meer and her three children were allowed daily visits to Dr Meer while he was in hospital.

his dock

Court action to challenge 'harsh' rules

STAR
4/10/65
329

By Jo-Anne Collinge

Urgent court action has been launched to challenge as "unnecessarily harsh" the rules which apply to detainees held in terms of the emergency regulations.

Papers were served yesterday on the South African Government, the Minister of Justice and the Minister of Law and Order in connection with an application to be heard in the Rand Supreme Court on October 15 or as soon after as possible.

The applicants are Mr Auret van Heerden and Mr Simon Ratcliffe, both detained at Johannesburg's Diepkloof Prison, and Mrs Innocent Mukwebo, the mother of Mr Themba Nhlapo who is detained at Protea police station in Soweto.

Their lawyers will argue that certain rules governing emergency detainees are void because they are unnecessarily harsh and punitive. These rules relate to visits, letters, the receipt of food parcels and other comforts, reading matter, permission to study, access

to prison shops and medical treatment.

It will be submitted that the rules for emergency detainees are substantially more stringent than those applicable to awaiting-trial prisoners.

In framing such rules, it will be argued, the Minister has gone further than merely regulating detention and has exceeded his powers to make rules to ensure public safety, to maintain order, to administer the emergency and to deal with circumstances likely to arise from the emergency.

The regulations in terms of which the detention rules are framed contain an "ouster clause", excluding the courts from pronouncing on the rules. It will be argued by the applicants that the "ouster clause" — which is not contained in the Public Safety Act itself — cannot be in the public interest.

It is understood that a report by a psychiatrist who has seen Mr van Heerden in prison will be submitted. He has suffered post-traumatic stress syndrome since an earlier detention.

An affidavit testifying to the hospitalisation of Mr Nhlapo will also be placed before the judge.

3 Cala
4/10/85
men (329)
detained

Dispatch Reporter

UMTATA.—The head of the Transkei security police, Lieutenant-General Leonard Kawe, confirmed here yesterday that three people from Cala in Western Transkei had been detained by security police on Wednesday.

DISPATCH

He would give no other details.

04/10/85

Those detained in a dawn raid on their homes are Mr Victor Ngaleka, a bookshop assistant, Mr Godfrey Silinga, a high school teacher, and Mr Monde Mvimbi, a businessman.

The legal representative of the detainees, Mr Dumisa Ntsebeza, said yesterday he was still trying to get full information and details from the police.

Boycott organiser has been detained

Post Reporter

MR MICHAEL NZOTHUYI, the co-ordinator and acting spokesman for the black Consumer Boycott Committee in Port Elizabeth, has been detained.

He is also acting secretary-general of the Port Elizabeth Black Civic Organisation (Pebco), a post he took on after the mystery disappearance on May 8 this year of the three Pebco leaders — the president, Mr Qaqawuli Godolozzi, the secretary, Mr Siphon Hashe, and the organising secretary, Mr Champion Galela.

Mr Nzothuyi became spokesman for the committee after the boycott spokesman, Mr Mkhuseleli Jack, was detained on August 2.

The police confirmed that Mr Nzothuyi was detained on Tuesday.

His relatives were told he was being kept at St Albans Prison and they could apply for permission to visit him.

Detainees to challenge 'harsh' emergency rules

ARGUS 4/10/85
329

Argus Correspondent
JOHANNESBURG. — Urgent court action has been launched to challenge as "unnecessarily harsh" the rules which apply to detainees held in terms of the emergency regulations.

Papers were served yesterday on the Government, the Minister of Justice and the Minister of Law and Order in connection with an application to be heard in the Rand Su-

preme Court on October 15 or as soon after as possible.

The applicants are Mr Auret van Heerden and Mr Simon Ratcliffe, both detained at Johannesburg's Diepkloof Prison, and Mrs Innocent Mukwebo, the mother of Mr Themba Nhlapo who is detained at Protea police station in Soweto.

Their lawyers will argue that certain rules governing emergency detainees are void because they are unnecessarily harsh and punitive. These rules

relate to visits, letters, receipt of food parcels and other comforts, reading matter, permission to study, access to prison shops and medical treatment.

It will be submitted that the rules for emergency detainees are substantially more stringent than those applicable to awaiting trial prisoners.

In framing such rules, it will be argued, the Minister has gone further than merely regulating detention and has ex-

ceeded his powers to make rules to ensure public safety, to maintain order, to administer the emergency and to deal with circumstances likely to arise from the emergency.

The regulations in terms of which the detention rules are framed contain an "ouster clause", excluding the courts from pronouncing on the rules. It will be argued by the applicants that the "ouster clause" — which is not contained in the Public Safety Act itself — cannot be in the public interest.

It is understood that a report by a psychiatrist who has seen Mr van Heerden in Diepkloof Prison will be submitted to the court. Mr van Heerden has had "post-traumatic stress syndrome" since an earlier period of detention.

An affidavit testifying to the health of Mr Nhlapo will also be placed before the judge.

Meanwhile, the Progressive Federal Party's spokesman for law and order, Mrs Helen Suzman, MP, yesterday announced the proposed establishment of a committee to monitor complaints about police excesses.

"I intend to press for the release of the detainees and particularly for the release of the young people being held.

"We are also deeply concerned about the report of police excesses in the townships and at police stations on the Witwatersrand. We intend to take steps to set up a monitoring committee to which people with complaints can come and make affidavits, which we will then send to the Minister of Law and Order for the action he has promised would follow if such affidavits were submitted to him."

American hostage 'killed in revenge for jet raid on Tunis'

BEIRUT. — The Shi'ite Muslim group Islamic Jihad has killed United States diplomat Mr William Buckley in retaliation for Israel's attack on a Palestinian headquarters in Tunis, two Beirut newspapers said today.

The newspapers carried a statement purportedly issued by the group, Islamic Jihad, saying: "We announce the execution of ... William Buckley right after publication of this statement."

It added that Mr Buckley, kidnapped by the group in March last year, had been "tried and found guilty of involvement in American intelligence crimes in this world".

The phrasing of the statement, written in bad Arabic, indicated that by the time the papers were published Mr Buckley would be dead.

US Embassy officials could not be reached for comment. There was no way to check the authenticity of the statement

or confirm that Mr Buckley had been killed.

The statement said Mr Buckley was killed "in revenge for the blood of our martyrs" in Tuesday's Israeli air raid. The Palestine Liberation Organisation said 45 Palestinians and 20 Tunisians were killed in the attack.

Mr Buckley, one of six Americans and four Frenchmen believed held by Islamic Jihad, is a political officer at the US Embassy in Beirut.

The statement charged that "beyond any doubt" Tuesday's air strike was "carried out and planned jointly by the United States and Israel under the supervision of American intelligence".

An-Nahar also published a photograph of Mr Buckley — the longest-held captive among the American hostages.

There was no indication where or when the picture was

taken. It showed Mr Buckley, of Medford, Massachusetts, looking pale and drawn with a grey beard. — Sapa-AP.

● A Soviet Embassy convoy left Beirut for Damascus today guarded by Druze militiamen.

Three buses with about 70 Soviet citizens, mainly women, and two lorryloads of baggage pulled out of the west Beirut embassy compound early this morning.

Asked where he was going, one Soviet diplomat said: "Home." Another said the convoy was Damascus-bound.

The evacuation came two days after the killing of one of four Soviet officials kidnapped last Monday by Islamic Jihad. — Sapa-Reuter.

56 die in clashes

BOGOTA. — At least 56 people have died in clashes between Colombian troops and leftist rebels in the past two days. — Sapa-Reuter.

4/10/65
Mrs Shahieda Issel on bail
Court Reporter 329

MRS Shahieda Issel, secretary of Rocklands Civic Association, yesterday appeared in Cape Town Magistrates' Court after spending a month in detention.

Mrs Issel, 29, of Kraai Crescent, Rocklands, Mitchells Plain, was not asked to plead and no charges were put to her.

The hearing was adjourned to October 21 and Mrs Issel was released on bail of R50.

Mr R A Duraan was the magistrate. Mr L S Moffitt prosecuted. Mr E Mohammed of E Moosa and Associates appeared for Mrs Issel.

2 Cape Times, Fri

4/10/88

Dutch envoys leave for SA

THE HAGUE. — Two Dutch diplomats left for Pretoria last night to discuss Mr Klaas de Jonge, the Dutchman sheltering in the Netherlands Embassy in Pretoria who is wanted by South African security police.

Their departure came after a meeting here earlier this week between Dutch Foreign Ministry officials and the South African ambassador.

A Dutch Government spokesman said the diplomats were ambassador-at-large Mr Henri Wijnaendts and Southern Africa Bureau head Mr Roeland van de Geer. — Sapa-AP

CAPE TIMES

4/10/85

Five held in Paarl swoop

Staff Reporters

FIVE people in Paarl, including a high school teacher and pupil, were detained by security police in a pre-dawn swoop on Wednesday.

A third-year law student at UWC. Mr John Kearns, was one of those detained.

His brother Juan said: "They came here at 4am. about 10 men, and they just said 'Hurry up, get dressed quickly, we still have a lot of places to go to'.

"John said 'I want to phone a lawyer', and they said 'You have got no rights'. They did not say under what law they were taking him or where to."

Those detained were: Mr Kearns, Mr Mario Julies, a pupil at Klein Nederburg High School, Mr Kevin Fredericks, Mr Anwar Sheikh, a teacher at New Orleans High School, and Mr Dawid Pietersen.

A relative of Mr Kearns said the family had been told the men were arrested on a charge of arson and would appear in court today.

The Police Directorate of Public Relations in Pretoria yesterday confirmed the arrest, on a charge of public violence, of Mr Kearns, Mr Julies, Mr Fredericks and Mr Sheikh. It had no record of the detention of Mr Dawid Pietersen "on criminal charges or in terms of security legislation".

'Welcome back'

● The Detainees Parents' Support Committee (DPSC) yesterday welcomed the release of detainees in the Western Cape over the past two weeks, saying it was a victory for those who had campaigned for their release.

● The UDF said in a statement yesterday it "welcomed back" into its ranks those Section 29 detainees released this week.

Dr Meer in bed after his detention

Mercury Reporter

FREED Natal Indian Congress activist Farouk Meer was resting in bed at his Durban home yesterday after six weeks in detention under Section 29 of the Internal Security Act.

He was released from the H F Verwoerd Hospital in Pretoria on Thursday night. He had been receiving treatment for a suspected heart condi-

tion.

Dr Meer arrived home early yesterday, only days before an application for his release was to have come before the Supreme Court.

According to his wife, Mrs Rashida Meer, he is still not too well and will rest at home for about a week.

'His blood pressure is still high,' she said.

Dr Meer was detained

by security police on August 23. He told the Mercury yesterday that while he was happy to be back, he was deeply concerned about his colleagues who were still in detention.

In her application to the Court, which was made last week but postponed to Monday, Mrs Meer said that at the time of his arrest her husband was in reasonably

good health in spite of the fact that he was suffering from hypertension, which was under control.

She said he had been examined by Dr P L Patel, a specialist physician, on September 22 who found that there had been a substantial increase in his blood pressure. He had lost weight and suffered from insomnia and appeared extremely depressed.

Sunrise news

Detainees in Jo'burg fine — PFP

by **STAR**
David Braun,
Political Correspondent

5/10/65

329

Detainees held under the emergency regulations in Johannesburg are evidently being accorded the maximum protection against abuse.

This emerged this week when two Progressive Federal Party MPs, Mrs Helen Suzman (Houghton) and Mr Peter Soal (Johannesburg North), were given free range to talk to all 113 people incarcerated in Johannesburg Prison in terms of the emergency regulations.

NO SERIOUS COMPLAINTS

The parliamentarians managed to see almost all the detainees during a 2½-hour visit on Wednesday.

There were no serious complaints about their treatment and nobody appeared to have been treated roughly or assaulted in any way during police interrogation, Mrs Suzman said afterwards.

Mr Soal said the Prisons Service appeared to be anxious to make sure that no one was ill-treated, which was why one of its officials was always present when police questioning was done on the premises.

"If a detainee is taken away for questioning, he is examined medically before he leaves and again when he returns," Mr Soal said.

He added that it was reassuring to know that no one was being beaten up, in view of allegations of police violence in many other parts of the country.

BORED

The Johannesburg detainees appeared to have been questioned for the first day or two of their incarceration and now they were thoroughly bored, he said.

"Many of them are in single cells, although they can shout to one another, while the younger people are in large dormitories. They have exercise periods during the day and listen to Radio Highveld news broadcasts.

"Some of them have had visits while others have not.

APPLY

The procedure for visits is that visitors must apply to the police, and the Security Police will then decide if they will be allowed."

Mr Soal said that he and Mrs Suzman were trying to see as many relatives and friends of the detainees as possible to pass on messages that all was well.

"The detainees are healthy, fat-faced and fine. Many of them look such unlikely revolutionaries.

LUDICROUS

They should be released. It is ludicrous to lock up people like that," he said.

The PFP is soon to announce details of its Johannesburg emergency monitoring committee. Several of the party's public representatives are to be on hand to collect any complaints of police action. Affidavits will be taken and handed to the police for investigation.

Law and Order appalls judge

Own Correspondent

DURBAN. — There was a strong suggestion that there was a lack of communication and co-operation between the Minister of Law and Order and subordinate members of his department, a Durban judge said yesterday.

Mr Justice Law was dealing with an application interdicting police from assaulting 15-year-old Eugene Vusi Dlamini, who was detained under the Internal Security Act on August 27.

The judge said that after an order made on September 6, Eugene had been interviewed by a magistrate who had taken a sworn statement from him.

No consent

The court had also been furnished with comprehensive medical reports.

The judge said that when the matter was called, Mr C Schoeman, who appeared for the Minister of Law and Order, Mr Louis le Grange, and the police, had applied for the case to be adjourned for three weeks.

Mr Schoeman had said that the matter had been settled on the basis that the respondents consented to the confirmation of the rule.

However, the settle-

ment had been effected without the knowledge or consent of the Minister of Law and Order who apparently first heard about the application and its purported settlement on Thursday.

Mr Schoeman had been instructed by the minister that he was totally opposed to matters such as this being settled without a proper ventilation of the issues.

The judge said that in his view the attitude adopted by the minister was right and proper.

"However, the facts which the minister has placed before the court disclose an alarming and deplorable state of affairs."

The judge said he was appalled that a court order such as the one obtained by the applicant on September 6 should not have been brought to the attention of the minister until the day before the extended return date of the rule nisi.

'Appalled'

"I am equally appalled that anyone other than the minister could purport to settle legal proceedings based upon such serious allegations without the proceedings even having been brought to the attention of the minister."

The judge said that a similar application, the

case of E Nair versus the Minister of Law and Order and the Commissioner of Police, was resolved on September 30 on the same basis.

However, the minister had instructed Mr Schoeman that he had not consented to that settlement either.

"The minister's lack of information concerning these applications and their settlements strongly suggests there is a lack of communication and co-operation between him and the subordinate members of his department."

The judge said the detainee's mother had made out a strong prima facie case that the detainee had been severely assaulted.

He adjourned the hearing to October 25 and extended the rule nisi granted on September 6 to that date. The detainee would not be prejudiced by the adjournment. Mr Schoeman had informed him that the detainee was now an ordinary awaiting-trial prisoner in a case of public violence.

Senior magistrate Mr K Templeton testified in papers before the court that he had visited Eugene on September 18 at Shifa Hospital and taken a sworn statement.

Allegations in the sworn statement included that he had been punched in the stomach until he lost consciousness and that he had been kicked and punched by six white men in C R Swart Square, Durban.

Breakdown

He also alleged they had seated him on a chair, blindfolded him, tied his hands and legs, and poured water over his head and then over his feet. He had felt he was being shocked.

A medical report said the detainee had a perforated left eardrum and a swelling at the base of his tongue.

A psychiatrist's report said the detainee was "very ill-looking", in extreme fear and psychiatrically totally unfit to be interrogated further by security police. He would suffer permanent mental breakdown if this continued.

Omar released from detention

ADVOCATE AM "Dul-lah" Omar — released from detention last Thursday — was back on the job the following morning as one of the legal representatives for 18 relatives of detainees who appeared in the Cape Town Magistrate's Court in connection with an alleged illegal gathering at Caledon Square earlier this month.

Advocate Omar was held at Pollsmoor Prison for almost a month and released on Thursday morning without any charges being brought against him. **Hond**

The 18 were not asked to plead and the case was remanded to November 6. They were released on their own recognisances.

One of the accused, 36-year-old Mr Lukied Mko of Guguletu, failed to appear and Mr D Brand, for the State, said he would ask for a warrant of arrest to be put out for him.

A 16-year-old youth appeared in another court and was warned to appear again on November 15.

The 20 first appeared on September 19 after they were arrested out-

side Caledon Square while waiting for a delegation of three to deliver a letter to the Commissioner of Police.

The eighteen are: Azaad Ally, 22; Bulelala Tinto, 31; Lettie Malindi, 63; Vivienne Madekwa, 38; Brenda Marks, 21; Desiree le Roux, 22; Margot Lynn, 26; Kay Jaffer, 27; Mary-Anne Adam, 28; Nabom Sonto, 28; Famima Omar, 22; Rachmat Omar, 34; Peta Scop, 23; Bridged Ann Pitt, 26; Sophie Makheto, 53; Maggie Lesiea, 25; Marjorie Pather, 59, and Paskelina Tyeku, 50.

Mr B J Viljoen was on the bench, Mr D Brand appeared for the State and Advocate LA Rose-Innes was the other defence counsel.

Ebrahim pledges to halt school violence

D.W. Post

By RAYMOND HILL

The Minister of Education and Culture in the House of Representatives, Mr Carter Ebrahim, today gave the assurance that his department would establish law and order at schools and colleges under his control.

Mr Ebrahim was speaking at the annual congress of the Labour Party's Eastern Cape Region at the Allanridge Community Centre in Uitenhage.

Those who attended the congress included members of the President's Council, and the chairman of the Minister's Council and leader of the Labour Party leader, the Rev Allan Hendrickse, and House of Representatives Ministers and MPs.

About 100 delegates from about 45 LP branches were also present.

Mr Ebrahim was loudly applauded after his speech.

He said he would deal with those individuals who were responsible for the destruction at schools and colleges under his control.

"We are going to establish order at our schools and colleges," he said.

Mr Ebrahim said he was not at the congress to make emotional speeches but to state facts.

He said he would appoint people at schools who were concerned about the education of "our children".

He said he had been accused of acting in a "draconian" and "high-handed" way.

He would however, "speak it out" until there was "absolute discipline" at the schools.

Mr Ebrahim said "intimidators" were in charge at the University of the Western Cape (UWC), in Bellville, a scene of recent unrest.

He said those who disagreed with the intimidators had had their offices burnt down.

"I'm certain we will restore UWC to its senses one of these days," he said.

Referring to scenes of violence by youths, including students, shown to the meeting on a video film, Mr Ebrahim said they were "savages" who would not hesitate to "exterminate" people.

Mr Ebrahim referred to the "bully boys" at certain high schools who were disrupting the "education process" at other schools.

Mr Ebrahim said there was, however, a "growing opposition" among a large number of students who said they were not going to "take any more".

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Detention meeting banned

Staff Reporter S29

A MEETING of the Detainees' Parents' Support Committee that was to have been held at the Samaj Centre, Gatesville, at 2pm today was last night banned by the Chief Magistrate of Wynberg. Mr W P Theron.

He said he had reason to believe that the public peace would be seriously endangered by the meeting.

The ban is effective from 1pm today until midday tomorrow.

The DPSC said in a statement last night: "They can detain our people, they can ban our meetings, but they won't stop our opposition to detentions. We continue to call for the release of all detainees and political prisoners."

A spokesperson for the Athlone Advice Forum condemned the banning of the meeting.

"When people wish to protest against laws which do not protect people, their protest is stifled."

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T'kei police detain shot man's brother

Staff Reporter

THE detention in Cala, Transkei, yesterday of Mr Lungisile Ntsebeza, brother of murdered Ultra student, Mr Balandwa Ndondo, has been described as "a deliberate attempt by the authorities to interfere in investigations into the murder".

Transkei police have admitted that members of the force were involved in the shooting incident last week in which Mr Ndondo was killed.

Mr Ntsebeza is the fourth relation or close friend of the murdered man to be detained this week.

On Tuesday, Mr Victor

Caleka, Mr Godfrey Silinga and Mr Monde Nzimbi were detained by police.

All four were "intimately involved" in investigations into the murder, according to a spokesman for the Health Care Trust, for which Mr Ntsebeza works as a village health worker.

"The police are obviously going for friends of the murdered man instead of going for the murderers," the spokesman said.

● The Clothing Workers Union has condemned the detention of its organizer, Ms Shirley Gunn, and called for her immediate release.

● Natal Indian Congress activist, Dr Farouk Meer, was resting in bed at his Durban home yesterday after six weeks in detention under Section 29 of the Internal Security Act.

He was released from the H F Verwoerd Hos-

pital in Pretoria on Thursday night where he had been receiving treatment for a suspected heart condition and arrived home early yesterday, only days before an application for his release was to have come before the Supreme Court.

● Sapa reports that police said yesterday 136 more people had been arrested and 17 released in the past week under the emergency regulations.

According to the lists released weekly by police in Pretoria, 3 084 of the 3 777 people arrested had been freed bringing to a total of 693 the number of people still in detention in terms of the July 22 proclamation.

A police situation report earlier said, however, that 1 067 people were still being held in terms of the emergency regulations while 3 760 had been released.

Too late for classification

DEATHS

VIVIER. — Grace Magdalene, passed away peacefully October 2. Deeply mourned by her daughters Jeanette and Vivienne, grandchildren Grace, Richard, Diethard and Michelle. Service Maitland Crematorium Chapel on Monday at 2.40pm. Arrangements Goodall & Co. Phone 24 3357.

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Emergency: 136 more held, 17 released DISPATCH

PRETORIA — Police said yesterday 136 more people had been arrested and 17 released in the past week under emergency regulations.

A police unrest situation report said 1 067 people were still being held.

The names of those detained in the past week are:

Name	District
1 William Manye	Vndrbjlrk
2 K Goula	do
3 Michael Mzotheyn	EE
4 (Illegible)	do
5 Lucky Mathethe	Randburg
6 Johannes Olifant	Vndrbjlrk
7 Stanley?	JHB
8 L. Mojikwe	Bthrst
9 William Myungi	PE
10 Gladman Nemeje	do
11 Michael Maswaud	do
12 Albert Mill	do
13 Wellington Msutu	do
14 D Hodi	do
15 Nkosi Guntu	do
16 Singelele Mcienne	do
17 Patrick Mgxekana	do
18 Phillip Lam	do
19 Frick Mgxekana	do
20 Vincent Gogela	do
21 Gladman Ngudana	do
22 B Gogela	do
23 Phillip Menlana	do
24 Vuyo Madwara	do
25 Ntisi Makhe	do
26 Samson Valtyn	do
27 Mkwiseli Barnes	do
28 Mookhaal Monzezi	do
29 Moeba Madwara	do
30 Goodman Njeka	Gtown
31 Zmekara Jack	Utnhge
32 Thelile Kika	do
33 Witzle Manot	do
34 Witzle August	do
35 Mmedici Thaita	do
36 Isaac Mogase	JHB
37 Yuzumzi Khayile	do
38 Johannes Mosike	do

39 Jacob Ramatloa	do	98 Mzimasile Makubab	do
40 Zmekara Jack	Utnhge	99 Ndodomzi Mangwane	do
41 Thikile Kika	do	100 Vusumzi Mpangesh	do
42 Vuyisile Nanto	do	101 Myula Ndlebe	do
43 Mmedici Thinta	do	102 Monde Shenua	do
44 Vuyisile August	do	103 Mbuyisen Mtwebana	do
45 Desmond Boy	PE	104 Nkosana Ntompama	do
46 Witness Zolabanga	do	105 Thembiwele Dyanajies	do
47 Luvuyo Mgeca	do	106 Tolani Masikama	do
48 Malela Mpwnelelo	do	107 Zoule Nxokolo	do
49 Grootboom Thozamile	do	108 Thami Nzawana	do
50 Xanti Lamani	do	109 Simo Hopa	do
51 Patrick Thaleroe	do	110 Thando Fibi	do
52 Wandile Gope	do	111 Luntu Nswayana	do
53 Mtungisi Bebe	do	112 Langile Mangangwane	do
54 Nkosana Tswewne	do	113 Mutsi Gotyi	do
55 Mbuyiseli Kakana	do	114 Mzamba Ramuga	do
56 Mmedici Luka	do	115 Raymond Mandulo	do
57 Zolile Pondo	do	116 Andani Tsotsobe	do
58 Vukhe Mboxwana	do	117 Vuzumzi Jolavu	do
59 Mfusi Magwani	do	118 Myakhe Tuswa	do
60 Monkie Pool	do	119 Bantu Zazini	do
61 Vukile Mvungu	FE	120 Mark Dayimani	do
62 Zangamele Booi	do	121 Patrick Dlamo	do
63 Thamduxohe Mlogo	do	122 Layada Boyce	Utnhge
64 Mvuleni Fali	do	123 Jabulane Nkosi	Benoni
65 Mzwandile Nogwaza	do	124 Charles Khambule	do
66 Mvuleni Njenje	do	125 Ignatius Tshabalala	do
67 Thando Noki	do	126 (Illegible)	FE
68 Gedian Ngwenso	do	127 ? Ndlovu	do
69 Jisa Bonga	do	128 (Illegible)	do
70 Monde Njenje	do	129 (Illegible)	do
71 Mzimasi Maselane	do	130 (Illegible)	do
72 (Illegible)	do	131 Myushe Monde	do
73 Sonwabe Nogwaza	do	132 (Illegible)	do
74 Lungile Meke	do	133 (Illegible)	do
75 Mkhoseli Nocaya	do	134 ? Nkothedo	do
76 Emanuel Didi	do	135 (Illegible)	Fort Beaufort
77 Phakamisa Gaba	do	136 ? Motana	do
78 Mzukisi Nqame	do		
79 Nsikelele Mote	do		
80 Prince Phillip	do		
81 Mqondisi Simka	do		
82 Themba Jakavula	do		
83 Coby Tshindela	do		
84 Zandi Jack	do		
85 Mbuyiseli Vundla	do		
86 Vuyane Tyana	do		
87 Andile Sokutu	do		
88 Vukile Nayette	do		
89 Vusumzi Mayedwa	do		
90 Mxolisi Phillip	do		
91 Shimpivo Gaba	do		
92 Michael Dudu	do		
93 Mzimkulu Mdklako	do		
94 Xolile Mzimba	do		
95 Sindile Mtinkulu	do		
96 Geina Nowwaza	do		
97 Miami Masikana	do		

Those released were:

1 A S Sebako	Rndfntn
2 N Nkosi	do
3 N Seepolle	do
4 A P Morake	do
5 M Sepotokele	do
6 B Magatusi	do
7 A Ntsele	do
8 M Sejeke	do
9 T J Makinia	do
10 P Ntshingila	do
11 L O Sethole	do
12 M Morare	do
13 P E Khoza	do
14 R F Nobadule	do
15 S M Molebeleli	do
16 P J Magalela	do
17 P Thlapane	do
— Sapa	

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Leading women support Dr Orr

Staff Reporter

MORE than 300 women throughout South Africa have signed anti-apartheid declarations calling for an end to statutory race discrimination and the release of all detainees.

The declaration was inspired by and drawn up in support of Dr Wendy Orr, who recently won a Supreme Court order restraining police from assaulting detainees in Port Elizabeth.

The list of names represents a broad spectrum of political opinion, including known government supporters.

Signatories number over 70 doctors, including Dr Frances Ames and Dr M A Ramphela, the editors of most women's magazines, including Mrs Jane Raphaely, social workers and trade unionists such as Mrs Lucy Mvubelo, businesswomen and prominent social figures such as Mrs Bridgette Oppenheimer.

Mrs Raphaely, who was one of a group of eight who spearheaded the campaign, said yesterday the declaration represented "the beginning of a great deal of activity by women" to do something about what was happening in South Africa.

"It is quite obvious that women are prepared to work together. They tend to be less political, more practical and therefore more effective," Mrs Raphaely said.

She called on all concerned women to support the declaration.

The full text of the declaration reads:

"As concerned women we wish to support Dr Wendy Orr for her courage and initiative in obtaining the evidence which led to a Supreme Court order restraining police from assaulting detainees in Port Elizabeth.

Release detainees

The same concern leads us to call for:

- The release of all detainees.
- An end to detention without trial.
- An end to statutory race discrimination, particularly race classification, the Group Areas Act, and separate and unequal educational facilities.

- The establishment of a just social order in which all the people of South Africa will enjoy the Rule of Law."

It was supported by:

Anita Attler, Mrs Melanie Awerbuch, Adrian Andrew, Mrs L Awerbuch, Mrs Clarice Anderson, Wendy Ackerman, Neli Abdurahman, Sandra Arendse, Ida Arendse, Marion Abrahams, Nina Azar, Leslie Anderson, Anne Jacobsen-Abel, Penelope Anderson, Diane Burns, Jenni Boraine, Laetitia Brummer, Ida Brand, Rea Borcherds, Julia Broadhurst, Eve Bertelson, Maud Behn Bort, Ray Bernstein, Mrs I Bowman, Anne Badings, Nina Benjamin, Mona de Beer, Gisela Bloom, Sumien Brink,

Shella Catzel, Florayne Carr, Mrs Isobel Chilrow, Mrs J Curitz, Mrs M Cohen, Loriesa Cartwright, Maude Craig, Dr Cecile Cilliers, R Y Carter, Barbara Cohen, Penny Rivet-Carnac, Phillippa Chaffin, Brenda Daya, Ruth Dudley, Justine Drake, Peggy Delport, Rene Durbaek, Val Dedricks, Jetty Degenar, Pat Duncan, Helda de Wet, Marita du Toit, Randu du Toit, Mrs M de Villiers, Evelyn Pickering-Dunn, Rose du Plessis, Miriam du Toit, Mona de Beer,

Helene Elliott, Connie Feast, Myrna Fahrenfort, Carol Fleischmann, Moyna Fine, Marie Fynlink, Mrs F Golding, Zeta Goodman, Alison Golding, Micky Gordin, Anne-Hilge Gagliano, Annette Gliotome, Sally Graaff, Doreen Geffen, C Grodel, Jenny Heav-

Karen Honikman, May Hillhouse, Wendy Hofmeyr, Dusty Holloway, Esme Harris, Lorna Hansen, Lyn Bedford Hall, Cullen Hirschon, Lyndall Hare, Annemarie Hendrickz, Qanita Hassien;

Pauline Isaacson, Val Isaacson, Tessie Isaacs, Claire Irving, S E Jewell, Patricia Jasson, Helmin Jonker, Maude Jonathan, Bina Jassien, Ada Kahn, Ms C Knott, Mrs Andriette Kritzinger, Herza Kotze, Kamlesh Ker, Mrs L Kaplan, Sheila Katzel, Sally Kernick, Rene Kleinman, Eleanor Kuhn, J Langenhoven, Mmabatho Lekalakala, Dr Ingrid le Roux, Betty Luyt, Mrs H Lindy, Ellen Lambert, Pearl Luthuli, Jackie Lange, Gillian Lindner, Ivy Lenda, Jenny le Roux, Rennie Len, Karen Levin, Cathryn Lochner;

Berenice Miller, Zoe Malindi, Mary-Jane Morifi, Jane Mulliner, Vivienne Mallett, Diana MacKenzie, Margaret Milne, Patsy Marow, Val Martin, S Moll, Sharifa Moolala, Zerina Myburgh, N Mohamed, Angela Moodley, E Mundell, Lucy Mvubelo, Julia Mavimbela, Meryl Myers, Valerie Mason, Sonia Morris, Linda Magodla, Valerie Mason, Cordelia Mapukate, I K Mars, Tish Muller, Jean McGregor, Mrs Petra Muller, Mrs Margaret Malherbe, G N Nolzenangane, Jill Newton, Kay Narvasa, Mollie Robinson, N Rhode, Thelma Richards, Jinny Rickards, Jean Raubenheimer, Sarah-Anne Raynham, Irma Roth;

Mrs Ingrid Scholtz, Prof Pamela Sharritt, Adele Searl, Cecilia Sonnenburg, Eileen Sachar, Sylvia Schrire, Angela Silbert, Barbara Sandler, Grace Smith, Vivienne Stein, Rolene Segal, Jasmin Samadlen, Jennifer Septoe, C I Smith, Eileen Staden, Lynette Nelson Jessica Norval, Bridget Oppenheimer, J Oardien, Jose Olivier;

Sue Pato, Di Penn, Di Paice, Elinda Patterson, J Paruk, M Petersen, N Pool, W Pool, Pauline Pearce, Marina Peters, Charmaine Poole, Cori Pfeiffer, Jane Raphaely, Elize Rossouw, Maggie Roberts, Jenny Rabinowitz, Ranie Rampersadh, Eta Scher, Margo Sturgeon, Anita Saunders, Mena Slabbert, Laura Sorger, Mrs M Saramback, Ruth Suter, Phil Scott, Freda Sacks, Mrs B Sandler, Marlene Silbert, Mrs G Stevens, Joan Sonn;

Buziwe Toboti, Kay Thompson, Mavis Taylor, Jeanette Traverso, Asentia Tebbutt, Martie Vorster, Caroline van Zyl, Anne van der Riet, Cecilia van Aawegen, Linda van Dieman, Ruth van der Graan, Coreen van der Merwe, Pat van der Ross, Denise Valente, June Vigor, Nanette van der Merwe, Mrs Elrene van der Spuy, Madeleine van Blijen, Jennifer Viotti, Yvonne Verblun, Mrs Ida Vogelmen, Mrs S van der Merwe, Mrs E van der Horst;

Ann Williams, Y Wilton, Roz Wrottesley, Judith Wiener, Bertha Wedan, Jennifer Wynne, S Willemson, B Withers, Irma Zanopoulos, Pat Garlick, Lorna Nisbet, Marilyn Hattingsh, Jennifer Herman, Peggy Jennings, Linda Keller, Gaby Rosenwerth.

Amended declaration

- The following people, mostly medical doctors, signed a slightly amended version of the declaration which read:

"As concerned women we wish to commend Dr Wendy Orr for her courage and initiative in presenting the evidence which led to a Supreme Court order restraining police from assaulting detainees in Port Elizabeth.

"We therefore ask that the restraining orders that apply to the Port Elizabeth area be extended to the whole country and that detainees be either charged or released."

