

TOTALITARIANISM. - DETENTION

~~APRIL~~ 1989.

APRIL - MAY.

# tells of dash for freedom

STW 11/4/89  
**PAT DEVEREAUX**

**YOUTH LEADER** Simon Ntombela (27) yesterday gave a graphic description of how, in a time of under four hours, he escaped from Shifa Hospital in Durban and found refuge 600 km away at Johannesburg's United States Consulate.

Leaving the consulate yesterday morning after police had granted his demand for unconditional release, the former publicity secretary of the South African Youth Congress (Sayco) thanked the US government for sheltering him while negotiations for his release were being handled. (329)

## Plan of action

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## Political Act

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The new  
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# Detainees, Vlok aiming for checkmate This terrible game of political chess

AN ELABORATE game of political chess is unfolding in South Africa, in which emergency detainees are pitting their wits against the Minister of Law and Order.

There is a stark symbolism to the contest; it duplicates the black and white opposing sides on the actual chess board. Mr Vlok and his policemen are, of course, white; the detainees, equally appropriately, are black.

Mr Vlok made the opening move, detaining hundreds of activists in a bid to neutralise them politically and to sustain the paramouncy of white.

After pondering deeply and making a series of tentative moves, the black detainees finally responded in February: gradually in different parts of the country they began a hunger strike in protest against detention without trial.

Mr Vlok, seemingly taken by surprise and haunted by the ghost of Steve Biko whose death in detention in September 1977 provoked world-wide condemnation, blustered for a while.

Refusing to acknowledge that the detainees had a deep moral aversion to arbitrary internment (that, for them, was not a means of preserving law and order but of underpinning apartheid) he spoke of the protest as though it were a conspiracy.

Talking of an "orchestrated campaign," he responded by saying: "The State cannot allow itself to be threatened by means of hunger strike."

But after talking to a delegation of church leaders, led by Archbishop Desmond Tutu, and the Rev Frank Chikane of the SA Council of Churches, he began to release detainees.

## PATRICK LAURENCE

He insisted that he was no giving way to "blackmail" and said the men were freed as part of his normal regular re-assessment. Few people were fooled; too many detainees were suddenly released.

The black bishop, assisted by black knights, had gained a strategic initiative. White was forced on the defence.

Then, as the hunger strike abated, Mr Vlok struck back; he imposed restriction orders on the newly freed detainees. In one move he reimposed the fetters which had bound the activists.

For now the detainees were policing themselves as they sought to obey the orders; reporting to police stations, remaining at home at night or abstaining from prohibited activities.

## New dimension

The hunger strike started again in earnest. But it was more than merely a re-play of an earlier move. Hospitalised detainees added a new dimension; they escaped from their custodians and started protest sit-ins in the American, West German and British diplomatic missions.

The white counter-move was to ignore the protests; the detainees were due to be released anyway and their escape had merely pre-empted their freedom by a few days, asserted Mr Vlok and his Cabinet colleague, Foreign Minister Mr Pik Botha.

The massive wave of publicity which the detainees hoped to precipitate against detention without trial and paralysing restriction orders failed to materialise. By virtually ignoring the sit-ins, Mr Vlok and his

cohorts in the white ranks deprived them of the drama on which they thrive.

Sensing perhaps that he had gained the initiative, Mr Vlok planned a series of new moves in a bid to checkmate the black king.

First he announced that he would not release any detainee while he was fasting; then, a Ministry of Law and Order spokesman disclosed that all hunger strikers would be shifted to a Pelonomi Hospital Bloemfontein.

The Hunger Strike Support Committee was stating the obvious when it complained that the move would "destory the support that the hunger strike has generated".

Mr Vlok may have won a tactical battle when one of the weakest hunger strikers, Mr Sandile Thusi, broke his fast symbolically by eating a communion wafer. He did so after fasting for 38 days.