It was supported by:

Dr D R Ilhaam Abrahams, Dr S Abrahams, Dr Frances Ames, Dr M Anderton, Dr L J Arens, Dr S Bingham, Dr M Brawn, Mrs K Brodenick, Mrs M Clark, Dr E V J Clarke, Dr A Coenraad, Mrs P Kumpsty, Dr E De Wit, Dr S De Vries, Dr D Douglas-Risher, Mrs Sue Folb, Dr S Friedlander, Dr C H C Geddes, Dr M Gellman, Dr C Gleeson, Miss J S Gray, Dr Judy Green, Mrs B M Grieve, Dr Ann Hacking, Moira Henderson, Dr D Hewitson;

Mrs G Jaffe, Dr J Kane-Berman, Dr M A Kemp, Dr Helen King, Mrs B Kirsch, Dr Sharon Kling, Dr S Languardien, Dr Ingrid Le Roux, Dr Fay Lindor, Dr L Lingle, Mrs M Livingstone, Dr R Mason, Dr R Maythem, Dr Mary Milford, Dr G Mitton, Dr S Morris, Miss S W Mountford, Dr Fay Mowsowitz, N Mtoba, Dr Wendy MacLeod, Dr Barbara McGibben;

Dr Eleanor Nash, Dr N Nicholson, P O'Leary, Dr P Miriam Omar, Dr I Orskov, Dr Alison Oswald, Mrs S Philcox, Dr E A Ralston, Dr M A Ramphela, P V Regnart, Dr Mary Roberts, Mrs Elizabeth Rollo, Professor Norma Saxe, Dr E M Senior, Dr Cindy Shepherd, Mrs Helen Stephen, Mrs M E Thomson,

Detention demeaning SA and all who remain silent

CAPT T.M. 18 7/10/85 329

WHEN the previous state of emergency was declared in 1960, the South African legal system resembled a Western system in its main essentials.

Consequently, the government was required to promulgate emergency regulations to empower it to detain people without trial.

What South Africa inherited from the 1960 emergency was a continuation of those detention regulations in permanent, statutory form. The comprehensive system of security legislation started in 1963 with the 90-day detention clause, was extended in 1967 into indefinite detention and further refined by the Rabe Commission and the Internal Security Act of 1982.

Transformed

For most of this 20-year period our courts — with very rare exceptions — sided with the executive. They have thus provided little, if any, judicial check on the draconian executive powers which transformed our legal system, insofar as political opposition to the government was concerned, into one which assumed the worst characteristics of the totalitarian society.

Some decisions contributed to the impression that the Supreme Court could no longer be seen as a bulwark against executive excess.

'Protection'

Small wonder that Sydney Kentridge wrote of South African security legislation as follows:

"One day there will be change in South

By DENNIS DAVIS, Associate Professor of Law at the University of Cape Town.

Africa. Those who then come to rule may have seen the process of law in their country not as protection against power but as no more than its convenient instrument, to be manipulated at will.

"It would then not be surprising if they failed to appreciate the value of an independent judiciary and of due process of law. If so, then it may be said of those who now govern that they destroyed better than they knew."

Something has begun to change in 1985, certainly as far as the divisions of the Supreme Court in the Transvaal, Natal and Eastern Cape are concerned.

The state of emergency has contributed to the magistrate's courts being seen more and more by the majority of the population as a site of repression (for example, the consistent practice of the prosecution to refuse bail to those accused of participating in illegal gatherings, thereby using bail as a punishment and as a means of effectively detaining people).

Examples

There are signs that the Supreme Court in the abovementioned divisions is beginning to resuscitate its role as custodian of the liberal principles of our Roman-Dutch/English law heritage.

Three important examples will suffice:

□ The Transvaal Supreme Court has re-

cently set aside the proclamation of the Minister of Law and Order in which he prohibited certain classes of indoor meetings and all outdoor gatherings save of a bona fide sporting nature throughout South Africa.

The court held that it was not clear under which section of the Internal Security Act the proclamation had been issued and, as such, the exact effect of the prohibition was uncertain.

If upheld on appeal, the judgment could well mean that many of those charged with attending gatherings over the past few weeks had not, in effect, committed an offence of attending an "illegal gathering".

□ In the Natal Supreme Court, Mr Justice Leon exercised a real measure of judicial control over the procedures by which people are detained.

Significant

In declaring that the detention of Patrick Kearney was unlawful, Mr Justice Leon held that the police must have a factual basis for detaining a person in terms of Section 29 of the Internal Security Act.

Dealing with Section 29 (7), which provides that a court cannot pronounce on the validity of a detention order, the court decided that it was entitled to inquire whether the conditions prescribed for detention

under Section 29 had been met.

Should this judgment be upheld by the Appeal Court, it will be the most significant judgment in re-establishing the tradition of the rule of law in this country because the police will be forced to produce reasons for detaining people.

□ Last week the Port Elizabeth Supreme Court granted an interdict restraining police from assaulting detainees in the Port Elizabeth area.

This is not the first such interdict but, significantly, it prohibits assaults of future detainees as well as granting lawyers permission to interview people in detention.

Coming so close after the publication of the UCT's Institute of Criminology Report — which found that 83 percent of the 176 cases interviewed reported one or other form of physical torture — the Port Elizabeth case must surely provide the clearest evidence that detainees who allege torture are not crying "wolf wolf", as a judge of the Cape Supreme Court was reported as saying.

Follow lead

It is imperative that the legal profession in particular and the public in general realize the magnitude of the horror perpetrated in the name

of the "security of the state".

If the legal profession, including the judiciary, wants to preserve the tradition of civil liberties and the rule of law for the South Africa of the future, they will consistently have to follow the lead of those courts which have finally desisted from hiding behind the most narrow form of legal positivism.

A meeting of all concerned with the plight of detainees and the draconian nature of our security legislation has been called by a number of concerned organizations.

It will be held on Tuesday, October 8 at 8pm in the Rondebosch Congregational Church Hall.

Essential

It will discuss the implication of the Port Elizabeth case and the UCT report. The legal profession is urged to attend to voice its concern in the most visible possible manner.

Clearly, the abolition of detention laws is one of the essential pre-conditions for genuine political reform in this country.

Perhaps as important is the fact that those who remain silent in the face of the overwhelming evidence of how the detention procedures are putting fellow citizens at risk of horrendous brutality are contributing by their silence to the final destruction of the legal heritage inherited from the Roman-Dutch and English legal systems.

Detainees: Suzman replies to complaints on 'bland' comments

Mrs Helen Suzman, the Progressive Party spokesman on Law and order, responded yesterday to charges that her recent comment on the condition of detainees was "bland".

A recent report in The Star carried comments made by Mrs Suzman and Mr Peter Soal, MP, for Johannesburg, North, after they had visited 113 detainees, held in the Johannesburg Prison in terms of the emergency laws.

A family member of one of the detainees said he condemned Mrs Suzman's "mild words". He said it indicated a bland attitude, which was surprising, coming from someone known for her outspoken opposition to the Government.

Mrs Suzman said although she was satisfied that the detainees were not physically assaulted during interrogation, she still objected to the continued state of emergency and the detention of people without trial.

"My main concern was to ensure that prison authorities in Johannesburg were taking better care of detainees when interrogated, than the prison authorities were allegedly doing at St Albans Prison, Port Elizabeth. On this score, we were satisfied," said Mrs Suzman.

In her report on the detainees to the Minister of Law and Order and the Minister of Justice, she called for the "speedy release of all the detainees".

Mrs Suzman expressed her concern for the many detainees who were under 18. She also asked for an improvement in emergency regulations regarding food, visits and other complaints. Mrs Suzman has been assured that the women prisoners who complained about the poor ventilation in their cells, would be transferred elsewhere.

Detainees interviewed by Mrs Suzman complained about being locked up alone in a cell for 23 hours a day, having no reading material other than the Koran and the Bible, and being denied family visits.

Mrs Suzman said she was satisfied that the detainees were not physically assaulted during interrogation, she still objected to the continued state of emergency and the detention of people without trial.

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Letters plea to Botha on political detainees

By EBRAHIM MOOSA
Political Reporter

A FLOOD of letters from all over the world has been received by the Cape Times protesting against South Africa's stringent security laws and urging the State President, Mr P W Botha, to unconditionally release all political detainees.

This follows a campaign launched by the London-based Amnesty International which had alerted the international community to the plight of detainees in South African prisons.

Letters were received from Denmark, Sweden, Italy, West Germany, Belgium, France, America, Canada, Australia, Spain and Haiti.

Human rights

Correspondents noted that they had sent copies of their letters directly to the State President, the Minister of Law and Order, Mr Louis le Grange, the Commissioner of Police, General Johan Coetzee, the Minister of Foreign Affairs, Mr Pik Botha, and other newspapers.

The letters were sent by persons of a variety of backgrounds expressing their concern at the potential violation of human rights by the security forces under powers given to them under the Internal Security Act.

Most of the letters called for the release of Dr Allan Boesak, Mr Salem Badat, Mr Graham Bloch, Ms Amanda Kwadi, Ms Russel Maphanga, Dr Farouk Meer, Mr Abdullah Omar, Reverend Cibisi Xundu, Mrs Shirley Gunn, Mr Yunus Mahomed, and others. Some have since been released.

Grave concern

In his letter addressed to the State President, Mr Grady Walker of Salt Lake City, America said:

"Please permit me to express my grave concern at the provisions of Section 29 of the Internal Security Act. All international standards of legal protocol and the treatment of prisoners dictate that detainees not be subjected to lengthy incommunicado detention, that they promptly be charged or released, and that they be

granted reasonable access to competent legal counsel."

A letter to Mr P W Botha on behalf of group 57 of Amnesty International, in Denmark said:

"I know that your excellency is not responsible for the imposition of banning orders, but maybe your excellency could use your influence as a man in a very high position and have all banning orders removed from people in your country."

The letter urged Mr Botha to immediately lift the banning order of Mr Abel Dube, which expires in October 1987, and who is banished to Messina, 500 km from his home in Soweto.

"I also want to say to your excellency that people who are suspected by the authorities in your country of endangering state security or law and order should be charged and brought to trial in an open court instead of being isolated from their home for years without an opportunity to know the allegations against them."

Teacher in US

Ms Dana Jean Lind of Portland, Oregon, USA, said in her letter:

"I seek assurances that all these detainees are being treated humanely while in detention. I urge you to release them immediately and unconditionally if they are not to be charged with recognizable criminal offences."

"As a teacher here in the United States, I am vitally interested in the struggle in South Africa and feel sure that under your good leadership all problems may be resolved."

Widespread unrest

"I urge you to put the interests of humanity above all else."

Mr Daniel Lustig of Forest Hills in New York said: "While widespread unrest has caused your government to institute arbitrary arrests and detentions without trial, nevertheless, the international community believes that the 1 000 people now held under these (emergency) conditions from the original 2 000 people — some of whom were children — are beyond the bounds of humanistic propriety."

'Wiser' for Dr Orr not to see detainees

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PORT-ELIZABETH
Dr Wendy Orr said yesterday she was no longer visiting detainees because relations with the Prisons Department were "somewhat strained".

The regional director of the Department of Health and Welfare, Dr D Krynauw, gave her this explanation earlier yesterday, she said.

Dr Orr's evidence recently led to the Supreme Court granting an interim order restraining the police at Port Elizabeth from assaulting detainees.

She said Dr Krynauw stressed to her that she was not "banned" from seeing detainees.

Dr Krynauw said yesterday that he told Dr Orr that his superiors thought it would "be wiser in view of the in-

ter-relationship between herself and the Prisons Department", that she stopped seeing detainees.

He said by this he meant that if she continued seeing detainees she would be working with people against whom she had asked for an interdict.

About the anti-apartheid declaration by more than 300 prominent South African women "to support Dr Orr for her courage and initiative", Dr Orr said while she was "grateful for the support", she was "not keen to be allied to any political move".

"What I did had nothing to do with apartheid and politics," she said.

● Professor Frances Ames of the University of Cape Town, Medical

School, said in an interview that there was an urgent need for established medical bodies such as the SA Medical and Dental Council to take a strong public stand on detention without trial and on the medical care given to detainees.

She said that doctors such as Dr Orr who stood up for the rights of detainees should not have to face the threat of losing their jobs or being bypassed for promotion.

It was "appalling" that neither the SAMDC nor the Medical Association of South Africa representing a profession which claimed to be motivated by a desire to relieve human suffering had come out either against detention without trial, or in support of Dr Orr. — Sapa

Stutt clergyman held by SAP says his sister

08/10/8

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DISPATCH

Dispatch Reporter

day.

EAST LONDON — An Anglican minister in Stutterheim, the Reverend Moses Madywabe, 25, was arrested at his home by South African security police on Wednesday, his sister said yesterday.

She said the police had gone into her brother's study and removed some books. They searched his room, taking more books. The police took Mr Madywabe and left.

The Anglican Bishop of Grahamstown, Bishop Kenneth Oram, said he had been in contact with Mr Madywabe's family who had said lawyers were trying to trace Mr Madywabe's whereabouts.

His sister, Mrs Winnie Pongolo, said three police vehicles and about seven policemen arrived at her brother's home at the Holy Name Mission in Mlungisi at about 10 am on Wednes-

Mrs Pongolo said the family had not seen or heard of her brother since and they were "very worried".

He said they had so far been unsuccessful in their attempts to do so.

She said her brother had started work at the Holy Name mission in January this year.

A spokesman for the SAP directorate of public relations in Pretoria, Lieutenant J. L. Barnard, said he could not comment last night.

in reserved



Mr. Ebrahim ... application.

to "put someone in a 'jailer' temporarily as assumed principle would 'act really' to prevent cases, he said.

A clause barring SRC members or anyone else from "communicating" with anyone at schools called for "a measure of interpretation", but meant the aims of SRCs could not be communicated and not that teachers could not teach nor pupils converse.

The situation was a "crisis of enormous proportions" in which the authorities were "rendered powerless" and "mob rule" took over, Mr. Ebrahim said in an affidavit.

He denied the regulations were unreasonable "under the circumstances".

There was a "90-per cent disruption of attendance" by pupils, train-

ees, apprentices or student teachers, forcing the closure of eight colleges and 455 of the 904 schools falling under his department in the Western Cape.

The cause, he said, lay with "student and pupil councils" which had been "infiltrated and taken over" by "an element" aimed at undermining authority and causing unrest and violence at schools.

Pupils, including those at primary schools, and teachers were "coerced and intimidated" to attend rallies.

Principals who sought to put an end to the meetings or to call the police were "threatened with death" or violent assault.

UCT man calls on judges to visit detainees

Staff Reporter

A UNIVERSITY of Cape Town law professor has called on Supreme Court judges to do "all in their power" to alleviate the conditions of detainees and to visit them regularly.

Professor Dennis Davis of the UCT law faculty urged judges to set up a roster of visits.

He was addressing about 1500 people at a Repression Monitoring Group (RMG) meeting in Rondebosch last night, called to express "growing concern" over the treatment of those held under security legislation and state of emergency regulations.

Professor Davis expressed disappointment that none of the 19 judges of the Cape of Good Hope division of the Supreme Court who had been invited to the meeting had come.

RELEASE

He called on lawyers and advocates to "publicly associate themselves" with the RMG's call for "the immediate release of all detainees and political prisoners" and the abolition "of all laws and regulations providing for detention without trial".

He said he believed that admissions and confessions by detainees should be inadmissible as evidence as their "reliability could not be guaranteed".

Other speakers included two recently released detainees — city advocate Mr Dullah Omar and the Rev Sid Luckett, chairman of the Anglican Board of Social Responsibility. Others were Professor Frances Ames, a UCT neurolo-



Professor Frances Ames ... effects "appalling".



The Rev Sid Luckett ... experience "mild".

gist, and Dr Don Foster, a UCT sociologist and co-author of a recent report on torture of detainees.

Mr Omar said detention was an "act of violence, whether or not we are assaulted".

"FAILED"

"If the object of detention has been to silence resistance, then it has failed miserably."

Dr Ames said detention and torture altered the brain's functioning and that long-term effects were "appalling".

"There is only one

UT

nd better than ever...
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313,00	429,00	116,00
123,00	169,00	46,00
174,00	239,50	65,50
195,00	265,00	70,00
212,00	269,00	57,00
199,00	259,00	60,00
513,00	699,00	186,00

THE 73rd
ANNUAL
GENERAL
MEETING

...for "a measure of interpretation", but not the aims of SRCs. It is not to be communicated and not that teachers could not teach pupils converse.

The situation was a crisis of enormous proportions in which the authorities were "rendered powerless" and the rule "took over", Ebrahim said in an interview.

He denied the regulations were unreasonable under the circumstances.

There was a "90-per-cent disruption of attendance" by pupils, train-

schools falling under his department in the Western Cape.

The cause, he said, lay with "student and pupil councils" which had been "infiltrated and taken over" by "an element" aimed at undermining authority and causing unrest and violence at schools.

Pupils, including those at primary schools, and teachers were "coerced and intimidated" to attend rallies.

Principals who sought to put an end to the meetings or to call the police were "threatened with death" or violent assault.

Staff Reporter

A UNIVERSITY of Cape Town law professor has called on Supreme Court judges to do "all in their power" to alleviate the conditions of detainees and to visit them regularly.

Professor Dennis Davis of the UCT law faculty urged judges to set up a roster of visits.

He was addressing about 1500 people at a Repression Monitoring Group (RMG) meeting in Rondebosch last night, called to express "growing concern" over the treatment of those held under security legislation and state of emergency regulations.

Professor Davis expressed disappointment that none of the 19 judges of the Cape of Good Hope division of the Supreme Court who had been invited to the meeting had come.

RELEASE

He called on lawyers and advocates to "publicly associate themselves" with the RMG's call for "the immediate release of all detainees and political prisoners" and the abolition "of all laws and regulations providing for detention without trial".

He said he believed that admissions and confessions by detainees should be inadmissible as evidence as their "reliability could not be guaranteed".

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"If the object of detention has been to silence resistance, then it has failed miserably."

Dr Ames said detention and torture altered the brain's functioning and that long-term effects were "appalling".

"There is only one way to stop the torture of detainees and that is to abolish the system of detention without trial."

Dr Foster said his study showed that 83 percent of detainees were tortured and each was subjected on average to "10 different forms of psychological and physical coercion".

Mr Luckett said his experience as a detainee at Pollsmoor was "mild".

"The most traumatic part was that I didn't know how long I was to be held."

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74.00	99.00	25.00
92.00	119.00	27.00
122.00	169.00	47.00
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THE 73rd ANNUAL GENERAL MEETING

OF SUBSCRIBERS AND DONORS TO ORANJIA JEWISH CHILDREN'S HOME

(Fund-Raising No. 08 800326 0000) (Registered as a Welfare Organisation)

WILL BE HELD ON
**MONDAY 14th
OCTOBER
1985**

AT 8.15 pm AT ORANJIA
25 MONTROSE AVENUE
ORANJIEZICHT, CAPE
TOWN.

THE EXECUTIVE AND
COMMITTEE INVITE ALL
ORANJIA SUPPORTERS TO
ATTEND THIS MEETING

ARGUS 7/10/85 (329)

UCT man calls on judges to visit detainees

Staff Reporter

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25 march to Caledon Square

Staff Reporter

TWENTY-FIVE women from the Clothing Workers' Union marched from their Corporation Street headquarters to Caledon Square police station today to deliver a petition calling for the release of a union organiser "and all detainees".

The marchers, who left their premises about 10.30am, were allowed into Caledon Square, where they delivered a statement to a Captain van Heerden.

The statement read: "We are concerned about the continued detention of our organiser, Shirley Gunn, detained under Section 29 of the Internal Security Act from August 23.

"Several persons detained at the same period have subsequently been

released and we are concerned about the well-being of Ms Gunn — so far no word has been received or contact made with her.

"We call for her immediate release and that of all detainees."

The women were told they would have to go through "the right legal channels". They marched back singing. A crowd dispersed peacefully after police thanked them for "their co-operation".

The women found security policemen on the premises when they returned. Ms Brigitte Pitt, a worker for the Grassroots community newspaper which shares the premises, was detained for "questioning about the content of the paper", a Grassroots spokesman said.

Pupils vote for class boycott

Staff Reporter

PUPILS at John Ramsay Senior Secondary School in Bishop Lavis have voted to continue boycotting classes but say they will resume normal classes if their short-term demands are met.

In a statement the pupils condemned the regulations issued by the Minister of Education and Culture, Mr Carter Ebrahim, last week.

The demands include recognition of SRCs and PTSAs.

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Emergency rulings: (329) two men in court

Court Reporter

TWO Uitenhage men charged under the emergency regulations appeared briefly in the Port Elizabeth Magistrate's Court yesterday.

Before Mr G de Beer were Mr Wandile Boy Pono, 21, of Mthana Street, Kwanobuhle, and Mr Sandile Norman Kona, 22, of Patho Street, Kwanobuhle.

It is alleged that on August 15 this year they searched the possessions of Mrs Iris Acker at the North End station and threatened to burn her if she should support white businesses.

The court was informed yesterday that the mandate of the attorney who originally appeared for the accused, Mr J R Bester, had been terminated.

The two men will remain in custody until the case resumes on November 6.

Mr J Bester appeared for the State.

DPSC takes issue with Suzman over detainees

By Jo-Anne Collinge

The Detainees' Parents Support Committee has taken issue with Progressive Federal Party MP Mrs. Helen Suzman over the treatment of detainees held in terms of the emergency regulations.

Mrs Suzman and fellow MP Mr Peter Soal visited emergency detainees at Johannesburg's Diepkloof prison last week and stated that they were satisfied that those detainees they had seen had not been assaulted or physically abused.

"We are in no way reassured that emergency detainees held

in Johannesburg prison have not been treated roughly or assaulted," the DPSC has replied. It adds that interrogation in most cases had taken place before detainees were transferred to Diepkloof Prison — while they were still at Protea Police Station in Soweto or at John Vorster Square.

"Three members of the DPSC's Soweto branch alleged in an interview with the *Beaumont Globe* that they had been assaulted at Protea Police Station, although they were held in detention at Johannesburg (Diepkloof) Prison.

"One of these former detainees was subjected to hooding,

strangulation and electric shocks. She never received medical treatment during her two-week detention."

The Police Directorate of Public Relations has declined to comment on the allegations. "The DPSC enjoys no locus standi with the South African Police and we prefer not to comment on their allegations," its statement reads.

The DPSC argues: "The detention system is open to abuse precisely because detainees remain in the hands of their captors even when discussing complaints of ill-treatment.

The emergency regulations, which indemnify police, soldiers

and prison officials against civil and criminal proceedings, only entrench the inherently abusive nature of the detention system.

"We do not believe that the majority of detainees are in a position to make complaints about the very people in whose power they may remain until the end of the emergency."

The DPSC bases its claims on statements made by former detainees to its advice office workers in Johannesburg. It questions how Mrs Suzman and Mr Soal could adequately assess the physical and psychological condition of the detain-

ees they saw on the basis of a three-minute visit apiece.

Mrs Suzman said in a recent interview with *The Star* that while she was satisfied that the detainees were not physically assaulted during interrogation, she still objected to the continued state of emergency and the detention of people without trial.

"My main concern was to ensure that prison authorities in Johannesburg were taking better care of detainees when interrogated, than the prison authorities were allegedly doing at St. Albans Prison, Fort Elizabeth. On this score, we were satisfied," said Mrs Suzman.

A succession of detainee applications

WEEKLY MAIL REPORTER,
DURBAN

THE last two months the Durban Supreme Court has heard applications on behalf of seven of the 29 detainees.

The applications were brought by relatives who claimed the detainees had been assaulted or had suffered other serious ill effects in detention.

The succession of such applications led this week a full bench of the Supreme Court being convened in Durban for the first time in the history of the Natal division.

Three judges heard an application on behalf of the Indian Congress executive member, Billy Nair.

After the judges made a consent order restraining the police from assaulting or lawfully interrogating Nair, the Judge President, Judge John Milne, who presided, made a statement pointing out the concern of the bench the allegations of assault, and recommending that a senior member of the attorney general's staff preside over an investigation into Nair's claims of assault.

He concluded, "If it is true that detainees are being assaulted in the custody of the police it is a state of affairs which no civilised nation, and particularly one which professes to follow Christian principles, can tolerate for one moment."

The Natal "assault" orders made by the courts differ from those in other provinces because of a full bench ruling in May in the case of detainee Mkhize. In that case, the three Natal judges ruled that in addition to an interdict restraining the police from assaulting or unlawfully interrogating detainees, the court could request a magistrate to:

1. district surgeon to visit the detained person;

2. must inform the detainee that he has come at the request of the Supreme Court. The magistrate must ask whether the detainee wishes to make a statement under oath. When the district surgeon visits the detainee he must make a detailed examination.

Both reports are then made available to the court as well as to the detainee's family lawyers.

In the case of Nair in particular, the reports highlighted the lack of safeguards for detainees under the present system.

In his statement to the magistrate, made under oath, Nair said he had already made a report of his assault to the same magistrate.

"I showed you the injury to my eye when you visited me last week. I also told you of the injury to my ear. I requested that you bring this to the attention of a judge and you said that you were not in a position to do so. You said that you could only report to the director of security legislation. I find myself in a helpless position in the hands of the police," he said.

Section 29 cuts off all communication between detainees and the outside world, so relatives have to rely on a number of chance factors for information on which to base an application. So far these have included notes smuggled out and surreptitious telephone calls.

The first of the recent applications was made on

In their own words ...

● From PAGE 13

dizzy. I had no choice but to start cleaning the floor and walls."

After this Sgt Faku told him to sign forms he had not read. He said "I signed because I feared for my life. I was in great pain and did not want to be assaulted again."

Mr Rensburg recalls seeing trade unionist Denis Neer at the prison later that week.

"His arm was in a sling with bandages around the forearm. His face was swollen and there were abrasions and bruising on his face. He walked stiffly and slowly. He told me he had been brutally assaulted by members of the security police who had put him through the helicopter. He told me that he had been referred to hospital."

"I also remember seeing several detainees return from interrogation injured in one way or another."

Mr Rensburg said that after he had laid a complaint of assault with the sister in charge of the prison hospital and the doctor who examined him, he agreed to

sign a form indemnifying the prison department.

"Apart from being approached with the indemnity, no one approached me in prison for the purposes of investigating the charge of assault. Other detainees also laid charges of assault and they also complained that the charges were not being investigated."

"It appeared to me that the prisons department and the police were deliberately turning a blind eye to the systematic assault on detainees by members of the SA police."

behalf of brothers Yunis and Mo Shaik by their father, detained at the same time as his sons, but subsequently released. He claimed Yunis had been stripped, hooded and tortured, and that both brothers were suffering psychological problems which, in the case of Mo, had resulted in his being hospitalised.

Relatives of two young students brought the next two applications. Both had ended up in hospital for treatment for injuries they had allegedly sustained as a result of police assaults.

One telephoned his mother from hospital and told her he had a broken jaw with suspected fractures of his skull and both forearms. The other was observed in hospital after a tip-off. There was massive swelling of his head and mouth and the rest of his body was under a hospital cradle.

In Nair's case, he was taken to a specialist for treatment for a perforated eardrum and a damaged eye. He was spotted at the doctors' rooms and later managed to send out a note to his wife.

The two most recent cases differ because the applications were brought on psychological grounds.

Relatives of Sirish Soni said he had claimed he was assaulted "only twice". The family has applied for his release because of the mental damage he has suffered in solitary confinement.

A similar claim is being made on behalf of Dr Farouk Meer, presently being treated in Pretoria's H F Verwoerd Hospital. He was moved to Pretoria for interrogation after being detained in Durban.

The wives of both Soni and Meer claim their husbands are suicidal and very depressed. Both have lost a great deal of weight. Specialists attending the two have said they must no longer be interrogated and that there is a grave risk of permanent mental damage if they are not released from detention.

Pending the hearing of their applications, relatives in both cases have been given an undertaking by the police that the detainees can have "privileges" which soften the effect of solitary confinement — they may have light reading material, a tape recorder and cassettes and may also have daily visits by their wives. Neither is to be moved from hospital unless their doctors approve the move.

Similar claims of the disturbing effects of solitary confinement have also been made in several of the cases brought on behalf of the other five detainees. Billy Nair claimed he was allowed not even a Bible.

The cases of Meer and Soni are particularly important as they could produce court reaction on the use and effects of solitary confinement, often described as "mental torture" and allegedly used by police to "break" detainees or to "produce satisfactory statements".

Mr Justice Milne indicated the strong feelings of the court about the subject when he said in his comments after the Nair order:

"It is not inappropriate to remind the police that it is their duty, indeed there is an obligation on the state to ensure that the detainee is, (in the words of an Appeal Court judge as long ago as 1964) 'at the end of his detention released with his physical and mental health unimpaired'."

Doonesbury

G. B. TRUDEAU



Challenge to churches to break their silence

By PAT SIDLEY

The Kairos Document, signed by 151 South African theologians last week, could represent the beginning of a "confessing movement", similar to the Confession Church movement in Germany, which opposed the silence of the churches in the Nazi years.

The Kairos Document has been addressed to the South African churches as a challenge in the present crisis.

It is a far-reaching document which questions traditional concepts of the use of violence.

It also questions the traditional picture of a church led from the top down to the people, as opposed to a church which responds at leadership level to movement from the grassroots.

It strives to demonstrate that the South African government has no moral legitimacy.

"The apartheid minority regime is irreformable ... A regime that is in principle the enemy of the people cannot suddenly begin to rule in the interests of all the people. It can only be replaced by another government — one that has been elected by the majority of the people with an explicit mandate to govern in the interests of all the people," the Document says.

The group declares what they call the "theology of the State" heretical and blasphemous and says it is the "theology the State uses to justify, maintain and perpetuate this unjust apartheid system."

An important part of the document is a discussion of the significance of the text of Romans 13: 1-7, in which Paul spoke of the need to obey the state.

"Throughout the history of Christianity, totalitarian regimes have tried to legitimise an attitude of blind obedience and absolute servility towards the state..."

This attitude does not work (and was not intended to) when the State which is the servant of God "betrays that calling and begins to serve Satan

Churchmen who framed the Document hope to stimulate debate on obedience, resistance and violence.

The theologians say they believe the ideal way of resolving the present South African crisis is by peaceful means.

But significantly, they add: "We reject the hypocrisy of calling what the people do 'violence' while the aggression and oppressive violence of the police and the army is called a 'justifiable use of force for defensive purposes'."

The document rules out negotiations with the government under present conditions, saying this can only happen between equal and free partners.

The group has called on the churches to engage all Christians in direct campaigns to bring "the scourge of apartheid" to a speedy end. In terms of this call, the group says it supports the stayaway campaign initiated recently by the "National Initiative for Reconciliation", but they urge the initiative be carried out in consultation with trade unions and political organisations.

In a release accompanying the Document, the group lays down what they see as the necessary conditions for negotiations:

- The release of all political prisoners, especially Nelson Mandela;
- Organisations should be unbanned and exiles allowed to return;
- All apartheid laws and security legislation suppressing opponents of apartheid would have to be repealed;
- A ceasefire would have to be signed, especially with the ANC;
- All parties would have to agree to dismantle "every vestige of apartheid" and establish a just society, in which everyone is equal before the law.

This, they say, is the only possible road to peace.

In their own words: The affidavits of ex-detainees

4-10 OCTOBER 1985

Weekly Mail Reporter

● "THEY forced my legs open by beating the inside of my thighs with sjamboks and attempted repeatedly to kick me in my private parts."

● "They beat me with a sjambok on my back and chest and smashed my toes and head with a short wooden stick."

● "Four black policemen forced me to hold up a chair above the heads of the detainees while I was forced to crouch in an uncomfortable position."

THESE are the words of former emergency detainee Mr Vusumsi George of Motherwell, Port Elizabeth.

His affidavit and others in support of last week's Supreme Court application brought by Dr Wendy Orr, a Port Elizabeth district surgeon, and 43 others persuaded Mr Justice Eksteen to grant an interim order restraining the police from assaulting detainees in Port Elizabeth prisons.

Mr George is not alone. Detainees who share St Albans prison cells with him made similar claims which in turn were endorsed by Dr Orr who told the court that detainees were systematically and brutally assaulted on a vast scale by police.

In his affidavit Mr George tells of his arrest on July 22 about 2,30am after police allegedly gained entry to his home by breaking a window.

"Two plainclothes policemen entered my bedroom where my wife and I were sleeping. My wife was nine months pregnant but the police nevertheless beat her and myself with quirts."

Mr George said that after his house was ransacked he was assaulted again by a policeman before he was taken to a police vehicle in which his brother and others were locked en route to the Algoa Park police station.

"Police dropped my brother off far from his house and beat him with sjamboks. Later they stopped a car with a couple in it and sprayed teargas through the window. This act seemed to be without justification because the policemen laughed and drove off leaving the car behind. At one stage they stopped at a house and wantonly broke all the outside lights."

Mr George said he was taken from the police station to St Albans prison. A week later he was taken to Louis le Grange Square police headquarters in Port Elizabeth where a Special Branch policeman asked him his name. "When I gave it to him he immediately struck me across my face."

Two policemen identified as Strydom and Niewoudt questioned him about documents confiscated in the search at his house, he said.

"They made me sit on the floor with my hands handcuffed behind my back and forced my legs open by beating the insides of my thighs with sjamboks. They then attempted repeatedly to kick me in my private parts."

"They asked me if I had seen Denis Neer. I said I had and that he had a bruised face. They said that if I did not tell the truth I would end up like Denis."

"They then beat me with a sjambok on my back and chest and smashed my toes and head with a short wooden stick. They took me into another room and four black policemen forced me to do physical exercises until I was exhausted."

"Then they made me hold up a chair above the heads of other detainees while I was forced to crouch in an uncomfortable position. During this time no questions were asked."

"Then Tungata, another security policeman, came in and ordered me to stand as if I was embracing a metal filing cabinet. He began punching me in the kidneys from behind and hammering me on my shoulders with two-fisted blows."

"He beat my ears with open hands. He threw me onto the floor and asked me questions while kicking me."

"Two other policemen entered the room and assisted with the general assault which lasted about half an hour. Tungata and these two policemen then took me to the room next door and beat me with their fists and open hands until I began screaming."

"Two or three white policemen then came into the room and one of the three brought a wet towel which was placed tightly around my face and head while the towel was suffocating me. They beat me then they removed the towel from my face and throttled me."

"After a severe beating they took me back to the room from which I had come. My shirt was in ribbons from the beating and pulling around."

Mr George said he was then returned to St Albans. Two days later he was examined by a female doctor who prescribed medication on his release. His private doctor told him he had swollen eardrums.

Mr George was arrested again on September 3 under the emergency regulations.

"I spent 14 days in St Albans prison and although I was not assaulted I lived in continual fear that I would be taken to Louis le Grange and interrogated once again."

Mr Ihron Rensburg, a Port Elizabeth pharmacist, writes of the fear, pain and humiliation he allegedly suffered at the hands of the police at Louis le Grange Square, police headquarters in Port Elizabeth. He says in an affidavit that he was arrested in terms of the emergency regulations on July 23 at 3am and taken to St Albans prisons where he occupied a cell with 30 others.

The following day, after two hours of interrogation at Louis le Grange Square, he said, a Sgt Faku told him to sing a Xhosa freedom song and do the toi-toi — a dance done to freedom songs and the chanting of political slogans. He said he refused until Sgt Faku threatened to assault him.

"Faku then questioned me about meetings I addressed in the township. Whenever I gave him an answer he didn't like, he would hit me with a clenched fist. I was hit on both sides of the face and given an uppercut which caused my top lip to start bleeding."