His file is on Mr Vlok's desk; Mr Vlok can now afford to release Mr Thusi having seemingly forced him to swallow the barest sliver of food.

But, as many a chess player has learnt, to gain an advantage is not necessarily a guarantee of final victory.

A new move is in the offing by the six activists who spent a short time camped at the entrance to the British Embassy, in a bid to win support for their campaign against the denial of fundamental freedoms.

They are planning to defy their restriction orders. Mr Vlok may find it difficult to ignore that; to incarcerate them, however, may win them the wider support which they have sought for two months.

The middle game is often the crucial phase in chess; the political contest between anti-apartheid activists and the Ministry of Law and Order appears to be at that stage.

Activist

Dean dismayed



# Ex-detainee leaves US consulate

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JOHANNESBURG. — Former detainee and hunger striker Mr Simon Ntombela was to return to Durban last night with his attorney after leaving the United States Consulate here yesterday morning, according to one of his legal representatives.

Mr Ntombela took refuge in the consulate after escaping from Durban's Shifa Hospital.

He caught a plane to Johannesburg and entered the consulate just more than five hours after his escape.

His legal representatives subsequently received a letter from the Minister of Law and Order's office stating that he would not be rearrested if he left the consulate.

A Law and Order spokesman yesterday declined to comment on whether any action would be taken against Mr Ntombela.

Immediately after leaving the consulate, Mr Ntombela told journalists his escape from the hospital was a "political act demonstrating that we are fighting apartheid".

He was supported by his attorney, Mr Dahya Pillay, and former detainee and hunger striker Mr Ephraim Nkoe, who was freed after he sought refuge in the West German Embassy.

Mr Ntombela, who had been in detention since September 1 last year, is one of more than a dozen black activists who have sought refuge in foreign diplomatic missions since last September.

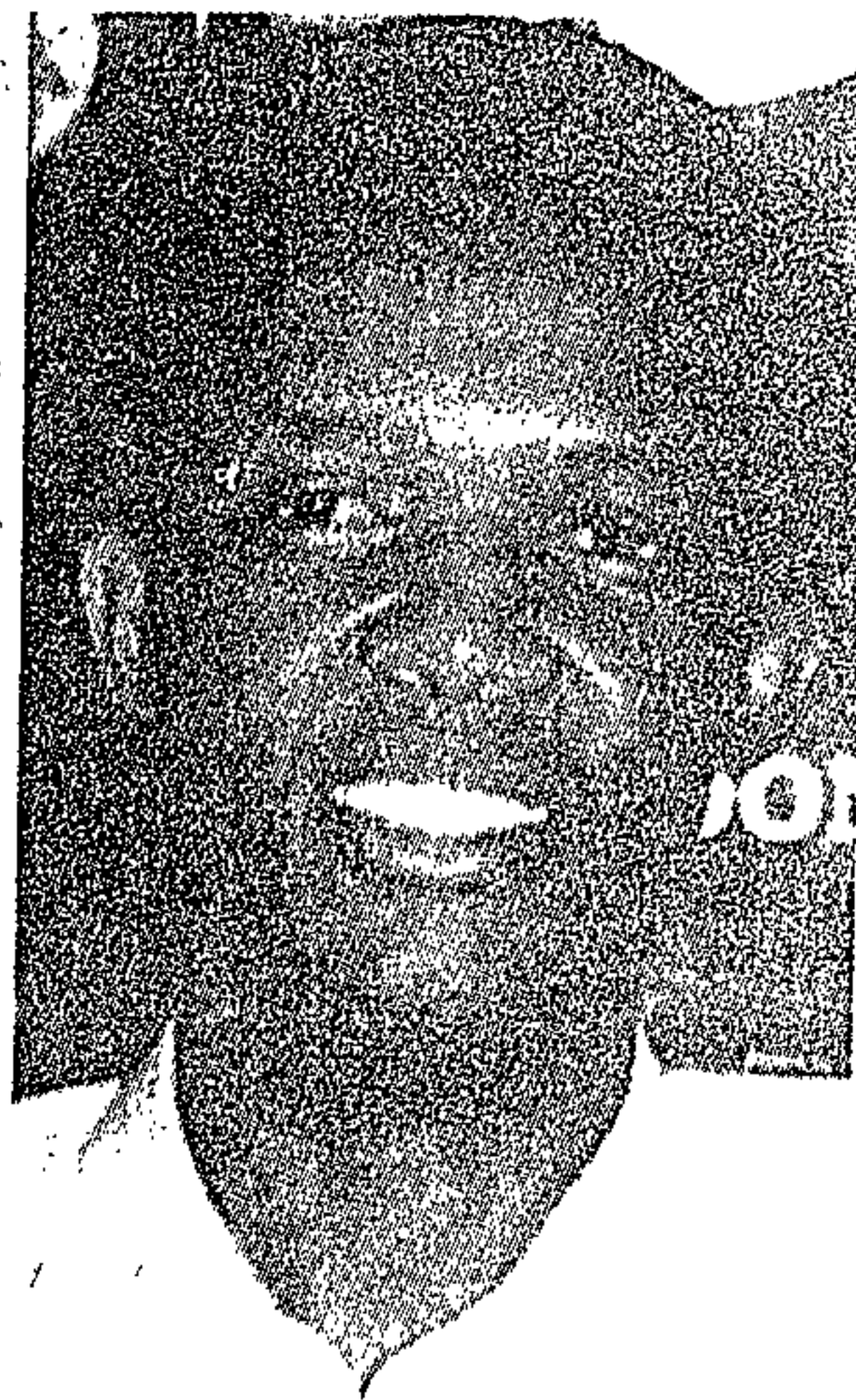
He said that though he wrote letters to the Ministry of Law and Order about his release, he had to escape from hospital and take refuge in the US Consulate before being freed. "Why can't they free all the detainees, why do we have to do something like this?" he asked.