"At one stage he grabbed me by the collar which had the effect of choking me. He forced me up against the wall and then kicked me with his knee in my stomach. I fell to the ground. When the pain had subsided I got up and was again hit by Sgt Faku in the face."

"He then hit me with a blow directly on the nose. My nose began to bleed profusely. There was blood on the floor, on my clothes and on the walls. Faku ordered me to clean the floor. I refused and he hit me on the side of my face."

"He threatened that if I did not clean the floor I would have a bag put over my head and be given the helicopter. I have heard from other detainees what the helicopter means. The victim is locked into a permanent crouch around a stick and then suspended from the floor and spun, making him disorientated and

● To PAGE 14



ying torture. The images are based on descriptions given in court records.

les of decency and shall not in any way be assaulted or otherwise ill-treated or subjected to any form of torture or inhuman or degrading treatment".

Since then, there have been at least six deaths in detention and torture allegations have continued unabated. Now the allegations have reached new heights: the cry from ex-detainees has become a crusade.

The UCT report concluded that there was clear and definitive evidence that physical torture was widespread and was a systematic and common experience for detainees.

District Surgeon Orr's evidence in the Supreme Court last week, supported by 42 other affidavits, described an extensive daily pattern of police use of scores of detainees.

She said she had examined an average of about 10 newly-admitted detainees daily since the beginning of August and on August 16 had seen about 170 detainees.

An extremely large proportion of them complained that they had been assaulted by the police," she said.

The Minister of Law and Order, Louis le Grange, told the Cape Congress of the National Party this week that neither he nor the Commissioner of Police, General Johan Coetzee, would tolerate or condone illegal actions by any policeman.

The police had a proud record which could not be allowed to be damaged, and for this reason, all cases of misconduct should be publicly investigated.

However, there are few people outside of the National Party who would accept this as sufficient assurance.

Helen Suzman, PFP spokesperson on justice, said this week that recent events called for a major inquiry by someone outside the interrogation system.

"It is no good having the police inquire into their own system of interrogation. It has to be someone outside of the system," she said.

She suggested that the abuse had been increased

by the fact that police believed they had immunity in terms of the State of Emergency.

"There is always a danger that these things will happen as long as people can be held without trial and can be held incommunicado. But the danger is heightened by the fact that the police seem to think that the Emergency indemnity gives them free rein," she said.

There was a need for a proper inquiry and a return to the due process of law, she said.

The DPSC is opposed to current security legislation which allows for detention without trial. However, if such legislation is to exist, it argues that a detainee should be given access to a lawyer, relatives, a private doctor and reading material of his or her choice.

There should also be an effective and independent machinery for enforcing and policing the treatment of detainees and an enforceable code setting out standards of interrogation.

The UCT study recommended that the whole system of detention in terms of security laws be scrapped, that the rights of detainees should be laid down by parliament, an independent body to which police and prison officials are responsible should be established, all information about detainees should be made public, a proper code of conduct should be instituted, and evidence from interrogation should not be admitted into court until all the proposed measures have been met.

Such safeguards may offer some protection, but there is little likelihood that abuses will stop until South Africa's prisons are opened up to the due processes of law and the practice of detaining people incommunicado is stopped.

But Section 29, the infamous statute that allows for indefinite detention without trial and without access to lawyers, family or independent doctors, is a key part of the current security legislation.

Police, faced with the task of maintaining control in the face of a massively disaffected population, are not going to part with such legal powers without a fight.

Torture allegations are therefore likely to continue.

THE TORTURE FILE

The allegation that detainees are tortured is not new. What is new is the flood of new evidence that torture is happening widely and systematically

THREE events in recent weeks have highlighted, more than ever, allegations that Security Police are torturing detainees.

● Two University of Cape Town academics released a detailed and extensive study, based on the questioning of 176 former detainees, claiming that 83 percent of detainees had been subjected to torture.

Elizabeth Supreme Court that detainees were being systematically and brutally assaulted on a massive scale by police.

● The Durban Supreme Court has heard seven separate applications from the families of detainees claiming they had been assaulted or suffered serious ill-effects from their detention.

Such allegations are not new. For example, the Detainees Parents Support Committee (DPSC) published a report in 1982, based on interviews with former detainees, which detailed widespread and systematic malpractices taking place in interrogation rooms.

Over the years, there have been numerous court cases and inquests that have involved allegations of torture.

These tend to come more frequently during periods of heightened political activity and tension. There was a spate of allegations after the 1960 Emergency, after the 1976/7 student uprising and after the 1980/1 schools crisis.

In 1977, the inquest into the death in detention of black consciousness leader Steve Biko brought a spate of allegations about the abuse of detainees. Similarly, in 1982, the inquest into the death of trade unionist Neil Aggett heard many witnesses claim to have been severely tortured during interrogation by the Security Police.

All of these were widely published. Some caused more of a stir than others.

A 1981 unpublished University of Cape Town thesis looked at the frequency of allegations of torture published in the press. It found that between 1975 and 1982, the press reported 161 separate incidents where torture was alleged, mostly during the political trials of former detainees.

By ANTON HARBER

But it was only this week that a Natal Supreme Court Judge pronounced: "If it is true that detainees are being assaulted in the custody of the police, it is a state of affairs which no civilised nation could tolerate for government."

First, it is because there has never been such extensive and widely-sourced evidence of torture. The Police and Prisons Act both shield the interrogation room from the public eye and act to prevent the emergence of such allegations.

Furthermore, the very nature of detention without trial, which occurs indefinitely and without the prisoner being given any automatic access to independent outsiders, makes the exposure of allegations difficult.

Thus it does not necessarily follow that there are more allegations now because torture may be more common. It simply means that, for one reason or another, more evidence has emerged.

Never before has a district surgeon come forward with evidence, as was done by Dr Wendy Orr in Port Elizabeth last week. As a result, there has never before been an order, as was given by the Supreme Court, to prevent the police from assaulting ALL detainees in two entire districts.

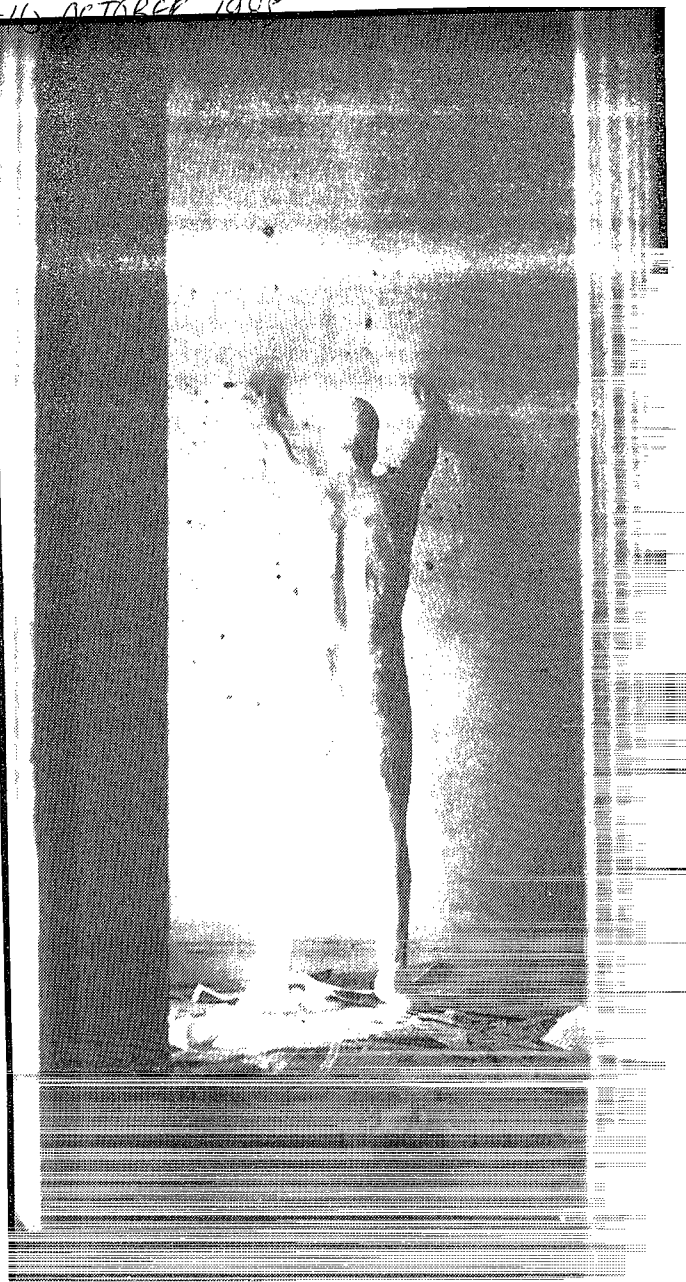
Never before has there been the kind of evidence presented in the applications made by families of Section 29 detainees (see separate story).

And never before has an academic institution attempted a systematic and scientific study of former detainees as the University of Cape Town has done.

The evidence of each of these sources corroborates the evidence in the other sources. For example, the Cape Town study, the DPSC report and the UCT press study all report the same forms of torture and list them in the same order of frequency.

Roughly speaking, they list the most common allegations of abuse as (in order of frequency):

● Beating and general physical abuse (75 percent of respondents in the UCT study)



Sculptures by Johannesburg artist PAUL STOPFORTH from an exhibition pool

- Forced standing and enforced exercise (50 percent)
- Electric shocks to various parts of the body (25 percent)
- Food and sleep deprivation.
- Enforced nakedness.
- Shackling (with handcuffs, chains or leg-irons) (15 percent)
- A few cases of genital assaults and long periods of interrogation (three percent)
- Psychological forms of torture, such as threats, questioning at gunpoint, etc.
- Humiliations, such as the use of derogatory language and the withholding of toilet facilities.
- Solitary confinement.
- Suspension (the "helicopter")

The DPSC report said allegations came from all parts of the country. The UCT study said there was a higher incidence in the Eastern Cape and Border areas.

The DPSC report said that of 70 cases they analysed, 20 involved sleep deprivation, some for periods of many days and nights. A further eight involved deprivation of toilet facilities, sometimes

leading to involuntary urination and the humiliation of cleaning the interrogation room afterwards.

Twenty-eight cases involved enforced standing and arduous physical exercises for long periods, sometimes days and nights. The exercises included holding heavy objects above the head, standing barefoot on bricks, press-ups, running on the spot.

There were allegations of being exposed to cold through enforced nakedness for long periods in 25 cases, sometimes worsened by being doused by water or being made to stand in front of a fan or an open window.

Eleven cases involved what must be one of the most horrifying forms of torture: what is known as the "helicopter".

The DPSC report described it thus: "The detainee is handcuffed at the wrists and the ankles, and while in a crouching position, a pole is inserted through legs and arms. He is then suspended on the pole between a table and a chair, sometimes for hours on end, while being subjected to a barrage of questions and sometimes blows."

"Other cases include suspension by the arms while handcuffed ... causing acute and excruciating pain."

In 54 of the cases, detainees alleged they had been punched, slapped, kicked, beaten with sticks, batons, hosepipes, gun butts and other objects; toes had allegedly been crushed with chairs or bricks; detainees had allegedly been dragged by the hair or had their head banged on the wall or the table. Suffocation was reported in 25 cases, mostly by being hooded with a bag made of canvas or plastic or with a wet towel.

Electric shocks were alleged in 22 instances, invariably while the detainee was hooded. Another 14 cases involved genital assaults.

The pattern of allegations in the PE court case and the UCT study were broadly the same.

In December 1982, the Minister of Law and Order published a code to govern the treatment of Section 29 detainees.

He said: "A detainee shall at all times be treated in a humane manner with proper regard to the

THE TRAUMA OF RETURNING TO NORMAL LIFE

"PEOPLE who are detained and tortured suffer a whole variety of unhealthy psychological effects caused by the traumatic conditions experienced in detention."

This is the view of the Detainees Counselling Service (DCS), a group of psychologists and psychiatrists who provide free therapy to victims of detention.

In a paper recently compiled on the psychological effects of detention, the DCS notes that people who suffer extreme pain, humiliation, degradation and fear; have their sleep, eating and exercise routines disrupted; are deprived of normal interaction with other human beings and are kept in a constant state of discomfort and deprivation are prone to develop psychological disturbances.

By MARY RAMSAY

"It is possible that under extreme pressure," notes the DCS paper, "people may completely lose touch with reality and become psychotic."

But most experience an anxiety state known as post-traumatic stress disorder.

The most common symptom of this disorder is the remembrance of traumatic events which happened during torture. This can occur at any time, brought on by hearing a door slamming or a shout, by standing in a queue, or by reading a headline. The memory of torture is accompanied by the fear and dread experienced during torture.

Affected people will find themselves suddenly trembling, crying and anxious.

These memories, and the fear of their return, often result in the sufferer becoming withdrawn from family and friends, unable to concentrate, inclined to be startled by unexpected events and unable to sleep — because of nightmares, a fear of nightmares, or a fear of not awakening.

The symptoms may be so severe they lead to a sense of detachment and unreality.

"Medicines often help relieve specific symptoms, like difficulty sleeping, but will not cure the condition," notes the DCS paper. Treatments with trained psychotherapists have proved the best cure. Where such treatment is not possible, sufferers — many of whom experience feelings of guilt and weakness — should be encouraged to talk to family, friends and those with similar experiences.

Caught between the police and the pupils

BEN TEMKIN

One man's free market is another's slave state

The reopening of Soweto schools on Wednesday signalled the start of another nerve-racking term for teachers, often caught in the conflict between pupils and police. SEFAKO NYAKA spoke to two teachers this week.

SINCE the start of the school boycotts more than a year ago, teaching — and life — have become one big headache for teachers at black schools.

"Teaching in black schools is dangerous," says one teacher, who insists on anonymity. Teachers have found themselves trapped in the parent, pupil and police triangle.

If pupils doubt his "loyalty" to their cause, then he risks his house being petrol-bombed. Worse still, he might end up the victim of a "necklace" (a tyre doused in petrol, placed around the victim's neck and set alight).

On September 3 the hopes of two teachers at Madibane High School in Diepkloof were attacked. Some teachers are worried that those two were the first victims of a "hit-list".

And if the police think the teacher is on the side of his charges, then he risks detention. At times when police have taken action against pupils, teachers were caught in the cross-fire.

In early September a white teacher and 10 pupils were hurt when police fired birdshot at Musi High in Pimville, Soweto.

On the other hand, parents expect teachers to continue teaching despite the chaotic situation in the township.

For example, this teacher knows of a parent who said to a neighbour of his: "He (the teacher) has finished his studies. Now he incites our children to boycott classes."

As if that is not enough, circuit inspectors leave teachers and principals to convey to pupils and parents the decisions "they (school authorities) take from the safety of their carpeted offices in Booydens (the regional offices of the Department of

Boycott's nation-wide, says DET

TENS of thousands of pupils around the country continued to stay away from classes this week as the new school term got under way.

The extensive boycott was confirmed by the Department of Education and Training (DET) in Pretoria.

Hardest hit were the Eastern Cape and the West Rand. In all about 174 schools were deserted.

Of those which had no attendance, 114 were in the Eastern Cape, four on the East Rand, one in Natal, two in the Free State and 35 on the West Rand.

Classes at the Immaculate Catholic School in Diepkloof

Education and Training Offices), the teacher says.

And when they, as teachers, transmit the message to the pupils and their parents they usually bear the brunt of the community's anger.

The teacher says the grievances of the pupils are genuine, and if the Department of Education and Training had responded to them initially, then the situation would long ago have returned to normal.

At times, when pupils get shot teachers blame themselves, saying "we could have done something" to avoid the unnecessary death.

Some teachers have instructed pupils not to wear uniforms in order to avoid victimisation from boycotting students. On the other hand, the students are usually picked up by the police when they are found out of uniform.

After 1976, hundreds of teachers resigned because of pressure from the pupils or because they could not work within the confines of the Bantu

were suspended indefinitely after a group of youths approached the school with the apparent intention of chasing pupils away.

Attendance at lower and higher primary schools was reasonable, but few pupils turned up at high schools.

Pupils interviewed called on DET to postpone to next year the examinations which are due to be written from the end of this month.

They also repeated demands for the withdrawal of Security Forces from townships and near the schools and the release of their detained colleagues. — SAPA.

Education system.

But the situation is different now. With the recession biting deeper, there are not many alternative jobs for teachers.

Some are staying on with the hope that the situation will soon get back to normal. But they have been living with that optimism for over a year now.

Another teacher says that what worries him most is not that his teaching is going to waste but, as he put it, the children's education has been rudely disrupted because someone in authority thinks that by demanding a democratic SRC the students are being "used by the communists".

This teacher, who also asked not to be named, has a young child and a 26-year-old wife.

"Every morning, when I set off to school I look at them, always reminding myself that I might be seeing them for the last time."

"Who knows. I might be locked up in Sun City (Johannesburg Prison) or my life might be ended on the dusty streets by a stray bullet," he says.

What did he do during the holidays? "Well, I used to sleep until 8 because I knew I was not going to work. But now I wake up early not knowing whether I will be standing in front of an empty classroom."

But worse still, every morning these teachers first have a report from township people on the situation in the areas in which they teach or have to pass through when they go to school.

Otherwise they might be caught in the middle of a confrontation between students and the police — far from home or school.

Journalists in court

EIGHT journalists, including six who work for overseas news agencies, appeared briefly in the Bellville Magistrate's Court yesterday on charges under the Police Act.

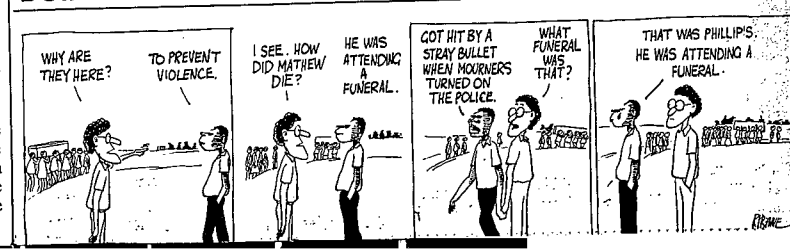
The eight, who were arrested at the University of the Western Cape on Tuesday, were not asked to plead and the hearing was postponed.

Concerned citizens

A group of "concerned citizens" has organised a series of meetings and discussions for people who believe there is a need for "drastic change".

The first discussion — on the economy — will be held at St George's Cathedral on October 16.

DOMPAS



The meditation path to nervous stress

YOU lie back, eyes closed, and repeat a sound (mantra) until, gradually, you lose awareness of your surroundings. Imagine, floating into a state of complete mental and physical relaxation, the turmoil of life left far behind...

Transcendental meditation, or TM, is an Eastern method of stress reduction that has become popular in the West.

But recent research at the Department of Medicine at Wits University Medical School seems to suggest the effect of TM may be an illusion — that TM is not effective in reducing stress.

This finding adds to the debate on ways of combating stress, and the long-standing conflict between Eastern and Western philosophers.

We know that stress is deadly; how do you escape it?

Stress levels can be measured by the biochemical and physiological changes occurring in your body. The Wits research group used these changes to evaluate the effects of TM in a group of 10 experienced meditators. A similarly-aged group of medical students also attempted to meditate, providing a comparison between trained and untrained meditators.

Contrary to expectations, the stress markers were not reduced in the trained meditators; if anything, they were slightly higher.

In particular, there were increases in the catecholamines and free fatty acids.

The catecholamines are the classic "stress" hormones produced by the adrenal glands. Fatty acids are released by the effects of

Researchers at the Wits medical school have found that transcendental meditation, far from relieving stress, may even increase it slightly, reports CHARLES PARRY

response to stress to provide energy. This energy allows you to escape or take steps to combat the cause of stress.

The researchers took great care not to disturb their subjects: to avoid injecting needles to take blood samples, a long tube was left inserted into a vein and sampling was done behind a screen. In addition, the men had a 30-minute relaxation period to allow them to recover from the blood sampling before the pre-meditation period started.

All the TM-experienced men reported a successful state of meditation. They had been undisturbed by the researchers or the hospital environment.

On the other hand, the control group of students had difficulty in meditating, as they became bored and kept opening their eyes.

Prof Barry Joffe of the Department of Medicine said there seemed to be considerable metabolic activity going on during successful meditation — "It looks like you are bottling up your stress inside you to achieve an apparent state of calm."

In fairness to TM, Prof Joffe suggested the results may have differed if the subjects had been in a stressed state at the start of the experiment. Then TM may have helped them to unwind more rapidly. I wonder if it's all in the mind.

SOUTH AFRICAN economists are heatedly debating the pros and cons of a free market.

It was possible, therefore, economy — especially with that, at some lower level of the regard to the intervention of the rand, new strength would have authorities to "save" the rand begun to build up, more solidly which was threatened with based and depending also on extinction because of political improving politics.

On the bad side, many companies with foreign debts would have found themselves quite unable to service those debts and we could have had a proliferation of insolvencies. Both debtors and creditors would have suffered in such a case and the creditors could well have compromised rather than lose out altogether. In any case, business is not without risks and borrowing and lending internationally has some very serious risks, not the least of which are the political ones.

Also on the bad side was the possibility that inflation would once again accelerate and that interest rates would rise because of the pressure of demand for local finance to replace overseas borrowings. The critical point in this is that not all our foreign borrowings required repayment at the same time. Borrowers who wished to repay early would have been heavily penalised because of the low rand as would borrowers unable to roll over their debts. But we would have maintained our creditworthiness and, given better politics, possibly have found the rand rising to a level which reflected our underlying economic strength.

The opponents of controls argue that by imposing them we may have done no more than delay the various bad effects discussed. Apart from damaging our international credit rating, it is conceivable that the political climate will deteriorate rather than improve and even more controls may be necessary. Such controls will cause economic regression.

The proponents of controls argue that we are too small in international terms to believe we can operate in a free market. We will always be at the mercy of the rest of the world unless we insulate (some would say "isolate") our economy. It is interesting to reflect that many Americans are lobbying for more economic protection in the US, on the grounds that the free market is damaging the US economy. The anti-free marketeers are in good company.

Let's return to the rand: Suppose that the free market advocates had won the battle and the rand had been allowed to be battered further still. In the process it could have fallen to \$0,20 or even lower. What would this have meant to us? The correct answer is that we do not know, because it wasn't allowed to happen. We chickened out because we argued that political events had overtaken economic reality and it was necessary to find political solutions.

What economists really should be saying is they can't be expected to make meaningful forecasts if the politicians keep pushing the country into crisis. There is, however, no way they can argue that economics is divorced from politics; they are interdependent and integral to each other.

Thus, in a free market, bad political behavior can be expected to have had economic consequences. If the rand had fallen to \$0,20, then the economic solution could well have been in the market itself. At \$0,20 for the rand there would have been some new realities. The first would have been that for the rand to have fallen that low, many holders of South African assets would have sold out cheaply — to new holders. These new holders would be stronger holders, more convinced of the value of their

investment, less inclined to sell are heatedly debating the pros and cons of a free market. It was possible, therefore, economy — especially with that, at some lower level of the regard to the intervention of the rand, new strength would have authorities to "save" the rand begun to build up, more solidly which was threatened with based and depending also on extinction because of political improving politics.

POSTSCRIPT: It was disappointing to note that the Computer Society of SA did not give the Minister of Finance the "Computer Man of the Year Award" at its banquet last week. The award was made to a whizz on "networking". Many people thought Barend did OK on Network when he appeared.

Rodney Prynn

Families to test detention rules

Court-bid detainees go free

BY ANTON HARBER

A GROUP of detainees held in terms of the Emergency are challenging the harsh detention regulations in the Supreme Court.

Lawyers for three prisoners and their families yesterday served papers on the government, the Minister of Justice and the Minister of Law and Order, asking that most of the regulations governing detention be declared void.

In supporting affidavits served on the deponents, family members of the detainees have detailed the conditions of their detention.

They said they were extremely concerned about the mental and physical conditions of the two detainees — Simon Toby Radcliffe and Aurret Dennis van Heerden.

Radcliff and Van Heerden have complained about severe psychological stress because they said they have been deprived of all mental stimulation. Van Heerden has said that he was "climbing the walls" because of boredom.

They have also complained, to family members who have visited them, that they have not been receiving sufficient food. Radcliffe is an ulcer and asthma sufferer, in need of a careful diet, and his mother has alleged that his diet is insufficient and unbalanced.

The grandmother of the third detainee — Andrew Nhlapo — saw him in Baragwanath Hospital during his detention. She found he could only speak with difficulty, was in apparent pain and said he was unable to sleep at night because of the pain.

She discovered the following day that he had been returned to Protea Prison. She, and other relatives, have since been denied permission to visit him.

All three detainees have been refused access to their attorney to prepare this court application. All have been held since late July.

The families of the detainees said the source of their concern is the Emergency regulations. These have frequently been criticised because they place detainees in a position worse than that of convicted or awaiting-trial prisoners.

"Apart from my fears regarding his mental condition, I find it incomprehensible that someone not accused and convicted of any crime can be deprived of such basic human essentials as adequate food and mental stimulus.

"It seem that his conditions are unduly punitive, particularly if compared to the position of convicted security prisoners," Van Heerden's father, Dennis van Heerden, said in his affidavit.

He asked that his son be allowed reading and study material, visits by people other than his parents, access to music or a radio, the right to receive letters and the right to purchase food from the prison shop.

Radcliffe's mother, Pauline Scott, alleged that her son has lost a visible amount of weight, more each time she visited him.

Prison authorities were quite prepared to allow him to buy food

THE release of several Section 29 detainees over the past three weeks has given rise to speculation that police are freeing the detainees rather than going to court to contest applications for their detentions to be declared unlawful.

Section 29 of the Internal Security Act was challenged last month for the first time before a South African court in an application for the release of Paddy Kearney, director of the Durban church agency, Diakonia.

After the successful outcome of Kearney's case, the Natal court ordered the release of three more detainees — all activists in the End Conscription Campaign — whose detentions were tested in a similar urgent application.

Since then, applications have been begun in a number of cases, but they have not got to court. Instead, in each case, the detainee was freed without charge before a hearing date could be set.

Lawyers explained that in terms of the precedent system, Natal judges would feel bound by the judgement in the Kearney case, unless they could be persuaded that the judge in that case had been clearly wrong.

from the prison shop, but felt they were constrained by the Emergency regulations from doing so.

She also alleged that his state of mind appeared to be deteriorating rapidly, mainly because he was being deprived of all meaningful activity, human contact and intellectual stimulation.

"He has complained to me that he is going crazy. I genuinely fear for his well-being," she said. He had told her that he was becoming mentally and emotionally unstable.

She argued that the law enabled the Minister only to make regulations providing for public safety and the maintenance of order, to make adequate provision for the Emergency and to deal with any circumstances that arise as a result of the Emergency.

The regulations on the treatment of detainees "cannot conceivably serve any of these purposes" and should therefore be declared void, she said.

The families will first have to fight a provision in the regulations that forbids "any interdict or other process ... for the staying or setting aside of any order, rule or notice" issued in terms of the Emergency.

They argue that such a rule is grossly unreasonable and infringes the rights of the courts.

CAPE TOWN 10/10/81

'Pressure freed detainees'

Staff Reporter

GRASSROOTS worker Mr Saleem Badat thanked over 1 000 people in the Lansdowne Community Hall last night for putting pressure on the authorities to bring about his and others' release from detention.

He and 27 other former detainees were given a tumultuous welcome at the start of the meeting, organized by the Detainees' Parents Support Committee. The crowd had to stand for lack of space.

Mr Badat said the days when the government could continue to do as it liked were over. "I and many others believe that it was your pressure that ensured our release," he said. "It must be kept up until Zoli Malindi, Shirley Gunn, Jenny Gonzales and others are released."

A message from Dr Alan Boesak, whose bail conditions prohibited his attending the meeting, was read out by his seven-year-old daughter Pulani.

"Even if they want to silence my father I will speak for him because the voice of justice and peace cannot be silenced," she said.

Mr Nabil Swart, vice-principal of Alexander Sinton High, told of his torment as he heard his nieces, the Fick sisters, being "brutalized" by police while he was held in a nearby cell.

Mr Graeme Bloch, a lecturer at the University of Cape Town, said even on the "white" side of Pollsmoor, the voice of the people could be heard. Mr Wilfred Rhodes, UDF vice-president in the Western Cape, led a song he had composed to a Pollsmoor tune while detained.

CHPT 7/10/85 10/10/85 (329)

Nair interrogators suspended

Own Correspondent

DURBAN. — Two Durban security policemen have been suspended from duty following the alleged assault of Natal Indian Congress member Mr Billy Nair, who is in detention in terms of the Internal Security Act.

A spokesman for police headquarters in Pretoria confirmed yesterday that the Commissioner of Police, General Johan Coetzee, had instructed that the policemen be suspended from active duty pending the findings of a departmental inquiry.

On September 30 the Judge President of Natal, Mr Justice Milne, granted an order restraining police from assaulting or using unlawful pressure

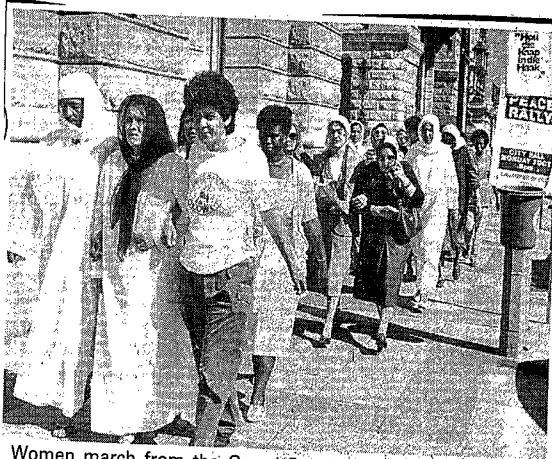
on Mr Nair to try to influence him to answer questions or make any statements.

The application for the order was brought on behalf of Mr Nair by his wife.

Mr Justice Milne said at the time: "In our view a strong prima facie case has been made on the affidavits that the detainee was assaulted by a Warrant-Officer De Wet and a Sergeant Van Sluys."

In a statement to police, Mr Nair said he was assaulted by two policemen on September 3 while being interrogated.

He was later taken to be examined by a district surgeon who found that his left eardrum had been perforated and that there was damage to his left eye.



Women march from the Grand Parade to Caledon Square to demand the release of detainees yesterday morning.

22 women march on Caledon Square

By YAZEED FAKIER

MEMBERS of the Clothing Workers' Union (Clowu), the Detainees' Parents Support Committee and concerned mothers marched to Caledon Square police headquarters yesterday to demand the release of detained Clowu and Grassroots workers and other political detainees.

The 22 women marched along Darling Street to the police station in Buitenkant Street.

The women — including Mrs Dorothy Boesak, wife of UDF patron and president of the World Alliance of Reformed Churches Dr Allan Boesak, and her 10-year-old daughter Pulane — were allowed inside after the heavy wooden security doors were closed to them for a short while.

Clowu assistant secretary Ms Elizabeth Erasmus said a letter addressed to the Commissioner of Police and calling for the release of Clowu organizer Ms Shirley Gunn was handed to a policeman who said it would be forwarded to the Divisional Commissioner of Police in the Western Cape.

Ms Gunn has been in detention at Pollsmoor since August 23.

The women also called for the release of recently detained Grassroots worker Ms Jenny Gonsalves.

About 10.30am, they emerged from the police station. Mrs Boesak said her husband had sent a message that Clowu was "very special" to him and that he supported them in their struggle.

As the chanting group arrived at the Clowu office in Corporation Street, cries of "amandla" and "Allahu-akbar" (God is great) went out when they saw another Grassroots worker, Ms Brigitte Pitt, being driven off by a security policeman.

A crowd had gathered and the event was filmed by overseas camera crews and the local press. Several policemen arrived and told people to clear the pavements.

A Clowu worker said a security policeman had told her Ms Pitt would be held until Grassroots worker Ms Zubeida Jaffer, who has gone into hiding, was found.

A police liaison officer, Lieutenant Attie Laubscher, said Ms Pitt had "accompanied police for an interview" and had later been "allowed to go".

CML

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Times, Thursday, October 10, 1985 9

Judges urged to alleviate detainees' lot

Staff Reporter

A CALL on judges, who have the power to visit detainees, to do all they could to alleviate their lot, was made to a packed Rondebosch Congregational Church Hall at a meeting of the Repression Monitoring Group on Tuesday night.

Professor Dennis Davis, who lectures in law at the University of Cape Town, expressed disappointment that to his knowledge, no judges had attended the meeting although all from the local division had been invited.

He suggested that judges set up a roster for visiting detainees.

About 1 500 people attended the meeting in a hall which normally seats about 400. The hall was so packed that everyone stacked their chairs and stood so more people could come in.

Chanting freedom songs

In high spirits, the crowd sang after the meeting as it spilled out onto Belmont Road, slowing down traffic. No unpleasantness ensued, the police kept away, and everyone eventually dispersed.

When speakers had finished, the standing audience crowded around them, even on the stage, and the entire hall erupted into an impromptu party to the chanting of freedom songs.

The Rev Syd Luckett, chairman of the Anglican Board of Social Responsibility and "a recent graduate of the University of Louis le Grange", spoke about solitary confinement during his recent detention. He had been treated well, he said, yet it had been the most traumatic experience of his life.

Advocate Mr Dullah Omar said the system of detention without trial itself was an act of violence, perhaps more to the loved ones than to the person inside. He had no bed, no pillows, and a fluorescent light burning all night while he was detained, he said.

Dubious information extracted

If the object of detention was to silence the voice of resistance, it had failed miserably, he said.

Professor Frances Ames of the neurology department of UCT said brutal interrogations extracted dubious information. The chances of false confessions being extracted in South Africa were high, she said.

Dr Don Foster, co-author of a recent scientific study on detentions, said more than 25 000 people had been detained in South Africa altogether.

All detainees in his study sample had suffered some form of psychological abuse. Any information extracted during detention should be regarded as non-admissible in a court of law, he said.

Under scrutiny

According to Dr J D Krynauw, the regional director for the Department of Health and Welfare, Dr Wendy Orr is no longer seeing Port Elizabeth detainees because of the "inter-relationship" between herself and the Prisons Department — and not because the Health and Welfare Department wishes to ban her from such duties.

But this rationale is not accepted by all sections of the medical profession. Professor Frances Ames of the University of Cape Town Medical School describes the decision as "appalling." Ames was one of the doctors instrumental in forcing the SA Medical and Dental Council (SAMDC) to hold an inquiry into the Steve Biko case which led to action being taken against two doctors in the PE district surgeon's office.

In criticising the action taken in regard to Orr's position, Ames says that staff shortages mean that doctors employed by district surgeon's offices have to examine "scores if not hundreds" of detainees daily. This has adversely affected the standards of attention they receive.

Secondly, she describes the decision regarding Orr's duties as high-handed. "Do they want the prisons system to remain a closed one with no public scrutiny?" she asks.

Meanwhile, Dr Joe Veriava of the Coronationville Hospital — who acted with Ames in the Biko case — says he is keeping a close watch on events in PE. His aim is "to see whether detainees are receiving proper medical care, or if there are doctors who are not making the care of detainees their highest consideration." He is also studying the evidence submitted in the PE Supreme Court case in which Orr was one of the applicants.

Says Veriava: "If there is evidence of misconduct, or disgraceful or unethical conduct on the part of any of the doctors involved, a complaint will be made to the SAMDC."

Warders, detainees in clash

By Jo-Anne Collinge

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There has been a physical clash between warders and detainees held in terms of the emergency regulations at Modderbee Prison on the East Rand.

The Department of Prison Services in Pretoria has responded to allegations of a "baton charge" saying "We confirm that people detained under the emergency regulations were involved in an incident at the Modderbee Prison on October 5, 11/10/85."

"Detainees literally threw objects at members of the Prisons Service and the necessary steps had to be taken to restore order. This was done swiftly and without causing any substantial injury to staff or detainees."

It is understood from legal sources that there were some injuries.

The Department of Prison Services did not comment on events leading up to the clash.

Leaders' detention hindered boycott negotiations

By Gary van Staden,
Political Reporter

CONSUMER BOYCOTTS

In towns and cities throughout the Eastern Cape, boycott-hit white businessmen — some of them conservative Afrikaners — have suddenly been forced into the reality of political negotiations with black activists.

Recently, South African big business has made several demands from panelled boardrooms that the Government negotiate with recognised black leaders.

Their colleagues in the Eastern Cape — and, to a lesser extent, in Natal — have recently come face to face with the realities of such negotiations, even if only on a local level.

The situation has not been helped — although few businessmen will admit it publicly — by the detention of boycott leaders.

In some cases it has taken weeks for the parties to agree even to the principle of negotiation, let alone get down to details.

And, adding to an already complex picture, is that there appears to be no causal relationship between negotiation and the lifting of boycotts.

Business leaders in some areas appear to have been able to negotiate a lifting of the consumer boycott or

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have succeeded in having it relaxed. In places the negotiations have led nowhere while, in others, the boycott has been lifted or relaxed without any negotiations.

STAR 11/10/85
INITIAL RESERVATIONS

It is equally clear that many of the businessmen involved in the talks with boycott committees are less than comfortable in the role. The conservatives first had to overcome their initial reservations over the principle of talking to black activists: the second — and more widespread — problem was a basic lack of negotiating skills.

Their colleagues in industry have some hard-won experience in negotiating with black trade unions and pressure groups but, in general, the businessmen found the talks made demands on skills they had never need-

ed to develop.

On the side of the boycott leaders, the same reservations surfaced and, in some cases, their negotiating skills were also sadly lacking — an issue for which the Government must take a large share of the blame.

In many of the towns and cities in the Eastern Cape four — rings of the top three — and sometimes the top four — rungs of the activist leadership had been stripped away by detentions. Those who remained were often out of their depth and ill prepared to tackle the task of leadership which was suddenly thrust upon them.

In most cases, the detention of the leaders had no effect on lessening the impact of the boycott. It simply made impossible any constructive negotiation to end it. No clear pattern has emerged from the towns and cities recently involved in consumer boycotts to indicate how successful negotiations between boycott leaders and businessmen will be in the future — or if any success at all will be achieved.

But, if there is one clear message, it is that the detention of boycott leaders does — and has done — irreparable damage to the delicate negotiating structures established between boycott leaders and white businessmen.

Billy Nair gets rousing welcome

FORMER Robben Island prisoner and Natal vice-chairman of the United Democratic Front, Mr Billy Nair, received a tumultuous welcome from family and friends on Wednesday night after his release from 47 days in detention.

He was cheerful but did not look in good physical shape.

Aside from cotton wool protecting a punctured eardrum and slight bruising from an injury to his eye, the results of an alleged assault by Security Police on September 3, Mr Nair also wore a neck-brace and a corset.

He was suffering from a back complaint which he said was not a direct result of the alleged assault.

He said he might take a few days' holiday, but he was clearly intent on resuming his political activities immediately.

"I want to make it

SOWETAN Correspondent

Quite clear that it is still my inner conviction, as I told the police, that notwithstanding my harrowing experiences now and previously, I am committed to the struggle for a non-racial, democratic South Africa."

Mr Nair criticised the whole system of detentions and said what had happened to him and other detainees was symptomatic of State violence.

He said the alleged assault against him might never have come to light while he was in detention were it not for mere chance.

Detainees clash with warders over discipline

AKAS 11/10/85 329

Argus Correspondent

JOHANNESBURG. — There has been a clash between prison warders and detainees held in terms of the emergency regulations at Modderbee Prison on the East Rand.

The Department of Prison Services in Pretoria has responded to allegations that detainees were subjected to a baton charge last weekend, saying: "We confirm that detainees detained under emergency regulations were involved in an incident at the Modderbee Prison on October 5.

"Detainees literally threw objects at members of the prison service and the necessary steps had to be taken to restore order. This was done swiftly and without causing any substantial injury to prison staff or detainees. The matter is being investigated."

It is understood from legal sources there were some injuries but details could not be established.

Prison rules

Lawyers say there has been dissatisfaction among Modderbee detainees about the disciplinary rules applying to those held under the emergency regulations.

The Department of Prison Services did not comment on events leading up to the clash.

The rules for detainees, gazetted in July, allow for fines, imposition of spare diet and/or solitary confinement, deprivation of meals, corporal punishment not exceeding six strokes or punitive work.

Permission

The detainee is not entitled to legal representation at a disciplinary hearing unless he is granted permission by the Minister of Law and Order or the Commissioner of Police.

Grounds for disciplinary action against emergency detainees include disobeying lawful commands given by prison staff, being "careless, idle or negligent" or refusing to clean the place of detention; singing, whistling or "causing unnecessary trouble" and acting contrary to good order and discipline.

WEEKLY MAIL, October 11 to October 17, 1985

Le Grange under PFP fire for 'cover-up'

LAW and Order Minister Louis Le Grange has come under fire from the Progressive Federal Party because of an alleged "cover-up" by members of his staff trying to prevent allegations of police assault on detainees from being properly investigated.

Le Grange was slammed for losing control of his staff — and in particular of the Security Police — after a Supreme Court case in Durban last Friday during which a judge was told that Le Grange had not been informed about two cases where detainees made serious claims of police assault.

Justice Law said he was "appalled" to find the Minister had been kept in the dark and that "subordinates" had claimed they had reached a settlement

Weekly Mail Reporter,
DURBAN

He also had reports from several doctors testifying about the nature and extent of the injuries the youth had sustained. He is still in hospital, recovering from these injuries.

It had been expected that the state would agree to the ban on police assault being made final, but the case took a dramatic twist when new counsel appeared for the Minister and said he had been instructed that the Minister had been instructed about the Diamant case only the day before.

That had also been the first Le Grange had heard about another case, heard the week before, involving detainee Billy Nair. In that matter a

full bench of the Supreme Court ruled there was a prima facie case that the police had assaulted Nair, and, allegedly with the consent of the Minister, made final an interim bar on any assault on the detainee.

Because he had heard of it so late, Le Grange opposed the order being made final and asked for extra time to investigate the case properly.

Judge Law granted an extension but pointed out that the interim order was also being extended.

The judge lashed out at the situation revealed by the Minister's disclosure that he had not known of the cases, saying it was "alarming and deplorable" and adding there seemed to be a "lack of communication and cooperation between (the Minister)

and subordinate members of his department.

He also said the situation "smacked of a desire (by these subordinates) to prevent a thorough ventilation of the alleged police assault."

Opposition MP Helen Suzman said she agreed with the judge's remarks, particularly the implication that there had been an attempted cover up.

Peter Gastrow (PFP, Durban Central) and Suzman claimed the Security Police believed they were a law unto themselves and added that Le Grange had "lost control of his staff."

The youth's statement, to the magistrate, backed by doctor's reports on the nature of his injuries, said he had been repeatedly given electric shocks and assaulted in other ways.

Masa has 'no choice but to stand by Dr Orr'

Argus Correspondent

JOHANNESBURG. — The Medical Association of South Africa, as signatories to the Declaration of Tokyo, has no option but to give its full support to Dr Wendy Orr, who recently won a Port Elizabeth Supreme Court interdict to prevent the torture of detainees.

That was the opinion of Dr John Gluckman, chairman of the Southern Transvaal branch of Masa, when approached for comment this week on the action of Port Elizabeth district surgeon Dr Orr.

Dr Orr shot into the international limelight recently when she — and 44 others — sought and were granted a Supreme Court interdict preventing assaults on detainees. Dr Orr was responsible for the treatment of detainees.

The Declaration of Tokyo states that doctors shall not countenance, condone or participate in any form of torture or provide any knowledge, instruments or premises to assist in torture.

Makes it clear

In addition, they cannot be present while any form of torture is being applied.

Paragraph 6 of the declaration makes it clear that the national association had an obligation to stand by any of its member doctors who refused to "condone the use of torture or other forms of cruel, inhuman or degrading treatment".

The actions of Dr Orr would appear to fall into this category and as such Masa has no option but to support her.

"In these times grave difficulties often face practitioners of all categories ... stemming from people injured in disturbances or allegedly assaulted," Dr Gluckman said.

Too frequent

"Such reports are all too frequent but the duty of the doctor is unequivocal — it is the care of the sick or injured, and that consideration is paramount and overrides all others," he added.

Dr Gluckman added that it was understandable that a District Surgeon such as Dr Orr, faced with large numbers of what she regarded as intolerable injuries allegedly inflicted by the security and police forces, should feel morally and ethically obliged to protest.

"Her courage in doing so earned the admiration of all her colleagues," he added.

"Having drawn the attention of her superiors, apparently without satisfaction, she approached the courts. Regrettably, she was unaware of another option which, it is believed, had been established by the director-general of health," Dr Gluckman said.

"The option provided for direct access to him as the most senior official in the Department of Health if reporting to her superior failed to produce desired action."

According to Dr Gluckman this channel was clear evidence of the determination of the Government to prevent assaults and injuries and had Dr Orr been able to exercise that option the Supreme Court action may have been avoided.

Malindi back in City

MR ZOLLIE MALINDI, president of the Western Cape region of the United Democratic Front, arrived in Cape Town yesterday after he was released from detention.

He was driven to Cape Town from Pretoria, where he had been held, by security police after his release about 4pm on Wednesday. He arrived here at 8.15am yesterday.

Mr Malindi may not be quoted as he is a listed person.

Mr Wilfred Rhodes, Western Cape UDF vice-president, said yesterday that no charges had been laid against the 61-year-old Guguletu resident.

Mr Malindi and UDF patron Dr Allan Boesak were both detained on August 27. Dr Boesak was also held in Pretoria.

Mr Rhodes said Mr Malindi was in good health, although he had at one stage had problems with his diet in detention.

"His life has been disrupted," Mr Rhodes said. "His detention was a complete waste of time and money, and caused hardship by disrupting his life."

Detained UDF leader freed *GM Twp*

Staff Reporter

THE Western Cape president of the United Democratic Front, Mr Zolile Malindi, has been released from detention.

Mr Malindi, 61, arrived in Cape Town yesterday from Pretoria Central Prison, his wife Lettie said.

She said her husband, a diabetic, was "very well".

He was detained under Section 29 of the Internal Security Act on August 27 and, like UDF patron Dr Allan Boesak, who was detained on the same day, was transferred from Cape Town's Pollsmoor Prison to Pretoria soon afterwards.

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Malindi back in City

CAPE TIMES 11/10/88 (329)
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CAPE TOWN
12/10/85
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TV cameraman fined

Own Correspondent

PORT ELIZABETH. — A television cameraman who was detained while filming police activities at a prayer meeting in New Brighton this week was yesterday convicted under the emergency measures and fined R200 (or 50 days) in the New Brighton Magistrate's Court.

Mr J W Voster found Rapietse Montso, of Meadowlands, Johannesburg, guilty of contravening the special emergency orders that prohibit entry to the township areas by non-residents without a written permit from the security forces.

Montso pleaded guilty to entering the New Brighton residential area without a permit on Wednesday, the national day of prayer and mourning.

Passing sentence, Mr Voster said he took into consideration that Montso had been convicted of a similar offence on September 23 and was fined R50.

In mitigation Montso said he was married and was from Johannesburg.

He also said it was not his intention to break the emergency orders but he was faced with missing the service he had come to cover if he waited for the permit.

12/10/85 (11/10/85)

Cape Times 12/10/85 329

Police detain 12 Atlantis activists

Municipal Reporter
TWELVE Atlantis community workers, including the chairman of the Atlantis Residents Association, Mr Noel Williams, were detained this week while in Grahamstown at least 20 former Cosas members were detained on Thursday.

Three of the Atlantis detainees, Mr Daniel Kimmie, Mr Alec Kroutz and Mr Karl Cloete, have since been released.

Those still being held are Mr Noel Williams, Mr Jaques Booyens, Mr William Cloete, Mr Frank Webers, Mr John Olivier, Mr Isaac Phoko, Mr Rodney Petersen, Mr Quinton Peake and Mr Leroy Moses.

Police could not confirm the detentions yesterday.

All of the detainees are volunteer workers for either the Atlantis Residents' Association or the recently established Atlantis Advice Office.

According to their attorney, the nine are be-

ing held under section 50 of the Internal Security Act.

● Sapa reports from Grahamstown that at least 20 former members of the banned Congress of South African Students (Cosas), including some of the organization's top East Cape leadership, were detained under the emergency regulations on Thursday.

Somerset West

A police spokesman released the names of three of the detainees — Rhodes University student Mr Monde Tabata, Miss Ntambamzi Siwisa and Miss Tambisa Dlula. He said names of the others were not available.

● In Somerset West, a matric pupil and SRC member at Gordon High School, David de Jager, 18, was picked up and detained at his home by two security policemen on Thursday last week.

The school's headmaster was told on Tuesday that he was being held in

terms of section 50 of the Internal Security Act.

● In Durban two United Democratic Front detainees were released yesterday.

They are former Robben Island prisoner Mr Curnick Ndlovu, national chairman of the UDF, and Mr Yunus Mahomed, Natal regional secretary.

Both were detained on August 23 and held under section 29 of the Internal Security Act.

● In Pretoria, police said yesterday 120 more people had been arrested in the past week under the emergency regulations, and none released, bringing to a total of 813 the number of people still in detention in terms of the July 22 proclamation.

According to the lists released weekly by police in Pretoria, 3 084 of the 3 897 people arrested had been freed.

However, a police unrest situation report earlier yesterday said 1 006 people were still being held in terms of the emergency regulations while a total of 3 954 had been released.

● A spokesman at police headquarters in Pretoria last night said that of 4 951 people held under the emergency regulations, 3 954 were released, leaving 997 people still detained. — Staff Reporter, Own Correspondent and Sapa

PINE 

TRY FRESH FRUIT,
D. HOME-BAKED
UCTS
AN ELGIN!
is rabouw turn-off)
ERY DAY

3 men detained

Dispatch Reporter

EAST LONDON — Three people were detained by Ciskei security police at Sada, near Whittlesea, this week, Ciskei's police liaison officer, Lieutenant Mavuso Ngwendu, confirmed yesterday.

He said the three, who were detained under Section 26 of the National Security Act, were Mr Shepherd Mayekiso, 20, who works for the Whittlesea Special Organisation, a Mr Malobola, who works for the Ciskei Co-op bus service and Mr D. Mdlalo, 40, a businessman.

Lieut Ngwendu also confirmed the detentions of the former Cis-

kei Minister of Justice, Mr Ben Myataza, Mr S. Sishuba and a Mr Sigabi.

Lieut Ngwendu said he had no knowledge of the detentions of Mr Christopher Keka, 22, a teacher, and Mr Victor Shange, a former Cape College student.

Yesterday the publicity secretary of the Sada Youth Organisation, Mr Kenny Tokwe, said a Mrs Mdwaba had been released from detention.

Mr Tokwe said ten members of the Sada Residents' Organisation had been picked up by the Ciskei security police.

He said their whereabouts was still unknown to their relatives.

Orr has more info



LAW and Order Minister Louis le Grange is in for a surprise when he challenges Dr Wendy Orr's police torture allegations - the young district surgeon "has more damning evidence in store for him".

Lawyer Nicholas Haysom - who works for the firm of attorneys which represented Dr Orr in her bid to stop the cops assaulting detainees - said he welcomed Mr Le Grange's challenge.

"It will give us an opportunity to file more damning evidence against the police," he said.

The details are likely to come out soon - Mr Le Grange's department must reply to Dr Orr's allegations when the return hearing takes place next month.

The police did not oppose the original application.

Meanwhile the provincial health department has confirmed last Friday's City Press report that Dr Orr has been "banned" from visiting detainees held in terms of the state of emergency regulations.

Regional health director Japie Krynauw said he felt the decision was "wise".

● In one of the many affidavits filed during the Orr application, detainee Vusumzi George of Motherwell near Port Elizabeth stated that two white security policemen - known only as Strydom and Nieuwoudt - made him sit on the floor with his hands handcuffed behind his back and forced his legs open by beating his thighs. They then tried repeatedly to kick me in my private parts.

'Do as she did...'

By SINNAH KUNENE

WENDY Orr's exposure of torture in detention has prompted the Health Workers' Association into calling on all health workers to uphold the moral and ethical code of their profession.

A WHA spokesman listed several aspects of police behaviour which "concerned" the association. They were:

★ Police visit wards and casualty departments where detainees and unrest victims were being treated.

★ The authorities had told all health workers to give the cops information about their patients.

★ Patients injured in township uprisings have been followed home after the discharge.

He added: "HWA salutes Dr Orr for not compromising her responsibility."

● In Cape Town, law lecturer Dennis Davis called on judges - who have the power to visit detainees - to do all they can to alleviate detainees' suffering.

DR. WENDY DORR is about the first person to blow the whistle on the dark and sinister world, in the shadows of detention without trial. And her courageous revelations have lifted the lid from something that has been hidden, whispered about, dreaded.

Dr Orr made startling revelations after examining detainees at St Alban's and North End prisons in Port Elizabeth, where she found the departments of Prisons and Health to be "rather callous in their lack of concern for the plight of detainees".

Her Port Elizabeth Supreme Court testimony led to the order which restrained the South African Police from assaulting detainees in the Uitenhage and Port Elizabeth magisterial districts.

The order was granted by Mr Justice J P G Eksteen after an application brought by 44 people. Dr Orr testified that detainees were systematically assaulted and abused after their arrest.

Dr Orr's stand was hailed by many respected practitioners as brave. Perhaps because this would be the beginning of a long and closer look at the legislation which makes for arbitrary arrest.

The young doctor's revelation should be seen as an indictment of the Department of Health. It is their (district surgeon's) responsibility to ensure the maintenance of the health of detainees and prisoners, according to leading academic, Professor Trevor Jenkins, of the University of Witwatersrand Medical School.

Dark and sinister world is revealed

FOCUS

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Sowetan
14/10/85

By **THEMBA MOLEFE**

South Africa is one of the few democratic countries where the Rule of Law is not in its constitution and where habeas corpus — which means a person must appear in court 24 hours after his or her arrest — does not apply.

This has led to many grave problems. There are problems facing the detainees themselves, those facing doctors and which have put the credibility of departments of Law and Order, Prisons and Justice at stake.

These problems reached a crescendo with the death in detention of black consciousness leader, Steve Biko, in 1977. His ghost has never stopped haunting the Government.

Only this year two practitioners, known today as the "Biko doctors", Dr Ivor Lang and Dr Benjamin Tucker, were brought to book by the South African Medical and Dental Council.

The Biko doctors might still face another investigation after the Orr revelations, as her superiors in the Department of Health.

It is also interesting to note the reluctance with which the departments of Law and Order, Justice and Prisons show in taking practical and swift action when problems of detainees hit the headlines, both locally and internationally.

Recently a 15-year-old schoolboy from Alexandra township was admitted to a psychiatric ward at Hillbrow Hospital only two days after being released from detention.

He spent three weeks in hospital, heavily sedated. Doctors said they could not for sure say whether his psychotic condition was caused by his detention.

Johnny would not talk. Now he is released and looks abnormal, his speech is slurred and he cannot walk or eat properly and could end up a human cabbage.

The point here is that



Dr BENJAMIN TUCKER... one of the "Biko doctors".

no investigation was undertaken to ascertain the boy's illness. The police could only say they would not comment on the condition of a released detainee.

Johnny Mashiane's story, published in *The Sowetan*, caused an international outcry with several Human Rights groups abroad sending letters of protest to the State President, Mr P W Botha. Many called for an investigation into the boy's case. But to no avail.

There are countless other cases which cast doubt on the detention-without-trial laws. Other cases cannot be left unreported in highlighting this grim picture.

- The death in detention of Steve Biko raised an international outcry against detention-without-trial;

- No explanation was forwarded save to say Oxford-educated sci-

tist, Wellington Tshazibane, who died in custody on December 11, 1976, committed suicide by hanging;

- Mapetla Mohapi, another black consciousness exponent, "died after force was applied to his neck" on July 15, 1976. Police said he hanged himself with his jeans;

- Recent deaths in detention include those of trade unionist Andries Raditsela, Sipho Mutsi and Sonnyboy Mokoena who died in a Pilgrim's Rest cell.

Since the state of emergency was declared on July 21 many of those released from custody have made allegations of torture, assault and systematic abuse at the hands of authorities.

Very little investigation has been done, however. Perhaps the only recourse would be through the courts as Dr Orr did.

Grassroots worker released

CAPE TOWN 14/10/81

Staff Reporter

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MS JENNY CONSALVES, administrative worker at the Grassroots Community Newspaper, was released on Friday morning after 14 days of detention in Pollsmoor Prison under section 50 of the Internal Security Act.

Asked about her experience in detention, she said: "Any number of days in detention is terrible."

Ms Consalves, 24, of Lansdowne, was one of the last remaining detainees in the Western Cape. She said Ms Shirley Gunn of the Clothing Workers' Union was still in detention under security laws.

Ex-Azanyu chief reporter held

THE former president of the Azanian National Youth Unity, Mr Carter Seleka (30) of Dobsonville is being held under security laws. 14/10/83

A relative yesterday said Mr Seleka was arrested at the home of a friend he had visited in Mofolo on October 4.

The family informed their attorney, Mrs Priscilla Jana, who immediately contacted the police who confirmed the arrest and said Mr Seleka was being held at Protea Police Station, said the relative.

Former journalist, Mr Langa Skhosana, who worked for *The Star* newspaper, is due to be released on October 21, his wife, Thandiswa, said yesterday.

She said her husband,

detained fourteen days ago under the emergency regulation's curfew laws, was on his way home when he was arrested. SOWETO

Cape Town 14/10/81 329

PFP 'naive' on detainees' health

Political Reporter

THE Detainees' Parents Support Committee (DPSC) accused two Progressive Federal Party MPs of being "extremely naive" for reporting that detainees at the Johannesburg Prison were not being maltreated.

A statement issued at the DPSC annual conference in Athlone over the weekend said: "Our conference wishes to state its profound disappointment with the reported statement made by Mrs Helen Suzman and Mr Peter Soal after their visit to the Johannesburg Prison.

"They reported that they believed that detainees from that prison had not been maltreated and created the impression that they were healthy and well fed.

"We believe that their reported statement has set back the detainees' case considerably."

The DPSC felt the two PFP MPs were extremely naive and lacking understanding in expecting detainees to tell of their torture experiences.

"The detainees fear that if they tell of torture they will be further tortured later as punishment."

Contrary to the impression created by the PFP MPs that detainees were healthy and well fed, evidence emerging from Johannesburg showed that detainees had an inadequate diet and inconsistent timing of meals with resultant weight loss, the DPSC said.

The DPSC said the PFP MPs "must surely be aware that detainees are systematically abused all around the country". Johannesburg was no exception and



Mrs Helen Suzman

complaints of abuse were reported daily.

Mrs Helen Suzman, PFP Law and Order spokesman, yesterday said that the detainees she had visited at Johannesburg Prison had no difficulty in complaining about other things such as food, reading material and study privileges.

Every single one was asked whether they had been interrogated and if so whether they had been assaulted, she said. Those interrogated were examined by nursing staff before and after such sessions.

"On the basis of what detainees told me... it gave us the distinct impression that the prison authorities at Johannesburg Prison were far more concerned over the well-being of detainees than at St Albans in Port Elizabeth," Mrs Suzman said.

"This in no way derogates my basic objection to detention without trial which I have voiced since 1963, unlike the DPSC which came into existence a few years ago after their own children were detained."

Concern over detainees

CPK TWT
14/10/85

(329)

By EBRAHIM MOOSA

THE Detainees' Parents Support Committee (DPSC) has expressed concern over allegations of torture and sexual harassment of detainees by members of the security forces.

At a press conference in Athlone on Saturday, DPSC representatives expressed particular concern over the role of doctors in the treatment of detainees and victims of police action, as well as the increasing detention of pupils.

Noting the increasing number of "political" arrests, the DPSC said there had been 16 deaths in police custody nationwide over the past 12 months and one death in detention.

Besides the more than 5 000 detentions in terms of the state of emergency, the DPSC said more than 1 000 people had been held under security legislation in "non-emergency areas" during 1985.

Dr Max Coleman, a senior DPSC spokesman from Johannesburg, criticized the role of district surgeons whose "record until now has been to serve their masters, which is both medically and ethically unacceptable".

• Pressure

In future such doctors would "legally be under pressure" to perform their duties. The medical profession should be concerned about the health and care of their patients and should not be subservient to the dictates of the police, he said.

Many victims of police action refused to see doctors or go to hospitals for fear that they would be handed over to the police, and instead resorted to "high-risk backyard treatment".

A DPSC spokesperson for the North-Eastern Cape told the press conference of district surgeons prescribing mixtures of "vinegar and water" and "Vicks" to injured victims of police action and detainees.

The representative, who refused to have her name published, said that 16 detainees from a group of 35 who were recently released in De Aar told of being tear-gassed in their cells.

Mr Ezra Sigwela, DPSC representative for Transkei, said 20 Roman Catholic priests there had publicly expressed their concern over the recent spate of detentions in the area.

The conference was told that the highest percentage of those detained were people under the age of 25, many of them pupils. In most cases police refused to disclose the ages of those detained, arguing that it would be "counter-productive" to do so.

500 held

Dr Coleman said that sexual harassment occurred during police patrols supported by the army in townships, and during detention. Although the army did have complaint offices, it was "very difficult to make complaints to the people who are the very perpetrators of the crime", he said.

About 500 people were currently being held under section 50 of the Internal Security Act, which is considered to be a "less harsh" form of detention.

Such detainees, who were supposed to be treated as awaiting-trial prisoners, were not accorded their full rights to see their lawyers and families. Many of them were interrogated, and there had been two cases of detainees being held in solitary confinement, while others had been assaulted.

The DPSC noted that detainees were monitored through closed-circuit television at John Vorster Square, police headquarters. Other forms of psychological harassment were solitary confinement, denial of visits and threats of death, while physical abuse, including sexual abuse, assault and the administration of electric shocks to the genital areas, had also been experienced.

● The police directorate of public relations in Pretoria yesterday said the DPSC was not recognized by them. A spokesman said: "We don't comment on their allegations. The police and government do not consider them a legal body." A copy of this report has been telexed to police for comment.

Concern over T/kei detainees

TRANSKEI has the largest number of people detained without trial after the Transvaal according to the Detainees Parents Support Group.

Civil rights activists and academics are increasingly apprehensive about their safety with what they call Transkei's reign of terror.

The vice-president of the University of Transkei's Students Representative Council was murdered recently and another activist escaped kidnappers.

A teacher was murdered in the Umzinkulu district, boycotts and unrest have plagued schools, discontent continues at Unitra and there have been repeated reports of clashes between police and armed men.

Sitembele Zokwe was kidnapped at gunpoint from a Butterworth street, but was released to Umtata police after several hours.

Unitra vice-president Bathandwa Ndondo, left his Cala home for questioning by Security Police.

According to one academic, Mr Ndondo was last seen trying to escape from a minibus. He screamed "Help me, I am dying," as he escaped from the vehicle, but was later shot dead. Police have opened a murder docket.

In September, at least 872 people were in detention under the Public Security laws and recently included two members of the Trans-

kei Legislative Assembly, a magistrate, several doctors, lawyers, businessmen and a cinema manager.

Deported

Since April last year, staff and students at Unitra have either been detained or deported. Last week 10 women were deported, nine of whom were said to be "non-Transkeian".

In May, 600 students from Sigogo High School were detained. In September, about 400 pupils from Cala High School were detained. And 390 Umtata Technical College students were arrested for boycotting classes.

Academics and civil rights activists are claiming cover-ups and a South African link to the death of Ndondo. One of the murderers is alleged to be a Transkeian in the South African Police.

A prominent Umtata

lawyer, Dumisa Ntsebeza, was detained while working on the cover-up.

A civil rights activist believes the escalating repression reflects growing government concern about African National Congress activity in the area.

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SONOJAN

Ndondo funeral: arrests claimed

Dispatch Reporter

UMTATA — About 100 people were reported to have been detained at the funeral in Cala yesterday of Mr Bathandwa Ndondo.

Mr Ndondo, a former executive member of the University of Transkei students' representative council, was shot after being taken from his Cala home on September 24.

Yesterday morning entrances to the town were sealed off by armed soldiers.

A Daily Dispatch reporter travelling from Queenstown was refused entry to the town and told that no vehicles with the "wrong registration" would be allowed in.

Other whites, including foreign journalists and TV crews were also turned back.

Seven members of the Health Care Trust who had spent Sunday night in Cala were told by soldiers yesterday to leave the town.

Mr Mzwandile Ntsaluba, a member of an Umtata legal firm briefed to act on behalf of the Ntsebeza family, who organised the funeral, said yesterday armed

soldiers and police surrounded people attending the funeral service at the Ndondo family home.

Mr Ntsaluba said about 100 people wearing T-shirts with slogans were detained.

"The police also searched other people who they thought were wearing the T-shirts underneath other shirts," Mr Ntsaluba said.

Senior police officials could not be contacted yesterday for comment on the alleged detentions.

Mr Ntsaluba said that Mr Dumisa Ntsebeza, an attorney who is a partner in the law firm, and his brother, Mr Lungisile Ntsebeza, did not attend the funeral as they were still in detention. The two brothers were detained soon after Mr Ndondo was shot.

After Mr Ndondo was shot, the CID chief, General D. G. Nkalisshana, said police were involved and murder was being investigated. By Sunday night, however, no arrests had yet been made according to the commissioner of police, General R. S. Mantanga.

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DISPATCH

15/10/8

OK

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Suzman rejects DPSC charge

JOHANNESBURG. — The Progressive Federal Party's spokesman on Law and Order, Mrs Helen Suzman, yesterday rejected suggestions by the Detainees' Parents Support Committee on Sunday that her report on the treatment of detainees at the Johannesburg Prison was inaccurate and "naïve".

Mrs Suzman, replying to objections by the DPSC to the report by herself and fellow MP Mr Peter Soal on their visit to detainees, said:

"I wish to point out that our comments referred only to interrogations that were carried out after people were detained at the prison and not to anything that might have happened prior to that at Protea Police Station or anywhere else."

"We have no reason to disbelieve the detainees who told us they had no complaints on that score."

"The presence of prison officials during our contact visits did not deter the detainees from complaining about the conditions under which they were being held, for

example, being detained without charge, the food, no reading material except the Bible or Koran, and in some cases about not having received any visitors and about bad ventilation in the cells."

"I have conveyed these complaints to the Minister of Law and Order, with some positive results."

"During my many years of prison visiting, I have always reported my impressions accurately."

"While the DPSC is entitled to criticise my judgement I should, after more than 20 years' experience, be in a position to ascertain whether prisoners are too intimidated to make complaints. I strongly resent the DPSC's questioning my bona fides."

"I was the only MP to oppose the introduction of the pernicious system of detention without trial when it was first introduced in 1963."

"I have taken up the cause of its unfortunate victims ever since."

In a statement at its conference in Athlone the DPSC said they believed the detainees' case had been set back by the report. — Sapa

Man fires on attackers in Nyanga

Staff Reporter

A MAN dispersed a crowd in Nyanga with pistol-fire after his car was attacked by stone-throwers.

It is not known whether anyone was injured in yesterday's attack, police said today.

Police said seven people were arrested last night after incidents in Wynberg and Bonteheuwel. Six of those detained were arrested after police vehicles were stoned in Wynberg.

The arrests brought to at least 18 the number of people held in the Peninsula yesterday.

United Democratic Front executive member Mr Graeme Bloch was seen being taken away by plainclothes police at a school rally in Wynberg yesterday, but police did not confirm his detention this morning.

Police said four people were arrested after about 300 people gathered in Wynberg.

In Bishop Lavis, Bonteheuwel and Manenberg, police

arrested seven men after stone-throwing.

A police spokesman said from Pretoria today that in Langa a car was burnt and a bus damaged. Two buses were set alight in Athlone.

The spokesman said a policeman was slightly injured when a police vehicle was stoned in Kensington.

Earlier yesterday a Wynberg shop-owner, Mr Martin Jeken, fired a shot in the air to ward off youths who smashed the shop windows.

Armoured

The youths ran through Terminus Centre, where they smashed the windows of several businesses.

Late yesterday police patrolled in Elsies River and soldiers in armoured troop-carriers were stationed on the perimeter of Crossroads.

In Elsies River armed riot-policemen patrolled either side of the road on foot, followed by a Casspir.



Picture: HANNES THIART, The Argus

Mr Martin Jeken with one of the bricks which smashed his store window yesterday.

● The deputy principal of Alexander Sinton Secondary School, Mr Nabil Swart, said his daughter, Kamilla, 15, a South Peninsula Secondary School pupil, was being held on a charge of crimen injuria while his son, Raoul-Ridwaan, 18, a student at Peninsula Technikon, was among three pupils being held under Section 50 of the Internal Security Act.

The others were Lorna Houston, 17, of Immaculata Roman Catholic High School pupil and Ebrahim Abrahams, 18, of South Peninsula Secondary.

Ebrahim Mohamed, 17, of Heathfield High School, was wounded in the leg after he was shot at by police outside Wynberg Secondary yesterday, a family member said.

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Pupil released after application

Staff Reporter

BOLAND pupil Mr David de Jager was released from detention today after an urgent application asking for his release was brought before a Somerset West magistrate.

Mr de Jager, 21, a matric pupil at Gordon Senior Secondary School in Somerset West, was detained 12 days ago under Section 50 of the Internal Security Act, according to attorney Mr Trevor de Bruyn.

Mr de Bruyn, of Groepe de Bruyn in Stellenbosch, said Section 50 provided for up to two weeks in detention if the police had reasonable grounds to suspect a crime.

The magistrate, Mr A J Jooste, said Mr de Jager was released because "calm has returned to the schools in the area" and not because of the application. He said security police agreed to release Mr de Jager because unrest had abated.

The application signed by Mr de Jager was made to Mr Jooste last night. It was made in terms of sub-section 5 of the Internal Security Act which states that a magistrate may order the release of a detainee before the 14 days expire.

Charge withdrawn

Court Reporter

A CHARGE of attending an illegal gathering was withdrawn in the Wynberg Magistrate's Court against UCT lecturer Mr Nanooj Singh.

Magistrate Mr P Theron ruled that a notice in the Government Gazette relating to illegal gatherings was invalid.

Mr M Sher appeared for the State. Mr Singh was represented by Ms Andy Durbach.

108 still

held in

Transkei

UMTATA — Transkei police are still holding 108 people, most of them students from the University of the Transkei, who were arrested on Monday during the funeral of a man allegedly killed by police.

The chief of the security police, General Leonard Kawe, confirmed today that the 108 were all being held under the country's security laws.

They were wearing yellow

120 arrested; 813 now held

APT Times 15/10/85

PRETORIA — Police said 120 more people had been arrested in the past week under the emergency regulations. None has been released, bringing to a total of 813 the number of people still in detention in terms of the July 22 proclamation.

According to the lists released weekly by police in Pretoria, 3 084 of the 3 897 people arrested had been freed.

According to the lists, the names of those held in the past week are:

- 1 Tembale Notana Fort Beaufort
- 2 Molusle Notana Fort Beaufort
- 3 Daniel Sondi Grahamstown
- 4 Stanley Maramela Roodspoor
- 5 Tony Rangela Fort Beaufort
- 6 Samason Ekabashe Fort Beaufort
- 7 Zande Hoga Fort Beaufort
- 8 Daniel Misianga Fort Beaufort
- 9 Joseph Doria Fort Beaufort
- 10 Albert Mubisella Fort Beaufort
- 11 Sipho Somesela Soweto
- 12 Rex Duma Bathurst
- 13 Gloria Tiedri P E
- 14 Edward Kondo P E
- 15 Princess Mthembu Jhb
- 16 Martin Seleke Jhb
- 17 Ismael Ntsholele Jhb
- 18 Daniel (illegible) Germiston
- 19 Bernard Yiloteu Springs
- 20 Themba Suthu Springs
- 21 Thami Alsa P E
- 22 Ndumiso Matsjane Jansenville
- 23 Tommy Mathema Jansenville
- 24 K Luthuli Jansenville
- 25 Raymond Gwebushe Jansenville
- 26 Sylvester Matopela Jansenville
- 27 George Kekana Jansenville
- 28 Tamsanga Magwaka Fort Beaufort
- 29 Zwenfili Biko Fort Beaufort
- 30 Phineas Ntsele Jhb
- 31 Brian Komgodo Jhb
- 32 G McKanga P E
- 33 Siso Leiyontsi P E
- 34 Sam Motzisi Jhb
- 35 Synthia Shitambu Jhb
- 36 Percy Boyens Jhb
- 37 Charles Rutebe Jhb
- 38 Joseph Xabamsa Jhb
- 39 Motisi Mofa Jhb
- 40 Charles Mofa Jhb
- 41 Terry Dodo Jhb
- 42 Kekane Ezekiel Benoni
- 43 Golela Zakhele Benoni
- 44 Daniel Bostle Benoni
- 45 Elliot Bhaty Bedford
- 46 Mzwane (illegible) Bedford
- 47 Rani Jobergana Bedford
- 48 Sikhumbuli Sabene Bedford

- 49 Bhuhihi Norman Bedford
- 50 Paschal Magalela Krugersdorp
- 51 Samuel Seleke Krugersdorp
- 52 Patrick Mokone Krugersdorp
- 53 Joseph Morze Krugersdorp
- 54 John Ramanyal Krugersdorp
- 55 Andrew Molutsi Krugersdorp
- 56 Langa Shosana Jhb
- 57 James Simle Jhb
- 58 Hilton James Middelburg (Cape)
- 59 Khulasi Daneter P E
- 60 Gladis Faule P E
- 61 Mondisa (illegible) P E
- 62 Cynthia Goni P E
- 63 N Rumbu P E
- 64 Charles Mshelwana P E
- 65 Tuserne Nkohe P E
- 66 Jacob Malubuta Benoni
- 67 Kenny Matsau Benoni
- 68 Welcome Hqwane Benoni
- 69 Hinkia Mkwane Benoni
- 70 N Matsaga Benoni
- 71 Voice Mooki Jhb
- 72 Johannes Sona Jhb
- 73 Sello Phalema Jhb
- 74 (illegible) Khebeni Jhb
- 75 Mathews Sihole Jhb
- 76 Maswili Legwile Jhb
- 77 Lebana Molefe Jhb
- 78 K Menvatso Jhb
- 79 John Makiso Jhb
- 80 Emmanuel (illegible) Jhb
- 81 Collen Moletsane Jhb
- 82 (illegible) Moshkwe Jhb
- 83 Hongana Mthembu Jhb
- 84 G Ledwaba Jhb
- 85 Bongani Zasi Jhb
- 86 Soodman Molefe Jhb
- 87 Solomon (illegible) Jhb
- 88 Abel Mooki Jhb
- 89 Frans Lamula Jhb
- 90 Adamson Mangatha Jhb
- 91 Joshua Mawesha Jhb
- 92 Zingile Kekana Jhb
- 93 Isaac Chilwane Jhb
- 94 Andries Kamaliso Jhb
- 95 Reginald Jaka Jhb
- 96 Simoni Thagwane Jhb
- 97 Thabo Mokane Jhb
- 98 Arnold Mhewe Jhb
- 99 Victor Mavi Jhb
- 100 Deon Ramble Jhb
- 101 Rudeshini (illegible) Jhb
- 102 Paresi Ralliel Jhb
- 103 Leola Ramble Jhb
- 104 Laryyo Ndagama Jhb
- 105 M (illegible) Jhb
- 106 Godfrey Moko Jhb
- 107 Rejoice Kodena Vereeniging
- 108 Oupa Segole Vereeniging
- 109 Shylock Nihaki Vereeniging
- 110 Simah Mbele Vereeniging
- 111 S Mosholi Vereeniging
- 112 Edlin Molui Vereeniging
- 113 Haki Sonthi Vereeniging
- 114 L Mosa Vereeniging
- 115 M Sekwala Randburg
- 116 Veli Makoba Randburg
- 117 V Matse Randburg
- 118 David Khunai Randburg
- 119 Tutu Moroke Randburg

The names of those arrested are followed by the magisterial districts

Cape Times 15/10/85
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From CLARE HARPER
JOHANNESBURG. — A group of detainees held under the state of emergency are to challenge its "unnecessarily harsh and punitive" regulations in the Rand Supreme Court today.

The applicants are Mr Auret van Heerden, Mr Simon Ratcliffe — detained at Diepkloof Prison — and Mrs Innocent Mukwebo, the mother of Themba Nhlapo who is being held at Protea police station in Soweto.

All three were refused access to their attorneys to prepare the application.

Advocate Mr Israel Maisels will argue that certain regulations governing emergency de-

tainees are beyond the powers of the Minister of Law and Order because they are unnecessarily harsh and punitive.

These relate to visits, letters, reading matter, receipt of food parcels, permission to study, listen to music, medical treatment and the denial of access to lawyers.

The three have been "preventatively detained" since the emergency was declared on July 21 and their lawyers

will argue they should have the status of an awaiting-trial prisoner.

It will be argued that in framing such rules the minister has gone further than merely regulating detention and has exceeded his powers to make rules to ensure public safety, to maintain order and to administer the emergency and deal with circumstances likely to arise from the emergency.

It is understood that a

report by a psychiatrist, who has seen Mr Van Heerden in prison, will be submitted.

The families will have to fight a provision in the regulations forbidding "any interdict or other process ... for the staying or setting aside of any order, rule or notice" issued in terms of the the emergency regulations.

It will be argued that such a rule is grossly unreasonable and infringes

the rights of the courts. A spokesman for the Detainees' Parents Support Committee, Dr Max Coleman, said that at as a parent he was concerned about the effects of solitary confinement on detainees.

He said: "To be in detention for 14 weeks without any mental stimulation and subsisting on a prison diet is a matter of major concern — one must ask in what way is this contributing to a lessening of the state of emergency."

"The case may set a precedent for the conditions under which all emergency detainees are held in other Transvaal and Eastern Cape prisons," he said.

Detainees challenge 'punitive' regulations

Detainees

application

Own Correspondent

JOHANNESBURG. — An urgent application challenging the "unnecessarily harsh and punitive" conditions of detainees held under the State of Emergency regulations came before the Rand Supreme Court yesterday.

The application was brought by detainees Mr Simon Ratcliffe and Mr Auret van Heerden and Mrs Innocent Mukwebo, the mother of detainee Mr Themba Nhlapo, against the government, the Minister of Justice and the Minister of Law and Order.

Mr Justice D A Melamet postponed the hearing pending the filing of answering affidavits.

Counsel for the Minister of Justice said there had been a delay as the minister had to be consulted.

Lawyers acting for the three said the application would be heard tomorrow.

TODAY

RESIDENCE IN
ST JAMES

Detainee's 329 aunt seeks to appeal ruling 7/16/85 STAR

Application for leave to appeal against the indefinite detention of emergency detainee Mr Amos "Pepsi" Mahlangu, was brought in the Springs Circuit Court yesterday.

The application was against a judgment by Mr Justice E Stafford on September 11 in the Rand Supreme Court. 16/10/85

Mr Justice Stafford dismissed with costs an application brought for the release of Mr Mahlangu, on the grounds that the Minister of Law and Order was entitled to authorise unlimited detention under the state of emergency.

The application for leave to appeal was brought by Mrs Sarah Mahlangu, Mr Mahlangu's aunt. Her nephew was arrested on July 15 in kwaThema.

Mr J Unterhalter SC, appearing for Mrs Mahlangu, said: "We argued that the Minister cannot detain a person indefinitely".

Mr Justice Stafford will give judgment on the application today.

Meanwhile, the second in command of the Transkei Defence Force Major-General Zondwa Z. Mtirara, denied yesterday that soldiers had been involved in any police operations or arrests at the funeral.

A report yesterday that the army had manned roadblocks and had told people to leave the town was incorrect, he said.

General Mtirara said the army had just been on standby in case of an emergency.

Intervention by the army had not been necessary as there had been no incident that the police could not control.

A freelance reporter, Mr Stan Mzimba, said yesterday he was held for almost two hours after the funeral.

He said he was taking pictures during the funeral when two policemen forced open his camera and exposed the film.

"I was then thrown into a police van and taken to the Cala police station."

He said he was released after talking to the head of the security police, Gen Leonard Kawa, who was at the police station.

49 held at Ndondo funeral — police

Dispatch Reporter

UMTATA — A total of 49 people had been detained by Transkei Police in Cala during the funeral of Mr Bathandwa Ndondo on Monday, the Commissioner of Police, General R. S. Mantanga, said yesterday.

He denied claims by eye-witnesses that as many as 100 people wearing T-shirts with slogans had been detained.

Mr Ndondo, a former executive member of the Transkei University students' representative council, was shot after being taken from his Cala home by three men and a woman on September 24.

During his funeral on Monday, the town was sealed off and road blocks were set up at entrances.

General Mantanga said the 49 people had all been detained under section 47 (1) of Transkei's security laws.

Asked why whites, including foreign journalists, were barred from the town during the funeral, General Mantanga said: "The police who were in command of the operation in Cala used their discretion."

"If they saw fit that whites and other journalists were not wanted at the funeral, that was their decision," he said.

Asked whether anyone had been charged in connection with Mr Ndondo's death, General Mantanga said: "No, the matter is still under investigation."

Questioned about the detention of Mr Lungile Ntsebeza and M Victor Ngaleka, believed to be witnesses to the Ndondo killing, Gen Mantanga said they were still being held under the security laws. He could not comment further as it was a security police matter.

For the same reason he could not say why the lawyer representing the Ndondo family, Mr Dum Ntsebeza, had been detained.

Call Times
Biko
17/10/81
**doctor
struck
off roll**

PRETORIA. — Dr Benjamin Tucker, one of the doctors who treated black consciousness leader Mr Steve Biko before his death, has been struck off the medical roll by the South African Medical and Dental Council.

The scrapping of Dr Tucker's name from the roll is a much heavier punitive measure than that recommended by the council's disciplinary committee in July. The committee recommended that he be suspended for three months but that the suspension be suspended for two years. The scrapping of Dr Tucker's name from the roll means he may no longer practise.

Dr Ivor Lang, Dr Tucker's assistant at the time of Mr Biko's death, had his warning for "unprofessional conduct" from the SAMDC disciplinary committee ratified by the full council sitting yesterday.

The council's decision was described last night by Professor Frances Ames, of the University of Cape Town's Medical School, as "an unprecedented but appropriate step".

Dr Tucker, a senior district surgeon in Port Elizabeth, is due to retire soon and is at present on extended sick leave.

● At his home in Port Elizabeth last night, Dr Tucker said he was not prepared to comment on the measure.

"The press have got so much mileage out of this matter," he said. — Sapa and Own Correspondent

Doctors can 'stand up to police' professor

Argus Correspondent

JOHANNESBURG. — Doctors responsible for the care of detainees may now be encouraged to stand up to the police and refuse to compromise their ethics.

This was said today by Professor Trevor Jenkins of the University of the Witwatersrand Medical School. He was reacting to the decision by the South African Medical and Dental Council to strike the name of Dr Benjamin Tucker — who treated black-consciousness leader Mr Steve Biko before his death — from the medical roll.

The decision was taken eight years after Mr Biko died.

Cautioned

The council ratified the recommendation that the other doctor involved, Port Elizabeth district surgeon Dr Ivor Lang, be cautioned and reprimanded.

Professor Jenkins was an applicant in the Supreme Court action which resulted in the council being ordered to investigate complaints against Dr Tucker and Dr Lang.

"I would hope the decision can be of help to doctors caring for prisoners," Professor Jenkins said. "It can remind them that their primary responsibility is to the detainees."

"They should not be influenced by authorities into compromising their professional duties."

He said the timing was of vital importance because of the recent legal application by a Port Elizabeth district surgeon, Dr Wendy Orr, concerning the alleged abuse of detainees.

He hoped Dr Orr would now receive the support of her superiors.

● Another applicant, Professor Frances Ames of the University of Cape Town, said today that the decision was unprecedented.

She said it was encouraging to see what was merely a token sentence increased in severity.

Staff Reporter

A RETREAT pensioner has inherited a brass grocer's scale which he believes to be more than 200 years old and could be worth R5 000.

days of street battles

Yesterday when he would be tried.

● Lunch-hour traffic was disrupted in the city centre yesterday when police dismantled a



Mr Abubaker Bremner, left, and an assistant, Mr Douglas Jacobs, with the scale.

Mystery shrouds brass scale's past

origins through family records and research books but have not been successful," Mr Bremner said.

"However, my family has a

only if the right offer comes up and I am satisfied it will be properly maintained."

He has polished it thoroughly "every weekend" since it reached his hands.

Though retired, Mr Bremner has been servicing grocer's and hawkers' scales for 19 years.

Council of Women call on Le Grange

Mercury Reporter

THE National Council of Women of South Africa (NCW) has called on Minister of Law and Order Louis le Grange and the Department of Health and Welfare to issue a directive immediately to all police and district surgeons to see that people in police custody are safe from assault and torture.

The council said it had written to the minister saying it was a national tragedy that the safety of those in police custody should be placed in jeopardy by the actions of police.

'We appeal to ordinary, caring people to support the NCW's letters to the minister and the Director-General of the Department of Health and Welfare calling for an immediate directive to all police and district surgeons to see that those in police custody are safe from assault and torture, and not to wait for the outcome of the present investigations.'

The NCW said recent court orders in Natal and the Eastern Cape restraining police from assaulting or threatening to assault detainees indicated there was reason to fear for their safety.

The council said the police were not only guardians of the State and its institutions, but also guardians and protectors of members of the public, including those under arrest or detention.

Detainees: Prison rules relaxed on food, books

Argus Correspondent

JOHANNESBURG. — The rules controlling detainees held under the emergency regulations have been relaxed to allow them access to reading material and to prison "shops".

An amendment to the rules appeared in the Government Gazette on Friday, days after papers had been filed in the Rand Supreme Court applying for the dropping of certain rules applicable to emergency detainees on the grounds that they were unnecessarily harsh.

The applicants — detainees Mr Auret van Heerden and Mr Simon Ratcliffe and the mother of detainee Mr Themba Nhlapo — sought to scrap, among other things, the restriction on access to any reading material other than the Bible or other holy book and a ban on food purchases from prison tuckshops.

The case, due to have been heard on Tuesday, was postponed until next week to allow the respondents — the Government, the Minister of Law and Order and the Minister of Justice — to file replying affidavits.

Books, magazines

Friday's notice in the Gazette entitles detainees to have access to a holy book and "selected magazines which are supplied to him through the person in command of the prison".

It is expected that this will mean detainees may receive daily newspapers.

The use by detainees of the prison "shop" is now extended to include the purchase of "a reasonable quantity (according to the opinion of the person in command) of smoking requisites, toiletries and food which does not require any further preparation".

Complaints about the quantity and variety of food have been lodged by detainees and human rights groups regard the right of detainees to augment the prison diet as a concession which will make their lives considerably less taxing.

The Department of Prison Services has in the past responded to criticisms of the feeding of detainees, saying they receive nutritionally adequate meals.

Released men given ovation

Mercury Reporter

17/10/85
329
Kearney

FREED United Democratic Front detainees were given a standing ovation by more than 200 students at the University of Durban-Westville at a lunch-time meeting on the campus yesterday.

The meeting, organised by the Azanian Students' Organisation, was addressed by former Robben Island prisoner and chairman of the UDF's national executive Mr Curnick Ndlovu, NIC acting president Dr Farouk Meer and Mr Paddy Kearney of Diakonia.

Dr Meer said there would be no peace in South Africa as long as there was apartheid and

called for a non-racial and democratic South Africa.

Referring to the recent talks between the PFP and the ANC, he said the ANC had always been prepared to talk to find a peaceful solution to the problems in South Africa, but it was the Government which was not prepared to listen.

Mr Kearney said that the time would arrive when the Government would be forced to talk to the ANC. 'I cannot see any other way for a just settlement to South Africa's problems,' he said and praised the recent talks between business leaders, the PFP and the ANC.

Prison rules relaxed for emergency detainees

By Jo-Anne Collinge

329 STAR 17/10/85

The rules controlling detainees held under the emergency regulations have been relaxed to allow them access to reading material and to prison shops.

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were unnecessarily harsh.

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Detainees' use of the prison shop is now extended to include the purchase of "a reasonable quantity (according to the opinion of the person in command)

of smoking requisites, toiletries and food which does not require any further preparation".

Complaints about the quantity and variety of food have been lodged by detainees and human rights groups regard the right of detainees to augment the prison diet as a concession which will make their lives less taxing.

Prisons spokesmen have in the past responded to criticisms of the feeding of detainees, saying they receive nutritionally adequate meals.

GAVIN EVANS

EMERGENCY regulations have been amended to allow detainees access to selected reading matter and to buy food from prison shops.

The changes are according to affidavits brought in reply to an urgent application brought before a Rand Supreme Court judge on Tuesday.

The application, brought against government, the Minister of Justice and Minister of Law and Order by emergency detainees Simon Ratcliffe and Aurret van Heerden,

and by Mrs Innocent Mukwebo on behalf of her son, Themba Nhlapo, was postponed by Mr Justice D Mehamet.

It will be heard on Tuesday.

It is argued in papers that certain provisions of the emergency regulations, relating to restrictions on access to food, reading material and visits to detainees, are punitive and therefore unlawful.

In replying affidavits opposing the appli-

cation, it is stated that changes in the regulations, published in the *Government Gazette* last Friday, entitled emergency detainees to buy food from prison shops and to receive selected reading matter in addition to the Bible or other "holy books".

Radcliffe, 32, and Van Heerden, 30, have been held at Diepkloof Prison since the declaration of the state of emergency on July 21. Nhlapo is being held at the Protea Police Cells.

329 B. Day 17/10/85 New deal for detainees

The middle men

THE PROGS AND INKATHA STAKE OUT THE CENTRE

THE plush Sandton Sun may at first glance seem an inconspicuous place to lay the ground for a future, South Africa. In the quiet luxury of Johannesburg's newest hotel, que felt one was a long way from the rough and tumble of South African politics. But in fact it was an appropriate place for the gathering of 150 people who took the first step towards forming a new Convention Alliance last Saturday.

On one level, the purpose of the meeting was to draw together South Africa's "moderates", those who still shared a vision of real but non-violent change towards a non-racial democracy.

The logic went like this: moderate, peace-loving South Africans were caught between escalating violence and counter-violence. They were increasingly under pressure to choose between the government and armed struggle; they could not sit on the fence.

Thus it was necessary to show there is a clear alternative to these choices; that there were still sufficient people who believed in a middle path to make it a viable vision of the future.

The purpose of the Convention Alliance, in the words of the invitation to participants, is to "bring about, by non-violent means, and in the shortest time possible, the complete dismantling of apartheid and the negotiation through a national convention of one constitution based on one citizenship in one country".

In short, the central purpose of the meeting was to re-establish the middle ground: to show that between repression on the one side and rebellion on the other, there lay a path of true reform; that there were still enough moderates to make a substantial joint call for a national convention, that if PW Botha couldn't find meaningful black leaders to talk to, they could.

A year ago, the most vocal calls for a national convention came from the UDF. Today, with the UDF leaders either in detention or in hiding, the PFP and Inkatha have taken the initiative and staked their claim to the idea of dialogue

ANTON HARBER reports from the Convention Alliance meeting



Just good friends ... Dr. Frederik van Zyl Slabbert and Chief Gatsha Buthezi in Sandton

They have taken an initiative that will have to be dealt with by the government, if it is to proceed with its intentions to negotiate, and with the letting, once it emerges.

They have put themselves solidly in the middle and presented an initiative that both sides will have to account for.

They have not laid out any of the details of the structure, role and financing of the Alliance.

Slabbert has said the Alliance is not in itself a convention, nor is it a political party. It did not prescribe a single policy or strategy to its members.

He envisaged the Alliance setting up a secretariat to coordinate its activities and communication, between members, organising rallies and petitions and providing the country with systematic, well-thought out agendas on how apartheid can be dismantled.

He even suggested that a Convention Hall could be set up in Cape Town to sit alongside parliament and discuss the same agenda.

The details, however, were left to a steering committee to sort out.

Ironically, this is likely to mean they are criticised for the very things for which they criticised the UDF: a vagueness, looseness and imprecision in the nature of the alliance. Slabbert and Buthezi have reclaimed the support of powerful English business interests and have drawn to their ranks a number of interesting personalities.

Some of those present at the launching were only there to see what happened and will not stay in the Alliance. Some will find Slabbert and Buthezi strange bedfellows, since recent events in Durban have cast doubt on Buthezi's moderate image. Others are at the moment finding it easier and more apt to talk to the

Another detention strains relations in 'model' town

YET another detention of Port Alfred community leader Gugile Nkwinti has put fresh strain on relationships between black residents and white business leaders who have been battling to reach agreement on how to finally put an end to on-off consumer boycotts in the small Cape seaside resort.

Nkwinti, a Rhodes University law student, was detained for at least the fourth time on September 19. Two earlier detentions triggered highly effective boycotts.

However, Charles de Bruin of the local Chamber of Commerce is confident negotiations will not be harmed this time. Talks were ongoing, he said.

But Mncedisi Daniso a member of the Townships Civic Organisation who has been participating in the talks said negotiations could not carry on without Nkwinti.

"If he is not released it will give us a big problem. It won't help us to carry on while our leader is in detention."

The Port Alfred story has been marked by a see-sawing of detentions and boycotts.

In May this year Nkwinti was first held under charges of intimidation arising out of a boycott of a beerhall, but the charges were later dropped.

It was a later detention under Section 50 of the Internal Security Act — connected with conflict at Nonzamo School — that sparked the town's first consumer boycott.

Port Alfred is considered by some a 'model' town for the way it handled negotiations over consumer boycotts. But the detention of a community leader — for the fourth time — has strained relations

As head of the Nonzamo Student Guardian Association, Nkwinti had already earned his place as a key community leader when he was detained.

His wife, Mrs Kolekha Nkwinti, said the boycott was called for by the Port Alfred Youth Congress, which demanded his release. When he was released after two weeks the first approach to him from the white business community was made by a local farmer, DE Sparg, who owns a shop in the township.

Sparg told Nkwinti that he could not afford to continue employing his black workers if the boycott carried on.

Mrs Nkwinti said this was discussed with residents and it was decided to lift the boycott on Sparg's shop "for the benefit of the people". Sparg then pleaded other traders' cases with Nkwinti and assisted in getting magisterial permission for a meeting of black and white community leaders.

The meeting held in the third week of June formulated a list of 20 grievances and elected a committee of

eight to negotiate on behalf of the community.

Talks were opened with the Employers Federation and the boycott was lifted.

Nkwinti was again detained on July 22 as part of the first wave of state of emergency detentions. The consumer boycott was immediately reimposed. He was released with other community leaders after only seven days.

Township sources say the early freeing of the men was due to representations to the police by white businessmen. The police are believed to have agreed to freeing them only if the boycott was lifted first. However, they eventually relented. The men were freed. The boycott was called off again.

Nkwinti's latest detention breaks the pattern in that it followed, and did not lead to a consumer boycott.

The boycott was called for in pamphlets circulated in the township although the authors were not identified. It has had only partial success.

Port Alfred was the first town in the eastern Cape to suffer a boycott and was also the first where black community leaders and businessmen have tried to sort out local problems. In the eastern Cape the town has been held up as an example of negotiation politics at their best.

Nkwinti and Sparg have gained not only the respect of their own communities, but also of the other. Already there have been changes of varying significance.

A separate black entrance to a butchery had been closed, said Daniso, and the building of a junior primary school had been speeded up. The massive security force presence in the township had been withdrawn.

More significant was the creation of jobs, said De Bruin. Work gangs were being employed to clear footpaths and vacant sites, an obsolete air force base was being prepared to provide a training centre and small business centre. This gave work to between 800 and 900 people.

The costs were borne out of a government grant of R760 000 to boost employment in the Eastern Cape, where nearly 70 percent of the blacks were out of work, De Bruin said, out of a population of 11 000.

"We would like to employ 9 000 people, he said. But it was difficult to create so many jobs in a small town.

While whites are willing to do their best to meet the blacks' demands on local issues, some of the demands are not so simple.

One such demand is for a single, nonracial municipality.

De Bruin said the Chamber of Commerce had not taken a specific stand on the matter.

"We believe an own system of

Detained kids' parents can't track them down

By SANDRA LAURENCE

PARENTS of children detained under emergency regulations found it almost impossible to trace their whereabouts, Shirley Lesu of the Johannesburg Child Welfare Society said this week.

She was speaking to final-year social work students of the University of the Witwatersrand on Monday night.

"From a list of ten, so far we have been able to trace only two children. Obviously, we are not the only agency trying to find out about these children. DESCOM, the SACC and Lawyers for Human Rights also try to help parents in this area.

"It is the most anguishing thing for parents not to know where their children are — just that they are missing," she said.

Families were also denied access to the children in detention. The society assisted parents by writing to prison authorities seeking permission to visit a child detainee. If this was not forthcoming, the matter was handed over to lawyers.

PFP monitors the Reef now

THE Progressive Federal Party is extending its Emergency monitoring service to the Witwatersrand,

According to a statement yesterday, the seven-member committee will monitor complaints about police excesses, as it has done in most other centres.

A team of public representatives and party members will make themselves available at the PFP regional office, Armadale Place, 261 Bree Street, Johannesburg on Saturday mornings from 10am to noon.

They will be running a similar office in Edenvale, on the East Rand.

Affidavits will be taken and submitted to the Minister of Law and Order, who has undertaken to investigate all legitimate complaints.

while in detention, her son was paralysed down one side of his body.

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While whites are willing to do their best to meet the blacks' demands on local issues, some of the demands are not so simple.

One such demand is for a single, nonracial municipality.

De Bruin said the Chamber of Commerce had not taken a specific stand on the matter.

"We believe an own system of management should be evolved locally, taking into account the various representative bodies.

"But there is no way we can find a full solution on our own. We would have to address government," De Bruin said.

Detained kids' parents can't track them down

By SANDRA LAURENCE

PARENTS of children detained under emergency regulations found it almost impossible to trace their whereabouts, Shirley Lesu of the Johannesburg Child Welfare Society said this week.

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"From a list of ten, so far we have been able to trace only two children. Obviously, we are not the only agency trying to find out about these children. DESCOM, the SACC and Lawyers for Human Rights also try to help parents in this area.

"It is the most anguish thing for parents not to know where their children are — just that they are missing," she said.

Families were also denied access to the children in detention. The society assisted parents by writing to prison authorities seeking permission to visit a child detainee. If this was not forthcoming, the matter was handed over to lawyers.

She said the society was keeping a check on the after-effects of detention on children, particularly those who had been beaten up and abused in the cells.

In a recent case, a mother had reported that as a result of an assault

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while in detention, her son was paralysed down one side of his body.

When a social worker tried to intervene on his behalf, she was told by the Commissioner of Police that she could be arrested if she pursued the case because he was 19 and, in terms of the Children's Act, not a child, Lesu said.

Billy Nair to charge two policemen

17/10/85
NATAL Indian Congress leader Billy Nair is pursuing civil and criminal charges against two policemen who allegedly assaulted him while he was held in detention without trial.

Nair was one of a number of NIC and United Democratic Front leaders released on Wednesday night from detention under Section 29 of the Internal Security Act in Pretoria.

Others include Curnick Ndlovu, Yunus Mohammed and Zina Moledi.

Speaking from his Durban home yesterday, Nair said that criminal charges had been laid against two policemen who allegedly assaulted him.

The attorney general had indicated that he is investigating the charges and is taking supporting affidavits from a number of doctors and magistrates who visited Nair.

Nair said civil charges would naturally follow the criminal charges.

It has been reported that the two policemen have been suspended pending the investigation.

Nair said he was being treated for an ear wound and a "spinal problem".

249
1071
527
121
100

Fine for protest at jail death of child

329
Court Reporter

TWO MOTHERS who chained themselves to the gates of Parliament in protest against the death in detention of 12-year-old Johannes Spogter, of Steytleville, were yesterday fined R50 (or 25 days) in the Magistrates Court.

Mrs Beverley Ann Runciman, 31, of Zeekoevlei, and Mrs Cornelia Bullen-Smith, 31, of Mui-zenberg, pleaded not guilty to holding a demonstration in a restricted area on July 18 this year.

Mrs Runciman and Mrs Smith previously admitted chaining themselves to gate 4 of Parliament with placards on their backs reading, "A Child has Died in Detention" and "We are Horrified at his Death".

Horror

Mrs Runciman, who is pregnant, said in evidence: "When a 12-year-old boy died in detention I was shattered that a country that professes to be Christian allows a child to die in police cells. All I could think of was that a mother had lost a child."

"Cornelia and I were completely stunned by the horror of this incident and this has deepened because of recent incidents."

She said she had been distressed by the lack of concern for human beings in this country and wanted people to stop and notice that this had happened in South Africa.

Mr A M Omar, for the woman, said in mitigation of sentence that they had acted not as political activists but as "mothers who were extending their feelings to a mother who had lost her child".

Mr R A Duraan was the magistrate. Mr L S Moffitt prosecuted. Mr Omar was instructed by Ms Andrea Durbach of Bernadt, Vukic and Potash.

Shot man's protesting brother detained

Weekly Mail Reporter,
UMTATA

LAST week Umtata lawyer Dumisa Ntsebeza was protesting that four detentions were part of a Transkei police attempt to cover up investigations into a police killing.

This week Ntsebeza was also detained under Transkei security legislation. His detention followed the killing two weeks ago of his adopted brother and former Unitra SRC member Batandwa Ndondo.

Eyewitnesses said Ndondo had been taken away from his home in Cala and shot in full view of residents as he pleaded for his life.

Transkei police later confirmed they were investigating a charge of murder and that police had been involved in the killing.

However, the family launched its own investigation, taking statements from eyewitnesses.

Last week police detained Mr Victor Galeka, an assistant to Mr Lungisile Ntsebeza, the lawyer's brother who runs a bookshop in Cala. Also held were Mr Godfrey Silinga, a teacher and Mr Monde Mvimbi, a Cala businessman.

Soon afterwards, Mr Lungisile Ntsebeza was also detained, his brother said. At the time both he and Mr Ngaleka were material witnesses to the case.

Only hours after Ndondo was killed police conducted a search of his room, confiscating tapes and photographs.

In another development, a magisterial order was issued prohibiting the funeral, which had been planned for tomorrow, from taking place over a weekend. It had been planned for this Saturday. It will now take place on Monday.

Park

Parkfair N
Parkfair C
Parkfair C

Head Office

Cape Times 18/10/85

Bloch still detained

POLICE yesterday confirmed that Mr Graeme Bloch, a UDF executive member, was still being held under Section 50 of the Internal Security Act, following his detention at a Wynberg youth rally on Monday.

Mr Bloch was arrested when he addressed about 2 000 pupils at the Wynberg Senior Secondary School.

Violence flared after police had given the pupils 30 minutes to disperse and several shop windows and cars in Wynberg were damaged and at least one petrol bomb thrown at a Casspir.

● In Johannesburg Bishop Desmond Tutu has made a plea for the release of a detainee, Dr RIA M. Saloojee.

The bishop said he had sent a telegram to the Minister of Law and Order, Mr Louis le Grange, pointing out that when Dr Saloojee was detained he was in very good health but now "he has been hospitalized, having lost much weight".

Dr Saloojee is starting his fourth month in detention under the emergency regulations.

● Four members of the Azanian Peoples Organization's Northern Transvaal region have been arrested.

One was arrested by the Pietersburg security police and three by the Lebowa police in Seshego. Miss Monhla Hlahla is being held under Section 50 of the Internal Security Act, police said.

Mr Lesbia Kobela was arrested at 8am yesterday morning at his work.

Bar and cinema

Mr Gerry Kganyago was arrested for allegedly distributing Azapo pamphlets calling for boycott of a bar lounge and cinema belonging to the Minister of Law and Order in Lebowa, Mr Moses Duba.

A man, known only as Moses, of Seshego, is also reported to have been arrested by Lebowa police on Wednesday.

● Three Mdantsane community leaders in Ciskei were released on Wednesday after three weeks' detention by Ciskei authorities.

The three, who were not charged, are an attorney, Mr H Siwisa, the head of the Mdantsane Chamber of Commerce, Mr L F Siyo, and a city councillor, Mr N Yako.

Signed statements

They said they were interrogated, and signed statements they made to the police.

Professor C T Lalendle of Ciskei has also been released from detention by Ciskei security police. He was held for three days for questioning.

● An Anglican priest, Rev Tozamide Madywabe, was released on Wednesday two weeks after being detained by the South African security police.

His release was confirmed by his attorney, Mr Templeton Mdlalana. Mr Madywabe belongs to the Holy Name Church at Mlungisi location in Stutterheim.

He was detained on October 2 following unrest in the area. — Staff Reporter and Sapa

1 209 held, 3 987 freed (329)

Police report

On five other occasions shots were fired at police vehicles. A coloured man was shot dead when police retaliated with rifle fire.

In Mitchell's Plain six coloured men were arrested when SAP and private vehicles were stoned on a number of occasions. Another man was arrested for barricading a road with burning tyres.

In Elsie's River private vehicles were extensively damaged by stone-throwers. Four men and a woman were arrested in connection with these incidents.

In Guguletu a policeman's home was stoned and he responded with pistol fire. No injuries

were reported. A coloured woman was arrested.

In the same area a Transport Services vehicle was extensively damaged by arsonists.

In the coloured residential area of Retreat, two policemen were slightly injured when their vehicle was stoned. A man was arrested.

In Mannenberg a man was arrested when a private vehicle was stoned.

In a similar incident in Woodstock coloured residential area three men were arrested.

In Roodewal coloured area in the Boland a man was arrested for stone-throwing.

In Stutterheim, Eastern Cape, a school was extensively damaged by arsonists. — Saba.

Chart Times 18/10/85 (329)

Teachers detained 'because of charts'

By ANDRÉ KOOPMAN
POLICE in armoured vehicles surrounded Kasselsvlei Senior Secondary School in Bellville South yesterday and detained three teachers "because they had in their classes educational charts which police considered to be undesirable".

Teachers were told that Miss Vanessa

Brown, Mr Vincent Walters, and Mr Julian Sauls are being held under Section 50 of the Internal Security Act.

Mr Howard Wilson, regional organizer of the Western Cape Teachers Union (Wectu), was later arrested in Kuils River at the police station when he went to inquire about 15 Kasselsvlei pupils who had been arrested at their homes.

Police surrounded the school at about 10am yesterday and later searched the classrooms. According to teachers a van had been looted in the area earlier. Charts and newspaper clippings were ripped of the walls and the teachers of these classes were arrested.

The principal and staff of Kasselsvlei in a statement yesterday condemned the arrests.

"The teachers were arrested because they had educational charts in their classes which police considered to be undesirable. When the principal explained that they were subject charts, he was also threatened with arrest.

"It is evident that the 'forces of law and order' are doing their utmost to further chaos in our

schools and residential areas," they said.

A spokesman for the Western Cape Teachers Union said last night that the Union would not be intimidated by "these fascist tactics".

● Police could only confirm the arrests of three of the teachers in Bellville South and they had "nothing on record" about the 15 pupils.

324

Argus Correspondent

GRAHAMSTOWN. — An attack against the powers of police acting under the emergency regulations was levelled by counsel for the wife of detained Port Alfred leader Gugile Nkwinti in an application for his release in the Supreme Court.

Mr T J Mahomed, SC, said Mr Nkwinti had an "uncontradicted track record as a negotiator" between white businessmen and township residents in the Port Alfred consumer boycott and had been instrumental in opposing school boycotts.

It was "inconceivable", he said, that Mr Nkwinti's arrest could have been regarded as necessary to preserve public order as alleged by the police.

"No parliament ever devised a law immune to judicial scrutiny and no police officer must be allowed to believe that the law is impotent to pierce his say-so."

Police had begun to assume that this was the case, he said.

It was also submitted that the emergency regulations were invalid because they had been proclaimed in terms of the state of emergency before it had been declared.

Argument for the respondents start today.

media. Sale pending of seven TV stations to Rupert Murdoch for over \$2 billion.

□ **Harry Brakmann Helmsley.** Worked as \$12-a-week office boy in Manhattan real estate firm. Today his company Helmsley-Spear Inc., controls over \$5 billion real estate including Empire State Building office space and 27 hotels.

THE PFP

Rands for reform

The call to PFP supporters to put their money where their mouths are appears to have been well heeded. A fund-raising drive which aims to collect R10m in three years has already attracted pledges of nearly R4.4m.

The campaign is known as the Van Zyl Slabbert Trust. It was officially launched by PFP leader Frederik van Zyl Slabbert in Cape Town this week. It is probably the most ambitious fund-raising campaign ever undertaken by a South African political party.

Active roles will be played by some of the PFP's most noted supporters. Tony Bloom is national trust chairman; patrons are Harry Oppenheimer, G R Bozzoli and Helen Suzman; regional chairmen are Zac de Beer (Transvaal), Chris Saunders (Natal) and Frank Robb (western Cape); and trust director is PFP President's Councillor, Robin Carlisle.

Over 800 "visitors" will personally call on people in their homes and offices to explain the trust's aims and urge support.

Campaign organisers have published a "scale-of-giving chart" to show that the R10m can be raised by 3 415 pledges over three years ranging in size from R100 000 a year (two pledges needed) to R165 a year (1 500 pledges needed).

The campaign is intended to tilt the PFP's "dynamic new style of opposition" evidenced by Slabbert's recent efforts to seek peaceful change in SA.

PFP chairman Colin Eglin told supporters at the launch that they could "sit back and see that final flicker of hope extinguished — or do something about it."

The aim was to "mobilise the skills and efforts" of all who preferred peace to violence and who wanted to see an end to apartheid. It would require a greater commitment of energy, effort and money than ever before.

Local trust chairman, Frank Robb, minced no words in telling the 1 400-strong audience what he wanted. "Good as our cause is, we need money and lots of it. Without money we can't get our message across. We must all give until it hurts," he said.

Slabbert said the time for tinkering with apartheid had passed. Reform could not mean "incremental adjustments" to apartheid, negotiating new positions for old apartheid structures, or "vague and ambiguous rhetorical noises about reform, citizenship and universal suffrage at congresses." ■

POLITICAL DETENTIONS

No letting up

In the first nine months of 1985, a total of 1 168 people were detained in terms of security legislation in SA, including the TRC states. So says the latest monthly report of the Detainees' Parents Support Committee (DPSC). In September alone, 121 people are known to have been detained.

In addition, as at September 27, 780 of the 4 336 people detained in terms of the State of Emergency regulations in the Transvaal and eastern Cape were still being held.

According to the report, only 613 of the security legislation detainees have been identified. Of these, 320 were released without charge, 86 are awaiting trial, one has been convicted and one acquitted. Two detainees have escaped from custody and 203 are still in detention.

The report alleges that detention camps may have been established to accommodate emergency detainees. It bases this on a statement made by Mr Justice Zietsman who reported having seen 303 detainees being housed in tents at St Albans in Port Elizabeth. It also cites reports that a number of women detained in Johannesburg were later released in Middelburg in the Cape.

The DPSC report catalogues the deaths of two detainees during September, Mbuyiselo Mbotya and Batandwa Nondo. Mbotya, a UDF activist, was arrested in King William's Town on September 20 and died in the Frere Hospital the following day. A post mortem revealed that he died of head injuries and an inequest is to be held.

Nondo, a health worker in the Transkeian village of Cala, died of shotgun wounds within an hour of being detained on September 24. According to a statement issued by his employer, the Cape Town-based Health Care Trust, a white kombi drove up to the house where Nondo lived. The passengers,



Nondo ... died in detention

three men and a woman, demanded that Nondo accompany them. A number of villagers have claimed that Nondo was shot in front of them. The residents of Cala allege that the vehicle belongs to the security police.

Security police have denied any knowledge of the incident, but a murder docket has been opened by the uniformed branch. ■

distributed with the financial Mail, SA's largest and most influential business publication with an ABC circulation of 30 843 and a readership of over 400 000.

Computer Mail will be SA's straight-talking computer magazine. It is designed as the meeting place for business and the computer industry. It aims to establish a special relationship with its business readers, assisting them in plain and simple language to come to terms with the vast array of products and services offered by the computer industry.

Editorial content will obviously vary considerably from issue to issue, but certain features will enjoy a permanent place in Computer Mail:

- **What's New and What's On** — a series of briefs on new products and projects and on such events as exhibitions, training courses and lectures;
- **Insight** — a major cover story analysis on a particularly pertinent aspect of computers in action. These will range from a full-blooded look at the banking revolution through to examinations of accounting packages and such peripherals as printers;
- **On Site** — in-depth case studies of interesting installations. Why did a company computerise? How did it go about it? What factors influenced its choice of computer system? And has computerisation been a success?
- **Corporate Strategy** — examinations of the strategies and aims of major suppliers;
- **New products** — in-depth reports on particularly interesting new products and projects.

THE STRAIGHT-TALKING COMPUTER MAGAZINE

Annette Eve is Computer Mail's advertisement executive. You can contact her on (011) 710-2486.

Police: Ciskei detainees released

EAST LONDON — A number of Ciskei detainees have been released.

The Ciskei police liaison officer, Lieutenant Mavuso Ngwendu, said yesterday the rector of the Lennox Sebe Training College, Prof C. H. T. Lalendle, and the executive of the Ciskei Teachers' Union, were released on Wednesday.

Prof Lalendle had been picked up by the security police for questioning on Monday, according to his relatives. The Cistu executive members were detained on Saturday.

Two Mdantsane businessmen and a lawyer were also released this week after being held for 21 days.

They were Mr L. F. Siyo and Mr L. M. Yako, both businessmen, and Mr Hintsa Siwisa, an attorney.

Police had confirmed

that the men had been detained in terms of Section 26 of the Ciskei National Security Act.

Mr Siyo is a former Ciskei cabinet minister.

Mr Siyo is the president of the Mdantsane Chamber of Commerce.

Mr Yako is the current MP for Mdantsane and deputy chief whip in the National Assembly.

Mr Siwisa is an executive member of the Border region of the United Democratic Front.

● A minister of the Anglican Church in Mlungisi township at Stutterheim, the Reverend Thozamile Madywabe, was released from detention on Wednesday, according to his sister, Miss Liziwe Madywabe, and his attorney, Mr T. M. Mdhlaleni.

Mr Madywabe was arrested by the South African Police at the beginning of this month.

28 (126)

With them are easier than before and were of enormous assistance in the preparation and timeliness of the operations. The three elements targeted for operational representation in SA, followed by a ren, analogous in Japan. This is the Keidan Commerce (Association) of the Confederation of British Industry. As the federation of economic organizations in Japan, it is high.

FM 14/10/83

It is powerful containing the top private sector leadership and channeling private trade into the political field. With the next stage involving the Foreign Affairs Rur a Japan office won't be opened immediately. Contacts will be given time to mature. Meanwhile, the foundation's contacts will be given time to mature.

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Ultimately, if economic development is the motor of reform, what's good for business is good for reform. Whatever its debates, the foundation knows that

11/10/83
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APARTHEID BAROMETER

STATE OF EMERGENCY DETENTIONS (up to September 11):

Number of people detained so far: 2 667
 Number released: 1761
 Number still held: 906
 Eastern Cape: 64 percent
 Transvaal: 36 percent

INTERNAL SECURITY ACT DETENTIONS:

Total for 1985 (August 31): 837
 Number still held (August 26): 532

Comment: These figures are based on a compilation of statistics provided by the South African Police and the Detainees Parents' Support Committee.

According to the SAP, 517 people were in detention on August 26. This figure excludes the 15 detentions in the Transkei and Ciskei. The DPSC could only account for 148 detentions on August 31, and their total for 1985 was 453. According to the DPSC, effectively 384 people have gone missing. In a recent survey by the DPSC, only three out of 77 families of detainees had been officially informed by the police that their relatives had been detained.

SUMMARY BY DETENTION STATUS:

	DPSC Statistics August 31	SAP Statistics August 12	August 26
Internal Security Act Section 28	7	7	7
Internal Security Act Section 29	96	84	151
Internal Security Act Section 31	18	35	38
Internal Security Act Section 50	—	56	321
Ciskei National Security Act	6	—	—
Transkei Public Safety Act	9	—	—
Legislation not known	12	—	—
Totals	148	182	517

DETENTIONS BY LEGISLATION

	August 1985	Jan-Aug 1985
(DPSC figures):		
Section 28, ISA	—	7
Section 29, ISA	70	163
Section 31, ISA	—	4
Section 50, ISA	58	124
Ciskei National Security Act	6	69
Transkei Public Safety Act	7	17
Bophuthatswana ISA	—	5
Legislation not known	7	64
Totals	148	453

DETENTIONS BY AREA:

	August 1985	Jan-Aug 1985
Transvaal	54	157
Natal	25	53
Eastern Cape	5	33
Western Cape	22	46
Orange Free State	29	37
Ciskei	6	69
Transkei	7	17
Bophuthatswana	—	—

DETENTIONS BY ACTIVITY:

	August 1985	Jan-Aug 1985
Scholars, students, teachers	13	96
Community and political workers	38	153
Trade unionists	3	11
Clergy and church workers	2	4
Journalists	1	9
Unspecified or unknown activity	91	180

FATE OF 1985 DETAINEES (as at August 31):

	August 1985	Jan-Aug 1985
Released without charge:		
Within 48 hours	4	50
After longer period	30	187
Charged, awaiting trial	29	78
Charged and acquitted	—	1
Charged and convicted	—	1
Escaped from detention	—	2
Still in detention	85	138

TOTAL DETENTIONS (ISA and Emergency) Jan-Aug: 3251

TOWNSHIP CONFLICT DEATHS, INJURIES AND PROPERTY DAMAGE

(figures released by the Minister of Law and Order, Louis le Grange, September 8):
 Number of people killed (June 1984 - August 1985): "more than 660"
 Number injured: "more than 2400"
 Damage to property: R93 million
 Members of Security Forces killed: 11
 Members of Security Forces injured: 357
 Incidents of "terror" or sabotage (Jan-Aug): 83
 Number of "terrorists" killed (Jan-Aug): 9
 Number of "terrorists" arrested: 11

BANNED BOOKS, PUBLICATIONS AND OBJECTS (August 31 - September 6):

Banned for possession: Fiesta of the Flesh (Kaviera Hollander); The Theory and Practice of Black Resistance to Apartheid (Mokgethi Motlali); The Heisters (Banner Hastings); The Revolutionary Road for South Africa — The Unity Movement of South Africa (Unity Movement, Lusaka); Rancher's Niece (Dave Bancroft); The High School Teacher (John Lewis); ABS Awake Black Student — Vol 1, No 1, March 1985 (Publications and Publicity Committee, Chiawelo); Youth! Arise for Islamic Revolution (QIBLA, Crawford); Detecting Her Desires/Passionate Private Eye (Jack Otten/Pall Mall); Arise Vukani — Vol 1, No 2 (Action Youth, Braamfontein); Blown (Philip Jose Farmer); Surrender in Paradise — poster (Not Stated); Azaso — Langa Massacre 43 shot dead — pamphlet (Azanian Students Organisation); Umsebenzi — No 1, 1985 (South African Communist Party); We ask our brothers and sisters — Stand by us — pamphlet (UDF, Observatory); The Best of Penthouse Girls — Vol 3, No 1 (Sightline Publications Ltd, Middlesex); Gunn No 21 — Sweet Texas Tart (Jory Sherman); May Day in South Africa — pamphlet (South African Communist Party); Pan African Calendar 1985 (Pan-African Revolutionary Socialist Party).
 Banned for distribution: Secrets (Brian Black); Vulcan — Issue 21 (Centaur Ltd, London); Sex Off Limits (George Simon); "Clothing Manufacturers - Natal (Pty)Ltd" — 1986 Calendars: A: with naked white girl, B: with naked coloured girl (Universal Printing Works, Durban).
 Unbanned: Cape of storms (John Gordon Davis); Honorary White (E.R. Braithwaite); The Political Economy of Race and Class in South Africa (Bernard Makhosetse Magubane); Selected Political Writings (Rosa Luxemburg).

UCT study claims abuse of detainees

By PAT SIDLEY

TORTURE of South African detainees is practised systematically on a widespread basis and is one of the central elements in the repressive apparatus of the South African state.

This is among the findings of a study conducted by the University of Cape Town's Institute of Criminology and funded by the Ford Foundation.

The authors of the study base their interpretation of what constitutes torture on the "Declaration against Torture" adopted by the United Nations in 1975, and they argue that even statutory provisions for detention in themselves condone torture.

The study found that all detainees in its sample of 176 reported some form of coercion; 83 percent claimed they were subjected to physical abuse.

The study also found that African detainees in particular, and black detainees in general, suffer more abuse than whites, and that women suffer less abuse than men.

Some 93 percent of African detainees reported some form of physical abuse.

The study is the first systematic effort in South Africa to investigate physical and psychological responses to detention conditions.

It describes the history of security laws and measures, including measures to control treatment of detainees, but notes since the publication of directions for treatment of detainees a further six people have died while in detention and allegations of torture "at the hands of the security police" have continued.

The report notes that the State repeatedly denies torture in its prisons, but finds claims of torture to be well founded.

The study also finds that most detainees suffer some form of persisting psychological problem after release, and reveals that relatively few detainees ever see the detainees' inspector. The inspector system was set up to monitor the treatment of detainees after widespread complaints.

Among the study's findings are the following claims, based on replies to detailed questionnaires and on conversations:

● 83 percent of the group claimed some form of physical abuse.

● 75 percent of detainees reported being beaten; this treatment included being punched, hit, kicked and slapped as well as assaulted with implements.

● The next three most frequently reported forms of physical abuse were forced standing, maintaining abnormal body positions (like crouching, standing on toes with upstretched arms) and forced exercises.

● A quarter of the respondents reported having been subjected to electric shocks, 18 percent to strangulation and 14 percent to suspension.

● Other forms of abuse included the use of handcuffs, legs chained constantly, chains placed around the neck, the pulling out or burning of hair or beard, genital abuse and the beating of the soles of the feet.

● Some reported practices including burning matchsticks placed under nails, fingernails crushed by a brick, petrol poured over body and set alight.

● Virtually 80 percent claimed to have been subjected to solitary confinement

● The average detainee claims to have been subjected to three different forms of physical abuse and six forms of psychological coercion; the combination constituted a highly severe set of coercive conditions.

● A higher incidence of torture was reported in the Eastern Cape and Border regions of the country than anywhere.

● Periods of interrogation were mostly between six or eight hours. But the study notes that six percent reported being interrogated for 16 to 24 hours — and recalls that Dr Neil Aggett, who died in detention in 1982, was subjected to lengthy periods of unbroken interrogation.

● About half were detained on more than one occasion. The study says: "It would appear that multiple detentions are also a fairly standard part of the general process of detention in South Africa. It is possible for the state in this manner to detain persons for years without ever laying charges."

● Most were detained for between 61 and 120 days, with 26 percent reporting detentions of up to 180 days. Most were held for between three and four months.

● Most people were arrested between midnight and 6am — with most of those arrested at 4am. Many of the detainees reported the arresting officers as being aggressive.

● Involvement in certain types of work, related, for example, to black students' organisations and trade unions, predispose people to the possibility of detention

The study says: "These results provide clear and definitive evidence that physical torture occurs on a widespread basis and constitutes a systematic and common experience for those detained for interrogation purposes under South African security legislation."

"The range of forms employed and the frequency of use ... challenge and contradict ... the standard utterances of state officials claiming that torture does not occur in South Africa apart from a few isolated errors of judgement."

"These data show that it is a standard form of treatment meted out during detention, particularly in the case of

young black detainees."

The study makes various recommendations which include:

● That the whole system of detention in terms of the security laws should be abolished forthwith, and that South Africa revert to the ordinary principles of criminal justice.

● The rights of detainees and limitations on officials should be laid down by parliament.

● Torture should be defined in terms of the findings of the study — and forbidden.

● An independent body to which police and prisons officials should be responsible should be established.

● All information about detainees should be public.

● A code of conduct for interrogation ought to be instituted, including bans on forcing detainees to strip and to carry out exhausting procedures. The use of obscenities or insults, the use of force and the use of sexual assault should be forbidden. Sessions should be videoed and the videos made available to an independent monitoring group. Solitary confinement should be abolished and detainees should be given access to doctors and lawyers of their choice.

● Evidence from interrogation should not be admitted into court proceedings until all the proposed measures can be shown to have been met.

The study criticises professional bodies like the Psychological Association of SA and the Society of Psychiatrists of SA for failing to make "even minimal statements condemning the present system of detention".

It also criticises the record of other bodies representing law, medicine and other related professions for being "less than adequate in attempting to combat the practice of torture."

Concluding, the study says: "It may be noted that justice is hardly to be expected in a fundamentally unjust society."

"It is recognised that the origin of torture in South Africa is located in the procedures and institutions designed to maintain the oppressive and exploitative social order. Until these injustices are removed, until the oppressive social order is changed, grave fears are expressed regarding future protection against torture in South Africa."

Two in psychiatric unit

Own Correspondent

JOHANNESBURG. — The Transvaal vice-president of the United Democratic Front, Dr Rashid Salojee, 52, has been admitted to the psychiatric wing of the Johannesburg Hospital, his family said at a press conference yesterday.

Dr Salojee has been in detention since the start of the state of emergency in July.

Mrs Sara Salojee said her husband had been admitted to the hospital after his physician, Dr Yusef Veriava, had

threatened to seek a court interdict for his hospitalization.

She said she had been informed verbally by doctors treating her husband that he was suffering from depression.

He was also being treated for a gastric ulcer, a urinary tract infection and a colon growth.

She said Dr Salojee had lost 11kg.

The wife of another detainee, Mrs Jennifer Swartz, said her 29-year-old husband Ronnie, a teacher from Eldorado Park detained on August

26, had also been admitted to the psychiatric unit of the hospital.

Mrs Swartz told the press conference she had found out "by chance" from a policeman's remark that her husband was not at the Johannesburg prison in Diepkloof when she went to see him yesterday.

Lawyers

After contacting her lawyers she was informed he was in hospital and she was allowed to visit him yesterday.

Mrs Swartz said her husband had lost a great deal of weight, had developed an ulcer and was suffering from depression.

Approached for comment yesterday, a spokesman for the SAP public relations division in Pretoria said: "We feel that the medical condition of any person in custody is a confidential matter between doctor and patient."

19/10/85

Govt
'yes' to
panel of
doctors

PRETORIA. — The government has agreed to the appointment of a panel of doctors from which detainees will be able to select a practitioner should they want a medical opinion other than that of the district surgeon.

This was announced in Pretoria yesterday by the Medical Association of South Africa, which said in a statement the government had agreed to the move "after more than two years of negotiations".

"This is regarded as a major breakthrough and should materially assist in ensuring that an incident like that involving the late Steve Biko should not occur again.

"It also demonstrates the importance and value of negotiation in a responsible and dignified but determined manner instead of resorting to confrontation and media publicity," MASA said.

The association's delegates to the World Medical Assembly being held in Belgium this week, the chairman of the Federal council, Dr Rene le Roux and the secretary general, Dr Marais Viljoen, had received the good news shortly before their departure and would attend to the move's practical implementation as soon as possible after their return.

MASA also said it was deeply grateful to the previous chairman of the World Medical Association, Dr Lionel Wilson, who had done much to convince the late Minister of Health and Welfare, Dr Nak van der Merwe, of the importance of accepting the association's proposals.

"We wish to record our appreciation for the subsequent advocacy by Dr van der Merwe, and also for the assistance subsequently received by his successor, Dr Willie van Niekerk." — Sapa

Xundu, held in Transkei, is admitted to hospital

Future Tribune Reporter 22/10/85

THE Natal Chairman of the United Democratic Front, Rev Mcebisi Xundu, who was detained in Transkei last Sunday, is one of four detainees who are known to have been admitted to hospital during the past week while in police custody.

According to his wife, Thandiwe, who visited him for an hour on Friday, the Lamontville Anglican priest was taken to hospital on the recommendation of a doctor and was being treated for anxiety.

Mrs Xundu was reluctant to name the hospital because the Transkei Police had told her not to.

She told the Sunday Tribune he was very thin and had complained about prison conditions.

He told me the prison was very dilapidated, the conditions were bad and the cells were full of lice," she said.

Lawyers acting for the Anglican diocese of Natal sent a telex message to the Transkei Government giving them until last night to charge or release Mr Xundu or they would approach the courts to obtain his release.

Mr Xundu was previously detained on August 27 under Section 29 of the Internal Security Act and was released more than a month later. He was given one month's leave after his release and was spending it with his family at his home town in the Transkei when he was detained there.

The Durban church organisation Diakonia, of which Mr Xundu is an executive member, has asked its member churches to pray for his release at their church services today.

Meanwhile, the president of the National Federation of Workers, Magwaza Maphalala, is believed to have been admitted to the Eshowe Hospital following his detention in Johannesburg on September 30, but no confirmation could be obtained either from the hospital or the police.

Private doctors for detainees

By David Breier

A NEW system of private doctors is to be established to help safeguard the welfare of political detainees.

Dr FP Retief, the director-general of Health and Welfare, confirmed this weekend that the South African Medical Association is to appoint panels of private doctors in various regions.

He said the panels would be available for consultation by district surgeons who felt they needed a second opinion on the medical condition of political detainees.

Dr Retief said that in the past, district surgeons and patients were entitled to a second opinion from private doctors. However in future there would be special panels of such doctors available for consultation.

This new development follows the furor surrounding the treatment of political detainees.

Port Elizabeth District surgeon Dr Benjamin Tucker, one of the doctors who treated black consciousness leader Mr Steve Biko who died in detention in 1977, was this week disqualified by the SA Medical and Dental Council from practising medicine.

Recently Dr Wendy Orr, a young Port Elizabeth district surgeon, obtained a court interdict against the police from assaulting political detainees.

10/10/85 C. P. 200

NATAL. UDI chairman Rev Mcebisi Ndumu has been detained again - this time by Transkei security cops who picked him up only days after he was released by their South African counterparts.

Rev Xundu, parish priest of St Simon's Church Lamontville, was detained under Section 29 of the Internal Security Act in Aug451.

Police asked him to go to Dubau's 1100 South Square to make a statement about Victoria Menzies's assassination, which he witnessed.

He was released shortly after lawyers acting for the Anglican Diocese of Natal told Law and Order Ministers L. le Grange that he was preparing a Supplement Court application for Rev Xundu to be released. Bishop Michael Natali of Natal gave Rev Xundu a few days leave shortly after his release.

He was with his family in Transkei when four cops burst in and took him away.

Mrs Thandwe Atondu said she was very worried about her husband.

—I was walking on a path when he was fired from pictures, but now it's back to misery," she said. Bishop Nuttall said the church was investigating what could be done to secure his release. Lawyers would be considering possible Supreme Court action in Toronto, as well as international pressure on the homeland government. Tamil Chinese secretary Neville Greenham said legal steps had been taken.

[illegible]

By BENITO PHILLIPS

Swelisha's vigilantes are back in action and residents fear the homee-lands' "bully boys" will repeat the reign of terror as in Mdantsane during the bus boycott.

He said the vigilantes are operating on their own and not under police supervision. Lt Ngwendu said he did not know who was in charge of

He said they have not yet received complaints from residents over vigilante group. He agreed that the response was a result of a recent call by President Lennox Sebe during a rally two weeks ago for vigilante's to come forward.

At the time President Sébe asked villagers to keep order

by patrolling their areas and report individuals to the authorities. He also said vigilantes would be supplied with walkie-talkie radios.

Zwilling's residents said the vigilantes are bound to abuse their authority if they were not properly supervised by a police officer and feared they would suffer the same fate as what had happened in Mdunisa.

Midlands

By MONO RADELA

UdF executive member Rev. Arnold Stofile, the man who stepped the All Blacks rugby tour of South Africa in July said this week a similar action would be taken against the British Lions side - which is toying with the idea of visiting South Africa.

Rev Stollie, a senior theologist lectured at Fort Hare and he was eager to travel to Britain to join those who op-

Post sporting links with South Africa

Further this year he spent more than a month in Australia and New Zealand, where he helped anti-apartheid organisations to get a Supreme Court injunction against that country's national rugby side touring South Africa.

Mr. Stoffle said the SA Government wanted to be re-stored to the international sporting world "not because it

will help bring an end to apartheid but because it will bring honour and complacency.

"It will help legitimise the minority regime and divert attention from the daily atrocities perpetrated against the toiling masses in South Africa."

He said the Government lacked fundamental legitimacy. "It must be isolated even



STOP! Stop your tour

Further
 "By coming here the British
 lions will be offering moral
 support to apartheid."

329

S. Zwire

28/10/85

Striking of surgeon from roll does not settle the score, says mother of Biko child

DR. Ramphele, Rampele, week, to strike district
piled, roll, of one of, surgeon Dr Benjamin
State Biko's children, Tucker off the roll for
De Vries South Africa, "a disgraceful conduct was
Medical's right, Dr Tucker, "a belated step" which
Council has done nothing, had "conveniently" been
to fight the wrong in the taken just before he was
Biko case.
Dr Ramphele said the due to retire.
council's decision, this, times the litigious, Health
when Dr Tucker is about

Clinic in the remote
Northern Transvaal vil-
lage of Lenyense to
which she was banished
for many years, said: "I
don't see how the council
can claim to be moved by
ethical reasons eight
years after the death
when Dr Tucker is about

By Linda Vergani
to retire. Dr Tucker has
nothing to lose."
In contrast Port Eliza-
beth district surgeon Dr
Ivor Lang, who wrote out
a false bad report, had
merely been cautioned
and reprimanded.

Dr Ramphele said:
"Because he is young
they've left him in
charge. They don't want
to sacrifice him, at this
stage."
She said the council
usually took "a very dim
view" of a doctor writing
out false medical certifi-

cates, even if a life was
not at stake. This time
the false medical certifi-
cate had contributed to
the loss of a life.
Dr Ramphele said: "I
know the council has
dealt very seriously with
people who have commit-
ted lesser offences like
abortions. They have
been struck from the roll.
Here somebody contri-
buted to the death of an
adult, not a foetus, and
nothing was done."
Mrs. Nontsikeleto
Biko, Mr Biko's widow,
could not be contacted
for comment.

District surgeons 'should refuse to see detainees kept naked and chained'

By Linda Vergnani

DISTRICT surgeons should refuse to treat detainees kept under degrading or inhuman conditions until they are put in a proper environment, according to a memorandum sent to the Minister of Health and Welfare.

The memorandum on detainees and the duties of district surgeons was prepared by Professor David McQuoid-Mason, deputy dean of the University of Natal law school. He said he hoped the advice in the memorandum would be brought to the notice of district surgeons throughout South Africa.

The memorandum follows the South African Medical and Dental Council's decision to strike Biko-doctor Benjamin Tucker off the roll for disgraceful conduct. Dr Ivor Lang was cautioned and discharged.

The striking off the roll of Dr Tucker was unprecedented in that it went beyond the recommendations of the disciplinary committee.

Dr Tucker sanctioned Mr Biko's transfer from Port Elizabeth to Pretoria in the back of a Land Rover with no medical supervision although he had collapsed, was frothing at the mouth, was apathetic and unable to communicate.

Dr Tucker refused to speak to the Sunday Tribune this week.

Professor McQuoid-Mason said: "I have never had any doubt that Dr Tucker was guilty of professional negligence. The council should have dealt with him years ago and saved the South African medical profession's reputation abroad."

Professor McQuoid-Mason warned that district surgeons could be sued for medical malpractice if they allowed themselves to become party to cover-ups of unlawful assaults or ill-treatment of detainees. And he said the first duty of district surgeons was to the patient, not the

He also said that Dr Wendy Orr had acted correctly in taking allegations of widespread police torture of detainees to the Supreme Court. She put the interests of her patients first and she was morally, ethically and probably legally bound to make the disclosures she did.

In his memorandum Professor McQuoid-Mason said: "If, as it is alleged, she continues to be ostracised for her conduct it is likely that the reputation of the medical profession in South Africa will again sink to the levels it did during the Biko fiasco. It would be incomprehensible for people in civilised societies to understand why a doctor who makes disclosures about unlawful practices causing injuries to their patient's health should be victimised as a result."

If a district surgeon was aware that his patient was 'receiving the third degree' or had been tortured or injured during detention he should take steps immediately to prevent such conduct.

"If he is aware that the detaining authorities habitually ignore his attempts to prevent unlawful assaults or psychological injury to his patient he is fully entitled to apply personally for an urgent court order to inform the relatives. Indeed if he condoned the conduct of the detaining authorities or knew that if he went through the motions of making a formal report it would be ignored, he might find himself open to a claim for professional negligence."

Professor McQuoid-Mason said it was incumbent on a district surgeon to tell relatives of a detainee that he was being assaulted, if the detainee requested him to do so. Omission to do so which resulted in further injury to the detainee, could re-

sult in an action for medical malpractice.

"Any district surgeon or doctor should refuse to treat a detainee who is kept naked, chained to a grille at night, and left lying in a urine-stained blanket.

"Before a district surgeon does anything he should insist that the detainee is put in a proper environment. And he should never accept the word of security policemen that the person is shamming. He should conduct a proper medical examination," the professor said.

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COMMENT

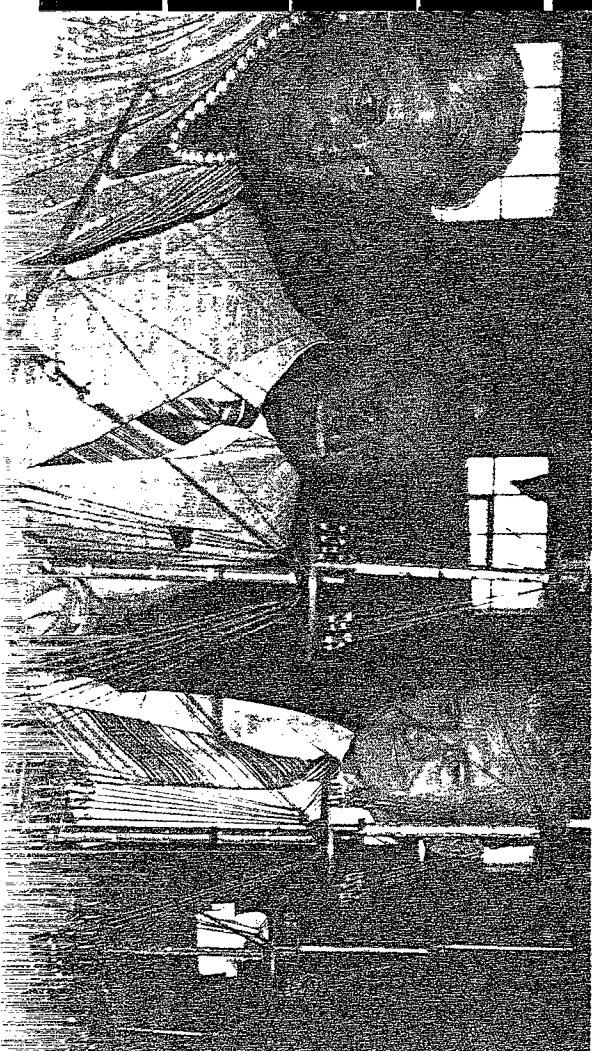
POLITICAL comment in this issue, unless otherwise stated, is the responsibility of Leah Wyllie. Political headlines and posters by George Parker, both of 85 Field Street, Durban.

Detainees to get choice of doctors

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Mercury 22/10/85

artime heritage



PRETORIA—The Government has agreed to the appointment of a panel of doctors from which detainees would be select a practitioner of their own choice should they medical opinion other than that of a district surgeon.

This was announced here yesterday by the Medical Association of South Africa, which said in a statement the Government had agreed to the move after more than two years of negotiations, Sapa reported.

This is regarded as a major breakthrough and should materially assist in ensuring that an incident like that involving the late Steve Biko should not occur again.

It also demonstrates the importance and value of negotiation in a responsible and dignified but determined manner instead of resorting to confrontation and media publicity, Mass said.

The association's delegates to the World Medical Assembly being held in Belgium this week, the chairman of the federal council, Dr Rene Je Roux, and the secretary-general, Dr Marais Viljoen, had received the news shortly before their departure

Aussie crick rebels are on their way

JOHANNESBURG—The 16 Australian cricket rebels left for South Africa yesterday, but their arrival time at Jan Smuts Airport remains a secret.

Confirming the departure of skipper Kim Hughes and his team, South African Cricket Union president Geoff Dakin added: 'We have sent them on a little globe trot.'

He would not comment further except to say: 'We will announce their arrival after they have reached Jan Smuts Airport.'

Harassment

Trade union Australia, tea men, the dig several pitch four members

chairman of the executive council, Dr Rene le Roux, and the secretary-general, Dr Marais Viljoen, had received the news shortly before their departure and would attend to the move's practical implementation on their return.

The association was grateful to the previous chairman of the World Medical Association, Dr Lionel Wilson, who had done much to convince the late Minister of Health and Welfare, Dr Nak van der Merwe, of the importance of accepting the proposals.

Iniquitous

'We wish to record our appreciation for the subsequent advocacy by Dr van der Merwe, and also for the assistance subsequently received by his successor, Dr Willie van Niekerk.'

Mrs Helen Suzman, Opposition spokesman on law and order, said last night the arrangement was an improvement on the situation and something 'we have asked for for a long time since the iniquitous detention without trial came into operation', writes a Mercury reporter.

'It doesn't obviate our objection, however, which is that there should be no detainees but at least it offers some protection to people who are being held incommunicado,' Mrs Suzman said.

Former detainee Dr Farook Meer, an executive member of the National Medical and Dental Association thought Masa would have called for the complete abolition of detention.

Shame

'But in the absence of such a call one would have at least expected the medical association to allow a detainee to see a doctor of his own choice rather than be restricted to a panel,' said Dr Meer.

He did not think the move would bring credibility to the medical association and it would not end the sense of shame felt by medical practitioners about the manner in which Biko died.

The MEC in charge of hospitals in Natal, Dr Fred Clarke, said: 'I think it is a tremendous achievement by Masa.'

'It is most undesirable for anyone to be compelled to have a specific doctor. In any kind of society a person should have a freedom of choice and for detainees this is particularly important as they may be political



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Mixed reaction to decision to allow 'panel' doctors access to detainees

Pretoria Bureau

There has been mixed reaction by the medical profession to the recent announcement that regional panels of medical practitioners will be allowed access to political detainees.

The announcement of the proposed medical panels has come after more than two years of negotiation between the Medical Association of South Africa (Masa) and various Government departments — and more than eight years after the death in detention of black consciousness leader Mr Steve Biko.

The vice-chairman of the Federal Council of the Masa, Dr Norman Levy, said various specialists and general practitioners would be appointed to the regional panels.

These doctors would not have to be members of the

Masa, but they would have to be well-regarded in their field, he said.

Detainees would be allowed to see the panel doctors only if they were dissatisfied with the medical care offered by the district surgeon.

INDEPENDENT

Masa has declared the acceptance of the panels as a "breakthrough", saying they will be completely independent from the Department of Health and Welfare.

Professor Frances Ames, one of the doctors who forced the South African Medical and Dental Council (SAMDC) to hold a disciplinary hearing into the death of Mr Biko, said although the panels were a breakthrough, they were a "poor compromise" for the abolition of detention without trial.

She said she hoped the panels would comprise of consistent, honest and competent members of the medical profession.

Professor Trefor Jenkins of the Wits medical school, who also ensured that the SAMDC hold a disciplinary hearing into Mr Biko's death, said that "in principle" he welcomed the Masa's move.

He said it was disappointing that Masa's request that district surgeons should be subject to review by their medical peers had been rejected.

An executive member of the National Medical and Dental Association (Namda), Dr Farook Meer, said it was the duty of the medical profession to call for an end to all detentions and not to "merely reform care" in detention.

Dr Meer said detainees should have access to any doctor of their choice and not just

those who were chosen for the Masa's panels.

"Once again too little has been done too late. This will not save the shame and the agony suffered by the medical profession," he said.

The president of the South African Academy of Family Practice, Dr Basil Jaffee, said the panels were a "significant development", but that they were not ideal.

"Detainees should be allowed to see their own medical doctors and not those only from a panel chosen for them," he said.

Dr Yusuf Veriava, who also helped bring the "Biko" Doctors Ivor Lang and Benjamin Tucker to an SAMDC hearing, said many detainees regarded the Masa as an "extension of the existing status quo". He said it was important to have confidence in a doctor.

Umtata lawyer still in detention

UMTATA — An Umtata lawyer, Mr. Dumisa Ntsebeza, his brother, Mr. Lungisile Ntsebeza, a Cala bookshop employee, Mr. Victor Ngaleka, a Cala businessman, Mr. Monde Mvimbi and Dr. Siyok Solombela, of Butterworth are still being detained under security legislation.

The head of the security police, Lieutenant General L. S. Kawe, said yesterday: "They are all still being questioned. I am not sure when they will be released or charged."

Before his detention, Mr. Dumisa Ntsebeza alleged that his brother and Mr. Ngaleka were potential witnesses to the shooting of Mr. Batandwa Ndondo in Cala on September 24.

So far no arrest has been made in connection with Mr. Ndondo's death. — DDR.

DISPATCH

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Community leaders hit at new detentions

Staff Reporters

STUDENT and community leaders have protested vehemently at the latest spate of detentions, which include UDF leader, Trevor Manuel and several student leaders.

The Athlone Students Action Committee (Asac) said the detention of student and community leaders would strengthen rather than undermine pupils' commitment to the struggle for liberation.

In a statement, Asac — which represents pupils at 15 schools — said it noted "with grave concern" the detentions of student Craig Josias, Edward Cottle, teachers Graeme Bloch, Vanessa Brown and community leader Trevor Manuel.

"We see the latest repressive actions of the state as a further attempt to stifle student activities."

"PROVOCATIVE"

The Black Sash said it regarded the detentions as a "highly provocative step which adds to the tally of unjust and shameful actions taken by the National Party Government against those who oppose it."

Referring to Mr Manuel's detention, veteran Cape Town human rights campaigner Mrs Eulalie Stott, said: "The UDF, of which Trevor Manuel is a leader, seeks to unite those whom apartheid has divided and would not deny anyone the right to participate in ruling this country nor subject anyone

to the inhuman laws which still apply in our land."

Mrs Stott, a member of the City Council executive committee and an Alderman of the City of Cape Town, said detentions of Government opponents over 25 years had not stopped leaders coming forward to take extra-parliamentary action.

"The only step that will permanently ensure the cessation of such activities is giving all citizens a right to elect the government which rules their lives," she said.

"DOUBLE STANDARDS"

The unrest had started as "the only way available to the voteless to get rid of the Nationalist Government."

"The double standards of a State President who this very day can say 'no minority group shall have the right to dominate another one' are unbelievable," she said.

● Western Cape nurses have expressed their "deep concern" at "the unhealthy conditions prevailing in our community".

Nurses belonging to the Unitas branch of the South African Nursing Association have unanimously adopted a resolution which condemned "the indiscriminate use of violence, gross physical and emotional suffering and death".

"We identify ourselves with the community in this time of crisis and will maintain the utmost respect for human life and dignity," the nurses said.

"We pray for peace in South Africa."

Uneasy lie the heads that rule in Umtata

IF intolerance and fear of the press are signs of an insecure regime, then the Matanzima brothers and their minions do not sleep comfortably in their beds at night.

Security Police in the Matanzimas' fiefdom, the nominally independent state of Transkei, detained the pall-bearers at the funeral this week of the murdered former student leader, Bathwanda Ndondo.

Ndondo was gunned down in broad daylight late last month after he was taken for questioning by people suspected of being police.

The pall-bearers, who were arrested as they deposited the coffin in the hearse in the small Transkei town of Cala, were wearing T-shirts bidding farewell to "Comrade Ndondo."

Similar T-shirts have been worn at the funerals of blacks killed by police in South Africa, a clear sign that rebellion which has swept across South Africa's townships for the past 13 months is seeping into Transkei.

Another indication of that development is the unofficial but politically significant decision by students at K.D. Matanzima Secondary School in Cala to rename it after African National Congress leader

PATRICK LAURENCE reports on the not-so-gentle tactics of Transkei police at the funeral this week of a murdered student leader.

Nelson Mandela.

At Ndondo's funeral, mourners were ordered to strip by police. Those who were wearing political T-shirts were also detained.

Earlier, heavily armed police manned road blocks at both entrances to Cala, turning away hundreds of people, including local and overseas journalists attempting to attend the funeral. The shaven-headed Transkei Security Police chief, General Leonard Kawe, supervised operations personally.

At the road block closest to the South African side of Cala, a grinning policeman, carrying what looked like an AK-47 rifle, stopped journalists. He ordered them to turn their cars around and leave immediately.

When asked why, he replied, his teeth flashing as he grinned: "We are not obliged to give reasons."

After the start of the funeral some journalists managed to enter the town,

only to be ordered to leave immediately by Kawe himself.

The general — who was accompanied by an officer who had served under the notorious former security chief of the neighbouring "independent homeland" of Ciskei, Charles Sebe — said: "You must leave immediately. We don't want foreigners here if there is trouble. We only want Transkeians."

Earlier he had remarked contemptuously after being told by the journalists that they had come to report on the funeral: "Funeral journalists!"

The detained pall bearers at Ndondo's funeral had to be replaced when the hearse arrived at the graveyard.

Ndondo, a former vice-president of the University of Transkei SRC, is a member of the Ntsebeza family, which is well known for its opposition to the regime of the Matanzima brothers in Transkei. His two cousins, Lungisile Ntsebeza and Dumisa Ntsebeza, were detained shortly after he was murdered.

Transkei President Kaiser Matanzima has publicly all but justified the killing of Ndondo. In a speech at Idutywa delivered in Xhosa, Matanzima blamed Ndondo for the explosion which destroyed the fuel depot in the Transkei capital of Umtata in June.

A tape recording of the speech has been smuggled out of Transkei. In it, Matanzima said: "He (Ndondo) is the one who came from Lesotho and exploded a bomb in Umtata ... You will see the communists will be asking what has Ndondo done."

Matanzima's speech has prompted suspicion that his regime offered a murderous variant on the well-worn practice of detention without trial — execution without trial.

After Ndondo's death a murder docket was opened by the Transkei police. His family, who confronted police over the killing at the hospital where he was taken, accused the police of being implicated.

The Chief of the CID in Transkei, General D K Nkalitshana, later confirmed that the alleged involvement of police was being investigated.

The funeral was conducted by a white Anglican priest, Father Edgar Raddock, a relative newcomer to Transkei. He was recruited by friends of Ndondo's when it appeared that local black ministers of religion had been intimidated from conducting the funeral.

In an interview, Transkei Prime Minister and brother of Kaiser Matanzima, George Matanzima, said of police action at the funeral: "They were Security Police and they have the discretion to act as they deem fit. I think they feared the funeral would become a political rally."

On the investigation into the murder of Ndondo, Prime Minister Matanzima, who is Transkei's Minister of Police, said: "When police open a murder docket, I don't interfere unless there are irregularities. As of now there have been no irregularities."

On the detention of Ndondo's cousins — in Xhosa tradition they are regarded as his brothers — Matanzima said: "I can't say why they were detained. But people have been stirring up trouble in Cala. As Minister of Police I try to keep away from investigations ... If I got involved I might end up like Louis Le Grange (South Africa's much criticised Minister of Law and Order)."

But Matanzima has fewer scruples about interfering in church affairs.

When the Roman Catholic church issued a statement condemning the killing of Ndondo and expressing concern about the rough treatment meted out to students, he summoned the bishop and, according to well placed church sources, indirectly threatened him with imprisonment unless he retracted the statement.

Detainees can (329) W. M. M. now buy food 24/10/87

STATE of Emergency detainees are now allowed access to selected reading matter in addition to the Bible, and to buy food from prison shops, following a change in the Emergency regulations gazetted last Friday.

This emerged in affidavits brought in reply to an urgent application about the conditions of three Emergency detainees, which came before a Rand Supreme Court judge on Tuesday.

The application was brought by Simon Radcliffe, Auret van Heerden and Innocent Mukwebo on behalf of her son, Themba Andrew Nhlapo, against the government; the Minister of Law and Order and the Minister of Justice.

Justice D Melamet postponed the case until Tuesday and ordered the respondents to submit replying affidavits.

It is argued in papers submitted by lawyers for the three detainees and their families that certain provisions of the Emergency regulations relating to restrictions on access to food, reading material and on visits to detainees are punitive and therefore unlawful.

Radcliffe, 32, and Van Heerden, 30, have been held at Johannesburg Prison since the declaration of the State of Emergency on July 21.

Azapo official detained

24-10-85
MR LESIBA Kobela,
chairman of the Seshego branch of the Azanian People's Organisation, has been detained in terms of the Internal Security Act, police in Pretoria have confirmed.

(329)
Mr Kobela was picked up by the Security Police at his place of employment last week, according to sources in Pietersburg.

SOWETAN
Meanwhile, the alleged detention of Mr Thabo Montjane, secretary of the Seshego branch of Azapo, could not be confirmed by police at the time of going to press.

On medicine and concern: The words of Wendy Orr

WENDY ORR, the young district surgeon whose affidavit detailing evidence of police assault on detainees made her the focus of national and international attention, is an unlikely heroine.

An attractive woman of 25, Orr talks in bursts, punctuating the rapid outflow of her words with a slightly nervous, almost self-deprecatory, laugh.

She is unpretentious and embarrassed by public interest in her.

But her 35-page sworn statement was cardinal to an unprecedented decision by the Supreme Court granting an interim order restraining police from assaulting detainees in two prisons and all future detainees in two magisterial districts in the Eastern Cape.

Dressed in a blue and white striped dress, with matching white earrings and shoes, she was clearly uncomfortable talking about herself during an interview in the home of her father, the Reverend Robert Orr, a Presbyterian minister.

But she was too polite to refuse to reply to questions.

No, she said, religion was not an important factor in her life: she had gone to church while studying medicine at the University of Cape Town, but lately she had begun to question some of the tenets of Christianity.

"But," she added hastily, "I certainly believe in God. I am not an atheist or agnostic."

Her religious upbringing, however, if not religion per se, was a major factor in her decision to testify in the successful application to the Supreme Court for an interim order restraining police from assaulting detainees.

As she observed of her background: "We were brought up in an atmosphere of deep social concern. Medicine is a caring sort of profession."



The first interview with Dr Wendy Orr, the district surgeon whose affidavit on detention conditions aroused international attention. She spoke to PATRICK LAURENCE

Within months of starting work as a junior district surgeon in Port Elizabeth at the beginning of this year after completing her housemanship, she was plunged into the centre of South Africa's increasingly bloody conflict.

She was one of the state doctors who conducted post mortems on the 20 blacks who were gunned down by police in the shooting at Langa near Port Elizabeth on March 21.

She started work as a district surgeon in part payment for a three-year state bursary which helped her complete her medical studies at the University of Cape Town at the end of 1984.

Another consideration, however, influenced her. "I wanted to get away from a teaching hospital, which only offered experience of a elevated specialised sort of medicine," Orr said.

Conducting autopsies after the Langa tragedy led, inevitably, to examination of detainees who were interned at two Port Elizabeth prisons, St Albans and North End, under the State of Emergency which

came into operation on July 21.

Recalling her examinations of detainees, she said in her affidavit: "An inordinately large proportion of them complained to me that they had been assaulted by the police. They presented symptoms consistent with their complaints, mostly severe multiple weals, bruising and swelling."

Many South Africans have long suspected that detainees are tortured, but Orr is the first doctor employed by the state to present detailed and comprehensive prima facie evidence of its existence.

Reflecting on why state doctors responsible for the medical care of detainees were disinclined to speak out, Orr said: "A lot of people in government service can't see themselves coping in private practice. They're afraid if they talk out, they will lose their jobs. It's a terrible indictment of the medical profession, but that is the only reason I can think of."

Her comments were made sadly, not judgementally.

Orr described herself as a politically aware person but stressed that she was not a member of any political organisation and had not been while she was a student.

She was, however, a member of a medical student organisation which went into black and coloured townships near Cape Town at night to help the underprivileged residents.

One of four children, Orr spends most of her childhood in Pretoria. Orr recalled of her girlhood: "I was aware that gross injustices were perpetrated. It must have been when I was very young. I grew up aware that some people were treated differently because of the colour of their skin. I knew that it was wrong."

In her final year at school she entered a science olympiad competition and won a trip to London. Black and coloured high school scholars were among the prize winners.

She recalled: "When we were in London I saw that people of different colours can live together." She added with a note of exasperation: "For heaven's sake."

She has since received dozens of letters of support, including one from more than 70 women doctors and para-medics. The same women sent to a letter to the Minister of Law and Order, Louis Le Grange.

Since giving evidence, Orr has been forbidden to examine detainees or to conduct post mortems where police are involved. She is now confined to looking after elderly people in homes for the aged and the sick in childrens' homes and in institutions for handicapped people.

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UNIVERSITY OF CAPE TOWN

**Scholarships,
Bursaries and
Grants for
Postgraduate
Study at UCT in 1986**

Applications for scholarships, bursaries and grants for postgraduate study at UCT in 1986 are invited.

The closing date for applications is 31 October 1985.

Application forms and further information can be obtained from The Postgraduate Scholarships Office, Brammer Building

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Since giving evidence, Orr has been forbidden to examine detainees or to conduct post mortems where police are involved. She is now confined to looking after elderly people in homes for the aged and the sick in children's homes and in institutions for handicapped people.

Orr related how she had received a telephone call from the regional director of health telling that she had not been banned from seeing detainees but that it would be "unwise" for her to continue doing so because of her "strained relationship" with the prison authorities.

She laughed as she spoke. But her laughter was an expression of strength, not despair.

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Police detain
boy (12)

Police have confirmed that they have detained a 12-year-old Soweto boy in terms of the emergency regulations.

Humphrey Mashole of Molekane was taken from his home at about 7 am on Tuesday. He was released at about 1 pm that day. His family said.

He was again detained by the same contingent of security forces at about 9 am on Wednesday.

His family have since been trying to trace their son. Mr. Mashole said the police told their son's birth certificate at police stations and impress officers of the boy's age.

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Friday October 25 1985 3

Wave of arrests

(Cont from Page 1)

meet and negotiate with credible leadership.

The vice-chancellor and principal of the University of Cape Town, Dr Stuart Saunders, said he was appalled by the detention of two members of UCT's staff, Dr Charles Villa-Vicencio and the Rev Lionel Louw, and three students, Mr Deborah Patta, Ms Josette Cole and Ms Virginia Zweigenthal.

"Professor Villa-Vicencio and Mr Louw are well-known to me as men of integrity and of peace," Dr Saunders said, adding that the detentions were a matter "of the gravest possible concern" to UCT and "all people who believe in the rule of law".

Immediate release

He called for their immediate release and also for the release of UCT economics history lecturer Mr Graeme Bloch, re-detained last week.

Condemning the arrest of General Workers' Union organiser the Rev Howard Marawu, a spokesman for the GWU said the unrest was not caused by a few people — "thousands are fighting the system".

"Round-the-table conferences rather than detentions are what is called for at this time," Mr Hulley said.

The rector of the University of the Western Cape, Professor Richard van der Ross, said his concern about the detention of UWC students could be gauged from the fact that he was seeking an interview with senior police officials, and would comment again afterwards.

"Teachers belonging to the Athlone region of the Western Cape Teachers' Union (Wectu) said in a statement they were 'outraged and angered' at the detention of Wectu member Mr Basil Snayer, a teacher at Garlandale Secondary School, and others detained.

"This type of victimisation will not perturb those struggling for a just and democratic society."

Outrage

Education for an Aware South Africa, of which city teacher Mr Gareth Rossiter is a member, expressed outrage at his re-detention soon after his release after being held under Section 29.

"The State's power to harass, intimidate and cast aspersions on a peace-loving person's character is nothing short of fascist," a statement said.

Police swoop in W Cape: Church leaders and anti-apartheid activists held

Wave of detentions

11/6/82 25/10/81 321

Staff Reporters

AT LEAST 41 Western Cape church leaders and anti-apartheid activists were detained by security police early today.

Families and friends of the detainees, believed to have been detained under Section 50 of the Internal Security Act, confirmed 39 out of 61 reported detentions today.

Among the provisions in terms of Section 50 is that any police officer above the rank of warrant officer may without warrant arrest a person if he is of the opinion that the actions of that person "contribute towards the continuation of a state of public disturbance, disorder, riot or public violence".

In terms of Section 50 detainees may be held for two weeks without charge.

Several prominent community figures, recently released from six weeks' detention under Section 29 of the Internal Security Act, were re-detained in the large-scale swoop.

Detentions confirmed by family members today included: Mrs Veronica Simmers, UDF office worker; Mr Zoli Malindi, Western Cape UDF president; the Rev Lionel Louw, chairman of the Western Province Council of Churches; Mr Wilfred Rhodes, UDF executive member; Mr Mansoor Jaffer, a Grassroots journalist; Mr Christmas Tinto, UDF executive member; Mr Roseberry Sonto, Cayco member; Mr Wilson Sedina; Ms Miriam Mgento, of the United Womens' Organisation; Mr Dullah Omar, city advocate; Rev Godfried Kraatz, of the Lutheran Centre; Rev Howard Marawu; Ms Mildred Lisiea, Western Cape UDF executive member and past-president of the United Women's Organisation; Mr Saleem Badat and Mr Ryland Fisher, of Grassroots community newspaper; UDF workers Mr Rashid Seria and Ms Shahieda Issel; Hanover Park advice office worker Mr Kevin Patel; teachers Mr Ebrahim Rassool, Mr Yagyah Savahl and Mr Basil Snayer; Dr Charles Villa Vicencio; Peninsula Technikon SRC president Mr Bennet Bailey; and Hewat College SRC president Mr Alan Meyer; three members of The Ecumenical Action Movement (TEAM), the Rev Robin Pietersen, Mr Edwin Arrison and Ms Josette Cole; Ms Deborah Patta of the Student Union for Christian Action and Ms Virginia Zweigenthal of the Theological Exchange Programme; University of Western Cape SRC president Mr Llewellyn McMaster and SRC media officer Mr Lesley Maasdorp; City teacher Mr Gareth Rossiter; two high school pupils, Floyd Issel and Quinton Fransman; Ms Florence Beshenga, of UWO; Mrs Dorothy Zihlangu, of UWO; Mr Mountain Qumbella; Ms Thozamo Matsolo of Saawu, a Mrs Mfacu of UWO; Ms Nomaindia Mfeketo of UWO.

Police said they would probably not be able to confirm the names of detainees held in Cape Town until Monday.

A Pretoria police spokesman said: "Effective steps could, as a result of the announcement of the emergency regulations, be taken in the affected areas to bring the unrest under control in these areas."

"The intensity of the lawlessness has made certain steps imperative and, inter alia, steps were taken against certain individuals in terms of Section 50 of the Internal Security Act."

"No further details, numbers or names can be released at this stage."

UDF interim organiser Mr Naseegh Jaffer said police twice visited his home while he was away this morning and numerous reports were received of police visiting the homes of other activists and community workers in search of them.

Community, political and teachers organisations, opposition politicians, trade unionists and leading academics have strongly condemned the detentions.

Opposition

The UDF said in a statement that the arrests "proved the Government was no longer capable of ruling the country" and "confirmed it was afraid of democratic opposition". It warned the State President, Mr P W Botha: "Our people are becoming angrier".

Mr Roger Hulley, MP, chairman of the PFP's unrest monitoring committee in the Western Cape, said the detentions were "unwise and counter-productive".

Events in recent weeks showed that such intimidatory tactics merely stiffened resistance and inspired fresh outrage.

"I believe the unrest will only abate when the authorities

(Turn to Page 3, col 8)

Arrests at Unitra

Dispatch Reporter
UMTATA — A number of University of Transkei students were arrested yesterday after they had staged a demonstration on the campus.

DISP

The students were protesting against the death of a former SRC executive member, Mr Batandwa Ndondo.

Mr Ndondo was allegedly shot after being fetched from his home in Cala last week by three men and a woman.

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The students had not obtained permission to demonstrate from the university authorities or the police — DDR

Move to free detainees fails

Tygerberg Bureau

TWO urgent applications for the release of 12 detained Atlantis residents have been refused by Malmesbury magistrates.

Nine men, including Mr Noel Williams, chairman of the Atlantis Residents' Association, were detained on October 9 at a meeting of the Atlantis Youth Congress.

On October 16 three schoolgirls, aged 14, 16 and 17, were detained. They were class representatives on the students' representative council of Atlantis Senior Secondary School No 1.

All 12 are being held in terms of Section 50 (1) of the Internal Security Act.

A detainee may be held for 48 hours, after which a warrant for a further 14 days' detention may be issued by a magistrate who must be satisfied that detaining the person for a further period is justified. Evidence is given behind closed doors. After the 14 days the detainee must be charged or released.

DECISIONS RESERVED

On Monday, advocate Mr Michael Domen filed two applications at the Malmesbury Magistrate's Court for the release of the 12 on the grounds that none had been involved in public violence, and they could not contribute to an unrest situation in Atlantis because there was no unrest in the area.

The application for the men was heard by Mr W A de Klerk and the scholars' application was heard by Mr P H Lourens. The magistrates reserved their decisions, notifying Mr MacDonald on Monday evening that the applications were unsuccessful. No reasons were given.

The 14-day warrants for the detention of the nine men expire today. The warrants of the young women expire on October 30.

A representative of the attorneys said their application would be heard in the Supreme Court this week.

He said the nine men were being held at Allan-dale Prison in Paarl and the pupils in Pollsmoor Prison.

Le Grange: detainees vow

Own Correspondent

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26/11/85

STAR

DURBAN — Minister of Law and Order Mr Louis le Grange said in an affidavit yesterday that he had the greatest trust in the South African Police — but if they disobeyed instructions on the treatment of detainees he would not hesitate to act.

He said this in an affidavit submitted to Mr Justice Page in the Durban Supreme Court.

The affidavit was one of a number submitted by the police in reply to assault allegations made against them by a KwaZulu widow, Mrs Doras Dlamini.

Mrs Dlamini brought an application against the Security

Police last month, asking for an interdict to prevent them from assaulting her 15-year-old son, Eugene, who was being held in terms of Section 29 of the Internal Security Act.

An interim order was granted by consent. On the return date the police, who were initially going to consent to an order against them without admitting any assault allegations, gave notice that they intended to oppose the application.

The court was also told that Eugene had been released and charged with public violence.

Mr le Grange said in his affidavit that he did not have personal knowledge of the incidents alleged, and was therefore not

able to admit or deny them. But it was essential for him to give the court his stand on the matter.

Mr le Grange said he had been advised that the application had first come before the court in September and interim relief was granted against him.

He said the papers were not served on him but on his attorneys, and the first time the application came to his notice was the day before the return date.

He was then advised that a "settlement" had been reached on the basis that he would agree by consent to a final order.

Mr le Grange said he immediately telephoned the State Attorney in Durban and told him

he would not agree to such a settlement. His stand was that matters of this nature should be thoroughly investigated and the facts placed before the court.

He said his stand on detainees, particularly those held in terms of the security laws, was well known.

He gave the court the assurance that he and the Commissioner of Police, also cited in the application, had done everything in their power to see that all members of the force had been properly instructed on the correct procedures to be followed regarding the interrogation of detainees.

Mr Justice Page adjourned the matter to November 8.

Emergency would no "tar areas" had been re- Sapa

will take

66 held in pre-dawn raids

by HARRY STREEK and KONNIE MORRIS

IN A massive pre-dawn crackdown in the Western Cape down in at least 66 people yesterday teachers, clergy, men, students, high school pupils and community leaders — were detained by security police in terms of the Internal Security Act.

Among those detained are almost the entire Western Cape executive of the United Democratic Front, which along with other community organizations has condemned the detentions and called for the immediate release of those detained.

Victims of intimidation

Unconfirmed reports indicate that up to 65 people had been detained.

Condemned detentions

Organizations trade unions and individuals condemned the detentions.

● The secretary of the Federation of Cape Civic Associations, Mr. David Kapp, called for the release of UDF office-bearers and all those detained.

"Intimidation, which hunts and detentions will not stop the struggle for a non-racial and democratic South Africa," he said.

● The president of the Mus-

lim Judicial Council, Sheikh Nazeem Mohamed, condemned the detentions in the strongest terms.

● Ms Brigitte Pitt, a Grass-roots Publications worker, condemned the detention of its staff and executive members and all other detainees.

● Mr Arminien Adams, media convenor, said, "No-one media convenor, said, 'No-one Action League, said, 'No-one is safe from the repressive clutches of the government. They have lost their nerve and are being berserk in their attempt to control the unrest which they have created. We can expect harsher measures."

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(329)

● Mr Vernon Pitt, chairman of the Mitchells Plain Branch of the Association, said his deep concern over the arrest of a teacher, Mr Penn Henderson, principal of Aloe Senior Secondary School, and scores of teachers and students.

● The Rev Ernest Baartman, President of the Methodist Church of Southern Africa, said in a statement that his church heard with "amazement" of the detention of the Rev Charles Villavencio.

● The vice-chancellor and principal of the University of Cape Town, Dr Stuart Saunders, called for the release of members of staff and students who were detained in yesterday's pre-dawn security sweep. He said he was "appalled" by the detention of staff members. Professor Charles Villa-Vencio and the Rev Lionel Louw, and students, including Debra Patta, Virginia Zweigenthal and Jo-sette Cole.

● The General Workers Union, Food and Canning Workers' Union, National Automobile and Allied Workers Union, Commercial Cater-

ing and Allied Workers Union, the South African Allied Workers Union, National Union of Textile Workers, Paper Wood and Allied Workers Union, Cape Town Municipal Workers Association and the Retail and Allied Workers' Union, condemned the detentions, which included that of two trade unionists.

'Depravity'

● Professor Adam Small, head of the Department of Social Work at the University of the Western Cape, called the detentions "yet another demonstration of the depravity of this government and its security machinery."

Further condemnations came from, among others, the Society for Social Workers, Western Cape, the Call of Islam, the Athlone Central Region of the Western Cape Teachers' Union (WCTU), for as, Black Sash, Education for an Aware South Africa (Edasa), the Inter-regional Forum, the New York Movement and the Cape Youth Congress (Cayco).

● Names of those detained, page 7

● Soldiers fire on UWC students, page 2

50 held in SA this week

Weekend Argus Reporter

FIFTY people have been detained in South Africa this week — including those held in security police swoops in Cape Town yesterday, according to a police report from Pretoria.

In response to a request for the number of people arrested in Cape Town in the past two days, to clarify confusing reports from differing sources, the spokesman said that "no numbers for particular regions are given".

"Most of the arrests in Cape Town over the past two days have been under Section 50 of the Internal Security Act and these are therefore security matters."

Reaction to the detentions have come from a wide section of the community, and special prayers were said in the past 24 hours at Peninsula mosques for Muslim and other detainees.

"Government out of touch"

Sheikh Nazeem Mohamed, president of the Muslim Judicial Council, said the council demanded the immediate release of all detainees.

Professor Adam Small, head of the department of social work at the University of the Western Cape, said he condemned "in the strongest terms" the detention of Mr Lionel Louw, a social work colleague at the University of Cape Town, and all those detained with him.

"This is yet another demonstration of how frighteningly out of touch the Government is with South African realities and also of the really terrifying arbitrariness of its security powers."

The Western Cape Foundation for Community Work also issued a statement condemning the detention yesterday of Mr Louw, who is the foundation's vice-chairman.

A statement from the Ecumenical Action Movement says that two workers and five of their senior members were among many others detained under Section 50.

"We wish to register our fundamental abhorrence of the repressive measures that the Nationalist Government is resorting to. These actions demonstrate the moral bankruptcy of the state and the fact that its policies have led to a radical breakdown in society."

Pro-Government march

Sapa reports that almost a thousand "happy immigrants" to South Africa gathered at the Union Buildings in Pretoria today at the start of a peaceful protest march past four Western nations' embassies to indicate their solidarity with the Government.

Escorted by traffic police they set off about 11am in ranks of five, carrying banners, placards and the flags of about 20 countries.

● A further report said that another 496 people have been released from detention in terms of the emergency regulations, according to police headquarters in Pretoria.

According to police lists 1 678 people are still being held in terms of the July 21 state of emergency proclamation, with 2 652 releases out of 4 329 detentions.

Names of people detained in W Cape

IN A pre-dawn crackdown in the Western Cape, at least 66 people including clergymen, teachers, students, high school pupils, trade unionists and community leaders were detained by security police in terms of the Internal Security Act.

Those detained were:

Mrs Veronica Simmers, UDF office worker
Mr Abdullah Omar, an advocate
Ms Virginia Stofile
Wilfred Rhodes, UDF executive member
Mr Ebrahim Rasool, UDF executive member
Mr Christmas Tinto, UDF executive member
Mrs Shahieda Issel, UDF worker
Mr Zoli Malindi, UDF Western Cape President
Mrs Mildred Lesiea, UDF executive member
Mr Lesley Maasdorp, UWC SRC media officer
Mr Llewellyn McMaster, president of the SRC at UWC
Mr David Abrahams, a student at UWC
Mr Calvin Smit, UWC student
Mr Saleem Badat, Grassroots organizer
Mr Mansoor Jaffer, Grassroots journalist
Mr Ryland Fisher, Grassroots journalist
Mr Rashied Seria, UDF worker
Ms Nomaindia Mfeto, United Women's Organization (UWO)
Ms Dorothy Zihlanqu, UWO
Ms Miriam Ngemto, UWO
The Rev Robin Petersen, Churches Urban Planning Commssion (CUPC)

Pastor Godfried Kraatz, CUPC
Mr Edgar Petersen
Mr Neville Naidoo
Mr Mike Fraser
Mr Michael Benjamin
Mr Clyde Fraser

James
Mr Alton Harris
Mr Brian Engel
Mr Steve Louw
Mr Kevin Patel, Advice Office Forum
Mr Penn Hendrickse, principal of Aloe Senior Secondary, Mitchells Plain,
Ms Patricia van Heerden, teacher at Aloe
Mr Moses Arendse, a teacher from Bishop Lavis
Dr Charles Villa-Vicencio, professor in Theology, UCT
Mr Bennet Bailey, Peninsula Technikon
Ms Josette Cole, The Ecumenical Action Movement (TEAM)
Mr Edwin Arrison, TEAM
Ms Virginia Zwiegenthal, TEAM
Mr Roseberry Sonto, Cape Youth Congress
Mr Wilson Sedina, Western Cape Civic Association (WCCA)
Mr Mountain Qumbela, WCCA
Ms Deborah Patta, Student Union for Christian Action
Mr Allan Meyer, Hewat College SRC president

Mr Yahya Savahl, teacher
Mr Gareth Rossiter, teacher
Hyat Issel
Ms Yvonne Muthene, lecturer at UWC
Mr Abe Fortuin, vice chairman of Federation of Cape Civics and chairman of the Kuils River Civic Association
The Rev Howard Marawu, Reformed Presbyterian Church
The Rev Lionel Louw, Western Province Council of Churches
Ms Denise Claasen
Mr Basil Snyder, teacher at Garlandale Senior Secondary School
Mr Mzonke "Pro" Jack
Mr Quinton Fransman, a Worcester student
Mr Shahan Adi Kari, a Worcester student
Mr Marais Alan
Mr Marius Arrie
Ms Selena Manuel
Mr John Thys
Mr Thozama Tsolo
Ms Florence Bhe-shenga
Ms Sandra Jaftha, Cape Youth Congress community worker
Mr Floyd Issel, student at the Sohnge Teachers Training College in Worcester
Ms Glenda Poole
Mrs Msaco, first name not known

Cape Times
**Four
vanish
after
'release'**

By PETER DENNEHY

FOUR detainees, picked up by police early on Friday morning and released on Saturday from detention under section 50 of the Internal Security Act, have disappeared without trace, their families and friends said yesterday.

Mrs Johanna Samuel of Bishop Lavis said her son Keith, 19, a pupil at John Ramsay Senior Secondary School, was detained on Friday.

Police later told her by telephone that her son and others had been released on Saturday morning.

"I asked if Keith had walked home from the Bishop Lavis police station, 15 minutes away. They said he had walked, but he never came home. Eventually we went down to the Bishop Lavis police station.

"There I was told that four detainees had been released and had walked out and got into a white car. The clerk could not say whether it was a police car.

"My husband was shown the signed release papers. Since then someone phoned to say Keith may be in Victor

To page 2

Cape Times
28/10/85
Verster prison near Paarl."

A

From page 1

Mr PJ Vergotine, principal of John Ramsay Senior Secondary, said he suspected the four had been redetained. He said those who had been with Mr Keith Samuel when he got into the car were Mr Moses Arendse and Mr Willem Engelbrecht, both teachers at Bishop Lavis Senior Secondary, and a pupil under 18 years old.

Police said the four and another pupil had been released. They confirmed families had come to look for the men.

An attorney said Section 50 detainees did not automatically fall under

emergency detention regulations when the emergency was declared.

"The police now have a convenient excuse to release and redetain people under the emergency regulations, so that they are not pestered by legal practitioners," he said.

● A police spokesman in Pretoria said yesterday he could not comment on this report until this morning. He asked the Cape Times to telex a copy to Pretoria, where it would be studied. In the meantime, he said, the Cape Times could publish the story, saying a copy had been sent to Pretoria.

Judges 'sick and tired' of all the sniping

McG 5 329
28/10/85

Staff Reporter

THE Judge-President of the Cape of Good Hope Provincial Division, Mr. Justice G.G.A. Munnik, told the society's 102nd annual meeting, at the Cape Sun Hotel, that he and his colleagues on the Bench were "sick and tired of this perpetual sniping at the Bench".

They were also sick and tired of "transparent efforts of late" to play off one division of the Supreme Court against another "simply because different decisions have been given in different divisions — not on matters of principle, but on the facts of particular cases".

In disclosing that members of his Bench had visited detainees and found "not one complaint of an assault", he rejected what he called "unreasonable, irrational and off-malicious criticism" of the Bench.

He said that he and colleagues recently visited detainees held under Section 29 of the Internal Security Act.

"There were no complaints of assaults from detainees — in fact they assured us they had not been assaulted and they had no complaints of their treatment," he said.

NO COMPLAINTS

"I personally visited detainees held at police stations in the Peninsula, with the same result: there were no complaints."

"When the state of emergency regulations were originally announced, the Judge-Presidents of the various divisions were asked by the Minister of Justice to make arrangements for judges to visit those held in terms of the emergency regulations."

"In this division there was no state of emergency in any area until Saturday and it was therefore not necessary to make such

(Turn to Page 3, col. 7)

'No complaints from detainees'

329

(Cont from Page 1)

ARMS 28/10/88

arrangements. But these will, of course, now be made and the Minister's request acceded to."

Mr Justice Munnik said that as long as he was Judge-President the Bench would continue to interpret the law as they found it, according to their oath of office — "to administer justice to all persons alike without fear, favour or prejudice and as the circumstances of any particular case may require in accordance with the law and customs of the Republic of South Africa".

The Mayor of Cape Town, Mr Leon Markowitz, said the meeting was taking place against a background of "unprecedented turbulence in an

area of South Africa previously known for its tolerance and relaxed outlook".

The growing polarisation in the community was tragically demonstrated in the central city last Thursday.

"This incident is a manifestation and reflection of the deteriorating relationship between the Government and the public which simply must be restored if peace is to return to the city," he said.

Mr Angus McLellan, president of the society, said he regretted that he could not refer to the distressed state of the country in the context of an improved situation.

Principals attack detentions

CMC 28/10/85
329
28/10/85

Staff Reporter

THE principals of 53 Mitchells Plain schools have lashed out at the detentions of pupils, students and teachers, and called for the granting of full rights to all citizens to restore "sanity" in South Africa.

Mr Vernon Pitt, chairperson of the Mitchells Plain Principals' Association, said in a statement yesterday: "The MPPA expresses its deep concern and displeasure at the harsh and insensitive actions of the authorities during this present period in which the community is expressing and demonstrating its dissatisfaction with the present political situation.

"The summary arrest of a colleague, Mr Penn Hendricks, principal of Aloe Secondary School, scores of teachers, students, pupils and leaders of the community can only serve to aggravate the already tense situation."

'Sanity'

The association demanded the release of all detainees and said "the voice of protest will not be silenced by launching a witch-hunt for leaders of the community".

"Only true acknowledgment of the civil rights of all oppressed citizens of our country can bring sanity to the present situation."

● The Media Workers' Association of South Africa (Mwasa) declared its support for the struggle against the government in a statement to Sapa on Saturday.

Mwasa said that since the unrest and subsequent declarations of states of emergency, children had been killed, leaders of trade unions, and community and national organizations detained, and houses petrol-bombed.

'Banditry'

"Large numbers of people have been carted into jail in indiscriminate detentions, many affecting pupils, some as young as seven years of age."

Since the unrest the black community had been subjected to "intimidation, harassment and general banditry from the security forces".

Mwasa said "security forces are intimidating our members and forcing them to hand over photographs, notebooks, or make statements about the news stories they have written for their newspapers".

Mwasa said it would not tolerate "these invasions into our journalistic ethics".

It would support and give legal representation to members who refused to be "tools of the system".

28/10/83
'Bans will not
end resistance'

Medical Reporter 329

THE state of emergency in the Cape represents "a total rejection of the grievances and demands of the people", says the National Medical and Dental Association (Namda).

A spokesman for the association said the banning on meetings of progressive organisations would "only serve to drive resistance against apartheid underground".

"We know that physical and psychological torture of detainees is widespread," he said.

The association called on the Government to end the system of detention, lift the state of emergency and withdraw troops from the townships, abolish all repressive and discriminatory laws and to negotiate with the recognised leaders of the people of South Africa.

Woman detained under Security Act

Pretoria Bureau

A member of the Mamelodi Parents' Association (MPA), Miss Sylvia Ramutloa, has been detained under Section 50 of the Internal Security Act.

(329) STAR
Her detention was confirmed today by the District Commandant of the Pretoria North Police, Colonel D.F. Calitz. He said Miss Ramutloa of 530 Section B, Mamelodi West, was detained on Thursday.

Her family and colleagues believe that her detention follows her current active participation in the campaign by local pupils to stamp out thugs who hijack taxis and force them to go to funerals outside Mamelodi, and sometimes order the drivers to take them to social gatherings.

29/10/85
A spokesman for the group she allegedly operated with said the thugs they are looking for also terrorised residents in the name of the banned Congress of South African Students (Cosas).

"Because the police had failed to arrest these elements, we decided to trace and rehabilitate them," said the spokesman.

The president of the MPA, Mr Louis Kumalo who was recently detained under the same Act, said police visited Miss Ramutloa's home last Thursday but did not find her, and they then summoned her to report at the local police station where she was allegedly locked up on arrival.

More detained in Western Cape

Agas 29/10/85

Staff Reporter

SEVEN people have been detained in the Western Cape and one of them, Dr Ivan Toms, was released only hours after he was arrested and documents seized at his Mowbray home early today.

Dr Toms, a conscientious objector and doctor at the Empilweni SACLA clinic in Crossroads, said four security policemen arrived at his home about 6.30am and informed him he was being detained under Section 31 of the emergency regulations.

"They took about an hour to search my room and confiscated four documents before taking me to police headquarters at Caledon Square where I was photographed and fingerprinted and told I would be transferred to Pollsmoor Prison," he said.

Instead, he was returned to his home.

"It appeared they felt I might be more valuable at work treating sick and injured people," he said.

Prominent Cape trade unionist Mrs Virginia Engel, of the National Union of Textile Workers, and a full-time employee of the Clothing Workers' Union, Mrs Colleen Lombard, were also detained under emergency regulations, police confirmed.

Police also confirmed the detention of four others, including Civil Rights League chairman Mr Keith Gottschalk.

A police spokesman confirmed having searched the offices of the Western Province Council of Churches (WPCC), the Beleidende Kring and the Community Arts Project.

They also confirmed the detentions yesterday of WPCC worker, Mrs Theresa Solomons, her husband Mr Marcus Solomons, who works for the South African Council for Higher Education (Sached) and attorney Mr Yusuf "Joe" Ebrahim, a vice-president of the South African Council on Sport (Sacos).

No police confirmation could be obtained of the arrest of a Cape Town teacher said to have been taken from his Retreat home early today, however.

Burnt body discovered Killers use 'necklace'

Staff Reporter

FOR the first time in the Western Cape assassins have used the "necklace" to kill a person seen as a collaborator.

The use of the "necklace" — a tyre placed around the victim and set alight — has been used in the Eastern Cape but there were no recorded incidents locally until yesterday.

The body of a woman was found near the wreck of a van in Old Crossroads about 100m from Lansdowne Road by police who received an anonymous tip-off about 12.30pm.

When they arrived they found wire round the woman's neck and police believe the strands were the remains of a tyre.

Police have not yet identified the woman but it is understood that she may have been linked with a former community councillor.

Community councillors have come under repeated attack recently and a number of them have resigned.

Police asked that anyone who has information to contact Lieutenant R Loubser at ☎ 637 5948.

The woman was one of two people who died in unrest-related incidents in the Western Cape yesterday.

The other was 17-year-old Mogamat Ebrahim, who died after he was shot when a farmer's lorry was stoned in

(Turn to Page 3, col 1)

Far-reaching changes proposed to rugby Currie Cup and Sport Pienaar competitions — see Page 24.

DAY

**FURNITURE
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WYNBERG

At 29/10/85
Judge (329)
tells of
visits to
detainees

Staff Reporter

THE Judge President of the Cape yesterday said he had received no complaints of maltreatment or assault during recent visits to detainees held at police stations in the Peninsula under Section 29 of the Internal Security Act.

Speaking at the opening of the 102nd annual meeting of the Law Society of the Cape of Good Hope, Mr Justice G G A Munnik said he and his colleagues had been assured by the detainees that they had not been assaulted and had no complaints about their treatment.

He rejected what he called "unreasonable, irrational and often malicious criticism" of the Bench.

'Sniping'

He also condemned the "perpetual sniping at the Bench" and the "transparent efforts of late" to play off one division of the Supreme Court against another.

As long as he was Judge President, the law would be interpreted as it was found, "according to the oath of office and to administer justice to all persons alike without fear, favour or prejudice and as circumstances of any particular case may require, in accordance with the law and customs of the Republic of South Africa".

Oct. 1984 227
Mamelodi organizer detained

PRETORIA. — A member of the Mamelodi Parents' Association (MPA), Miss Sylvia Ramutloa, has been detained under section 50 of the Internal Security Act.

Her detention on Thursday was confirmed yesterday by the District Commandant of the Pretoria North Police, Colonel D F Calitz.

Miss Ramutloa was active in the campaign by local pupils to curb thugs who have hijacked taxis and forced them to go to funerals outside Mamelodi, and ordered drivers to take them to social functions.

A spokesman for the pupils said the thugs had terrorized residents in the name of the banned Congress of South African Students. — Sapa

CAPE TIMES 30/10/74

Toms arrested, home searched

By CHRIS BATEMAN

329

SECURITY police yesterday arrested Dr Ivan Toms and searched his Mowbray home, confiscating End Conscription Campaign material before driving him to Caledon Square where he was photographed and fingerprinted before being released.

Interviewed later at the Empelisweni Sacla clinic in Crossroads where he works, Dr Toms said four security policemen searched his house before taking him to Caledon Square. He was questioned for an hour before being allowed to go. A police spokesman confirmed Dr Toms's house had been searched.

● Meanwhile the reported detention of a Cape Town high school teacher, whose name cannot be disclosed without police permission in terms of the emergency regulations, has been criticized by the Western Cape Teachers' Union and the Harold Cressy High School PTSA.

● In a statement, the WP Tennis Union, the Tennis Association of South Africa, the WP Table Tennis Union and the Western Province Council of Sport expressed their deep concern at detentions.

176-41 20/10/85
**UCT students can
write exams in prison**

Education Reporter
ARRANGEMENTS have been made for 17 detained University of Cape Town students to write their examinations in Pollsmoor Prison.

The students, arrested on Monday during a campus demonstration protesting against the state of emergency, are to serve a full 14 days in detention in terms of the emergency regulations, police said today.

The students' parents, some of whom flew to Cape Town from other centres yesterday, met UCT's vice-chancellor Dr Stuart Saunders, members of the SRC and the Detainee Parents' Support Committee on campus last night.

Brigadier A J van Dyk, divisional inspector of the SAP in the Western Cape, said the stu-

dents would be detained for the full 14 days and that they would be allowed to write their exams "in jail".

Arrangements had also been made for relatives to visit them on Mondays and Wednesdays, providing they had written permission from the district commandant at Wynberg.

Dr Saunders said Pollsmoor authorities told him today that the students could write their exams at the prison.

If they wished they could apply to have their exams deferred, Dr Saunders said.

"The university is naturally anxious that, wherever possible, students in detention should be able to write exams if they wish. We are very pleased it has proved possible for them to do so," he said.

caft-1m6 30/10/82
**Minister
settles** 329

Staff Reporter

A CIVIL case brought by Grassroots editor Mr Saleem Badat against the Minister of Law and Order was settled out of court yesterday while Mr Badat and his advocate are both in detention.

Mr Badat's attorney said he had previously been briefed to settle out of court for a certain minimum sum if it were offered. He had been unable to inform Mr Badat that the case had been settled.

Mr Badat sued the Minister of Law and Order and two security policemen for R5 000 in compensation for pain, shock and discomfort he allegedly suffered during a previous two-week detention in June 1982 under section 29 of the Internal Security Act.

Mr Badat and his advocate, Mr Dullah Omar, have both been in detention under section 50 of the Internal Security Act since Friday.

Capt. Tink 50/10/81
**Shirley Gunn release
application dropped**

Staff Reporter

A SUPREME Court application for the release of detained Clothing Workers' Union organizer Ms Shirley Gunn was withdrawn before it came to court yesterday.

An attorney said Ms Gunn was the longest-held detainee in the Western Cape. She had been held under section 29 of the Internal Security Act since August 23. Ms Gunn's mother, Mrs

Audrey Gunn, was to have brought the application against the Minister of Law and Order and two others. Affidavits had been filed, the attorney said.

The State filed replying affidavits and the matter was then dropped.

Access to the papers could not be obtained at the Supreme Court yesterday.

172645 30/10/85

Unions angry at detention of members

329

Labour Reporter

NINE Cape unions involved in the formation of the new federation have reacted with anger to detentions of unionists under the state of emergency.

After a meeting yesterday following the detention of Mrs Virginia Engel, secretary of the Western Cape branch of the National Union of Textile Workers, a statement said meetings of shop stewards and members were being held to deal with the situation and appealed to employers to recognise that the detention of trade unionists directly affected workers and the functioning of unions.

They condemned the declaration of the state of emergency in the Western Cape, demanding its lifting throughout the country and the immediate, unconditional release of all detainees.

CONFIRMED

Unionists detained and confirmed by police are Mrs Engel, Thozema Tslo of South African Allied Workers' Union and the Rev Howard Marawu of the General Workers' Union.

The unions issuing the statement are the GWU, Food and Canning Workers' Union, NUTW, Paper, Wood and Allied Workers' Union, Retail and Allied Workers' Union, Cape Town Municipal Workers' Association, National Automobile and Allied Workers' Union, Commercial, Catering and Allied Workers' Union and SAAWU.

30/1/88 (329)
Police say detention justified

PRETORIA. — The Police Publications Directorate yesterday bemoaned the fact that "justified" detentions by police received "little if any publicity".

The Police Public Relations Division said when a person was detained in terms of internal security legislation, particularly Sections 28 and 29 of the Internal Security Act, the SAP, "with a few exceptions always receive adverse publicity and the validity of the detention is often questioned."

"When detentions are later proved to have been justified, it receives very little if any, publicity".

The statement cited Shirley Renee Gunn, detained in terms of Section 29.

Her mother, Mrs Audrey Ireland Gunn, brought an urgent application against the Minister of Law and Order, Mr Louis le Grange, and the Commissioner of Police, General J Coetzee, for her release.

"The applicant's counsel, in agreement with the respondent's counsel, decided to withdraw the application in the face of the overwhelming evidence available to the respondent." — Sapa

New demand after G'town detainee freed

329

DISPATCH 3/10/8

Dispatch Correspondent
GRAHAMSTOWN — A telegram demanding the release of 17 emergency detainees has been sent to the Commissioner of Police, Brigadier J. Geldenhuys, following an order in the Supreme Court here on Monday ordering the release of another detainee, Mr Monde Tabata.

The 17 were arrested with Mr Tabata while attending a meeting on the Rhodes University campus on October 10.

Mr Tabata is chairman of the Black Students' Movement at Rhodes.

The telegram, sent by the attorney who acted on behalf of Mr Tabata's brother, Mr Fundile Tabata, in Monday's application gives the commissioner until noon today to release the 17 detainees.

It says that if the 17 detainees are not released urgent applications will be brought on their behalf on the same grounds as those argued on Monday.

The order for Mr Tabata's release was granted by Mr Justice J. Smallberger. He said the reasons for his judgment would be given later.

Detainees freed, banished

EAST LONDON — Three Cala men who were detained by Transkei security police a month ago were released last night and immediately banished, one of the men said.

Mr Lungisile Ntsebeza, a bookshop owner, said that he, teacher Mr Godfrey Silinga and businessman Mr Monde Mzimbi were released and respectively banished to Mhlahlane near Tsomo, Baziya near Um-tata, and Nqadu near Willowvale.

The banishment orders served on the three men specify that they may be absent from their areas only with the written permission of the Commissioner of Police.

Mr Ntsebeza said the banishment orders were signed by the State President, Chief Kaiser Matanzima, on October 16. — Sapa

Wave of detentions

329

Cape Times 31/10/85

Staff Reporters

A NEW wave of detentions yesterday in the Peninsula under the emergency regulations has been reported, but only 31 names of the 56 people said to have been held by police were officially confirmed last night.

The reported detentions come in the wake of mounting criticisms of the state of emergency. In Johannesburg, a group of professionals yesterday asked for an urgent meeting with the Minister of Law and Order, Mr Louis Le Grange, and called on the government to end its "persecution and threat". Last night police confirmed the detention of the following people in terms of emergency regulations: Elize Theunissen, Derrick Naidoo, Colleen Leonard, Leslie Andrews, Lizzie Phike, Abraham Leonard, Richard Martin, Douglas A du Plooy, Benjamin Ocheraka, Dorian Retief, Charles Pool, Clyde van Schaick, Jan Fortuin, Christal du Plooy, Mahommed Saïed, Ivor Opperman, David Abrahams, Jonathan Anthony, Edward Mota, Johnny Louw, Shiron Isaac, Johnny Lucas, Brian Peterson and Ann Murray.

The following detainees are among those who are confirmed as being high school pupils, although the possibility exists that more of those detained are pupils. They are: Donovan Jacobs, Adam Ebrahim, Ganief Jacobs, Stanley Adams, Ronald Kloppers, Peter Williams and Faizal Simamke.

Police also could not confirm the detention, in terms of section 50 of the Internal Security Act, of seven minor pupils and one young person in the Strand/Somersel West region.

Police headquarters in Pretoria confirmed the earlier detentions of the Rev Abe Maart, a Congregational priest from Paarl, Mr Peter Crooney, who is active in a Wellington/Paarl residents' association, and Mr Neil January, a Belforavia High School student.

Names of 15 UCT students held

Police also confirmed the detention of Ms Virginia Engel, a National Union of Textile Workers' Union member, but she was released yesterday. Police tonight also confirmed the names of 15 of the 17 University of Cape Town students arrested on Monday and being held for two weeks in

Civil Rights leader

329

missing

Political Staff

MYSTERY surrounds the disappearance of Mr Keith Gottschalk, chairman of the Civil Rights League.

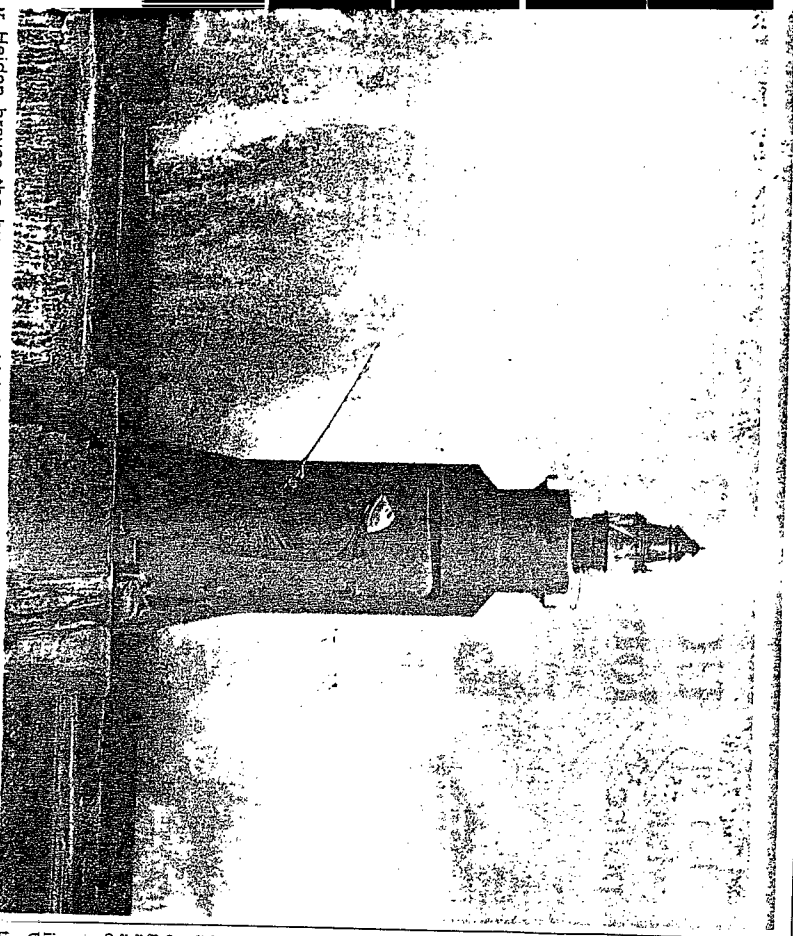
Mr Gottschalk, a lecturer at the University of the Western Cape, is believed to have been detained under the emergency regulations on Monday, but police headquarters say they have no record of his detention.

It was confirmed last night that another person of whom police initially said they had no record, Mrs Colleen Lombard of the Clothing Workers' Union (Clowu), was in detention.

Police headquarters in Pretoria said in a telex message on Tuesday that "according to our present records" Mr Gottschalk was not being detained under either the emergency regulations or security legislation.

Concerned

Last night police again denied he was not being detained under emergency regulations but said a further check would be conducted today on whether he and several other people were being held under security legislation.



Mr Heiden braves the huge waves which battered the harbour yesterday afternoon. ● Another

Police headquarters in Pretoria confirmed the earlier detentions of the Rev Abe Maart, a Congregational priest from Paarl, Mr Peter Crosney, who is active in a Wellington/Paarl residents' association, and Mr Neil January, a Belgravia High School student.

Names of 15 UCT students held

Police also confirmed the detention of Ms Virginia Engel, a National Union of Textile Workers' Union organizer, but she was released yesterday.

Police last night also confirmed the names of 15 of the 17 University of Cape Town students arrested on Monday and being held for two weeks in terms of emergency regulations.

They are: Ms Belinda Barries, Ms Jane van der Riet, Ms Lise Bosman, Mr Donald Skinner, Ms Jenny Butler, Mr Alan Davidson, Ms Dorothy Dyer, Mr Clive Bester, Mr Mathew Slaven, Ms Margie Orford, Ms Sioban Needham, Ms Sandie Liebenberg, Ms Madeleine Fullard, Ms Lauren Muller and Ms Kim Westenberg.

Police had no record of the detentions of UCT students Mr Dave Sheldon and Mr Peter Fine.

Yesterday, the Cape Times telexed the names of 56 people believed to have been detained in the Peninsula. The 25 unconfirmed names cannot be published until they have been formally confirmed by police. Last night the police spokesman said that he could confirm only the names of 31 emergency detainees but not any security detentions.

Statements calling for the immediate release of all detainees were issued yesterday by the United Democratic Front, the Cape Action League, the New Unity Movement, the Western Cape Teachers' Union and a newly formed group, Jews for Justice.

They follow similar calls from the Western Province Council of Churches, the heads of six churches, World Vision and the Civil Rights League.

Schools condemn arbitrary detentions

Police have defended the detentions and said they had to be seen "against the background of the present violence in the Western Cape". "Action taken against certain individuals is an attempt to contain and stop this nonsensical killing, destruction and looting of property," police said.

In a statement last night, the staff at Crestway Secondary School in Retreat condemned "in the strongest possible terms the arbitrary detention" of two of their colleagues, and called for their immediate release.

The staff at Livingstone High School in Claremont said they strongly condemned "the arbitrary arrest of four of our students under the emergency regulations".

Police yesterday said they could not confirm the reported detentions of six Std 6 children reported to have been arrested while playing soccer at Rocklands High School in Mitchells Plain, nor the reported arrest of four pupils standing on the pavement outside the Witteboome High School.

Complaints

"We cannot confirm the arrest of persons under the emergency regulations unless we are supplied with specific names.

"As you are no doubt aware, the emergency regulations make provision for certain actions which can be taken at schools," the police said.

If anyone was of the opinion that they had legal cause for complaint, they could bring this to the attention of the police by way of written affidavits. The allega-

legislation.

Concerned

Last night police again said he was not being detained under emergency regulations but said a further check would be conducted today on whether he and several other people were being held under security legislation.

Friends and relatives of Mr Gottschalk said yesterday they were very concerned about him. Yesterday, Mr Gottschalk's father took food and clothing to Pollsmoor Prison for his son but was told to come back next week.

A friend, Mrs Sally Cristini, said she had telephoned his house on Monday morning after being informed by a neighbour of his that police were at the house.

Mrs Cristini said a Warrant Officer Van der Merwe had answered the telephone and told her she could not speak to Mr Gottschalk, who was under arrest "because of the emergency".

She also said a neighbour saw police taking Mr Gottschalk away. The neighbour told her Mr Gottschalk said: "Goodbye. Ask Sally to pay my rent and telephone bill. See you in three or four months."

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Time to let the guinea-pigs go free

SOUTH AFRICA sometimes appears to be part of a "Zimbabwe experiment" in which no-one knows how to unplug the guinea-pigs.

If you don't know what the "Zimbabwe experiment" was (I didn't until I read "Detention and Security Legislation in SA"), then you would do well to read this book.

Named after a Professor Zimbardo, the experiment involved two groups of volunteers who were paid to play out certain roles over a two-week period.

They were put in an old house made to resemble a jail. One group was asked to play

DETENTION AND SECURITY LEGISLATION IN SA. Proceedings of a conference held at the University of Natal (University of Natal Press). SOUTH AFRICAN JOURNAL ON HUMAN RIGHTS, Vol 1, Part 2 (Ravan Press, R12,50)

the jailers, the other the prisoners. All were screened to ensure they were stable.

Professor Louis J West, of the University of California, describes the outcome: "Within three days, some of the prisoners had already

started to get very nervous, depressed and anxious and some of the jailers had started to act in a brutal and unkind fashion towards their erstwhile colleagues.

"By the end of six days several of the prisoners had become acutely and severely disturbed and had to be let out. Several of the jailers had become so brutal, so threatening and so animalistic that it was feared that they might really hurt somebody and instead of going on for two weeks, Professor Zimbardo had to put an end to the experiment."

West concluded from this that: "People do

not know how they will behave in such a situation ... Nobody knows what he would do or how long it would take or what particular type of duress would prove to be his undoing until he is in the situation and then it may be too late."

A chilling thought — one of many in this collection of papers which were delivered at a conference in Natal two years ago and which has now been released in book form.

Two years may seem a long delay. But as Professor Raymond Wacks, head of the Department of Public Law at the University of Natal, writes in his introduction, "Nothing has changed since 1982 to allay the legitimate fears of reasonable people concerning what takes place behind the closed doors of the interrogation room."

On the contrary, even since Wacks wrote his introduction, much has changed and been revealed to make people more concerned about the situation.

And that is why the publication of this book — and the SA Journal on Human Rights — is so aptly timed. Not for 25 years have so many people been held in detention without trial and has the use of security legislation been so central to government political initiatives.

West's paper, entitled "The effects of isolation on the Evidence of Detainees", is one among many papers that throw light on the situation of those who sit in our country's detention cells. Together they form a damning indictment of the detention system.

One is reminded of the "Zimbardo experiment" when one reads Professor John Dugard's powerful contribution to the book, "The judiciary and national security".

He strongly rejects the suggestion that judges, by virtue of their roles, have no room for manoeuvre or creativity in their decisions.

History shows, he argues, that judges faced with a moral crisis arising from the implementation of unjust laws will seek refuge in the "declaratory" theory, whereby they may simply declare the law but may not interpret it. They can break out by exercising their freedom of choice in matters affecting state security and choose interpretations of the law that favour individual liberties, Dugard argues. Juxtapose this with Lovell Fernandez's contribution to the SA Journal of Human Rights Vol 2, "The Law, Lawyers and the Courts in Nazi Germany".

The paper is intended as a reminder to lawyers "of the danger of allowing the State to deal as it pleases with its citizens".

Of the judiciary under the Nazis, he says: "No other professional group protested so feebly against the Nazi injustice than that group which cherished its independence so dearly: the judiciary."

"... The administration of justice was degraded into an instrument for giving effect to the most repressive dictatorship in modern history," he concludes.

He draws direct parallels between nazism and apartheid ... and the fact that for many years "very little protest was heard from either the practising or academic legal profession (in South Africa)".

The change came with the formation of Lawyers for Human Rights (LHR) in 1980, he argues.

Herein lies the significance of this new journal, put out jointly by LHR and the Legal Resources Centre. Lawyers are speaking out, exposing the discrimination, repression and dictatorship embedded in South African law and confronting the state through the courts.

Luckily, there are still some who refuse to be the guinea-pigs in our real-life "Zimbardo experiment".

Anton Harber

SET DETAINEES

By JOSHUA RABOROKO

THE International Confederation of Free Trade Unions (ICFTU) and several black South African trade unions have urgently called on the State President, Mr P W Botha, to immediately release unionists detained under the state of emergency.

Their call comes in the wake of mounting anger which followed the detention under the emergency regulations of eight trade unionists in Cape Town and on the reef this week.

They are: Mr Michael Pilane, Mr James Phasha, Mr Johannes Malegu and Mr Lazarus Mawela, all shop

FREE, SAY UNIONISTS

stewards of the Federation of South African Trade Unions (Fosatu), Mrs Virginia Engel, secretary of the Western Cape branch of the National Union of Textile Workers, Mr Thozema Tsolo of the South African Allied Workers Union, Rev Howard Marawu of the General Workers Union and Mrs Lizzie Pike of Food Canning Workers Union.

Police headquarters have confirmed the detentions.

This brings to 22 the number of trade unionists known to be in detention under the regulations, a spokesman for the Detainees Parents' Support Committee said in Johannesburg yesterday.

There were threats of action in Cape Town on Tuesday when nine trade unions involved in the formation of a giant federation met to discuss the detention of the unionists.

They said shop stewards' meetings would decide what action to take.

The unions also urged employers to recognise that detentions directly affected workers and the collective functions of unions.

The ICFTU said it condemned in the strongest terms the detention of trade unionists and demanded their immediate release. They also called for the release of those detained during the state of emergency.

SOWETAN 31/10/85

Intelligence can be

Torture claims: Three to be paid

Cape Times 17/4/85

Own Correspondent

WINDHOEK — The South African Minister of Police and the Administrator-General for SWA/Namibia yesterday undertook to pay three men R7 500 each in damages for alleged torture and brutalities by the Koevoet unit of the South African Police.

This brings the total for which the two government officials are liable to pay damages claims and costs in SWA/Namibia arising from allegations of brutality and torture by the security police during the past two months alone to about R150 000.

'Electric shock treatment'

The out-of-court settlement came only hours before the commencement of a Supreme Court trial here yesterday.

Two Kavango schoolteachers, Mr Adam Kabono and Mr Magnus Hausiku Mpasu, and a farm assistant, Mr Sebalus Sinonge, alleged that they were detained without trial from July to October 1983. They were beaten on their buttocks with a spade and thick planks, struck with fists and a chain, and subjected to repeated electric shock treatment through electrodes attached to their ears and thumbs, they claimed.

In sworn affidavits, and in pleadings before the court, they described how they were kept blindfolded for extensive periods, in solitary confinement, and without exercise or medical attention.

In certain cases, their wounds broke open and festered.

On September 29, 1983 the Administrator-General, Dr Willie van Niekerk,

ordered the release of all three claimants without their being charged with any criminal offence.

Notwithstanding this order, they were kept in detention until October 5, 1983.

The Minister of Police and the Administrator-General initially denied in pleadings filed in the Supreme Court here that the claimants were in any way assaulted.

At a pre-trial conference on Monday, however, their legal representatives formally admitted that the three men had been assaulted with planks, that they had endured pain and suffering and had been injured in their feelings and dignity.

'Cause for gravest concern'

The Minister of Police and the Administrator-General, who are together responsible for the conduct of the South African and South-West African police in SWA/Namibia, have agreed to pay each claimant R7 500 in damages and their Supreme Court legal costs.

The Vicar-General of the Roman Catholic Church in SWA/Namibia, Father H Henning, who released details of the out-of-court settlement in Windhoek yesterday, said the last-minute settlement of these new claims based on charges of brutality and torture by the security police was cause for the gravest concern.

"The allegations in this and previous trials also require the highest-level investigation by a judicial commission of inquiry into allegations of brutality and torture by security police in Namibia."