He said he had escaped when his guard left his private ward on the second floor of the hospital. He then went to the airport and flew to Johannesburg under the name of Patrick Khulu.

The Law and Order spokesman confirmed that police were investigating contraventions of restriction orders of five of the six former detainees who took refuge in the British Embassy last week. He would not say which one had not been restricted.

All six — Mr Michael Se-loane, Mr Selebogo Mabena, Mr Donsie Khumalo, Ms Grace Dube, Mr Ignatius Jacobs and Mr Sandy Lebese — were recently released from detention.

— Own Correspondent, Sapa



**DETAINEE ...** Mr Simon Ntombela tells how he escaped from police guards at a Durban hospital and made it to Johannesburg, where he took refuge in the US consulate. Picture: REUTERS



Detainees, Vlok aiming for checkmate

# This terrible game of political chess

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The new face of Tom Cruise — Page 10



**FREE MAN:** Mr Simon Ntombela tells of his great escape. Photograph: Stephen Davimos.

## of embassy 6

DEBORAH SMITH

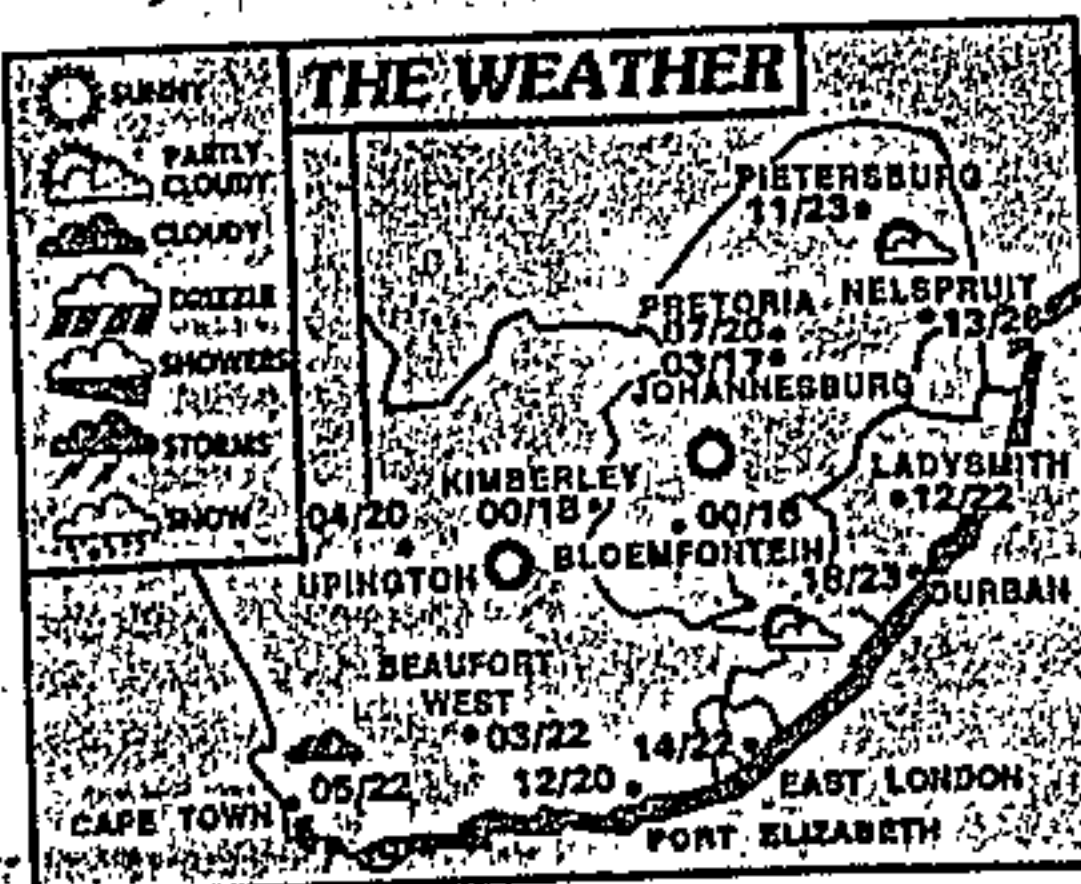
THE ANGLICAN Dean Pretoria, the Rev Rob Briggs, has sent a letter to the British Embassy expressing dismay and anger at the treatment of the six former detainees who sought refuge in the embassy this week.

The occupation may have embarrassed embassy staff, he said, but was one of the few ways of bringing restrictive orders imposed on ex-detainees to the world's attention.

He expressed the "strongest regret" that the activists had been denied food, water and toilet facilities.

Mr Briggs said the embassy staff seemed more concerned about the standing with the South African Government than to show concern for the grave injustices experienced by ex-detainees.

## Ja, well at least it should be fine



**TRANSVAAL:** Fine and cold but partly cloudy and warm over the northern parts and in the lowveld. It will be cloudy over the eastern part in the morning, with frost occurring over the southern parts of Transvaal.

**FREE STATE:** Fine and cold with frost in places.

**NATAL:** Partly cloudy and mild but cold over the interior. Fog patches will occur over the northern escarpment.

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CPM-1015  
1/4/89

329

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**DETAINEE ...** Mr Simon Ntombela tells how he escaped from police guards at a Durban hospital and made it to Johannesburg, where he took refuge in the US consulate. Picture: REUTERS



# The desperation of the demo detainee

2/4/89 329 silmes

IT IS not difficult to explain why there has been a sudden and unprecedented wave of demonstrations by emergency detainees against their continuing detention.

Since January of this year we have been confronted with a nationwide hunger strike by detainees, negotiations between the Minister of Law and Order, Mr Adriaan Vlok, and lawyers, churchmen and community leaders in an effort to bring about a solution to the detainee question.

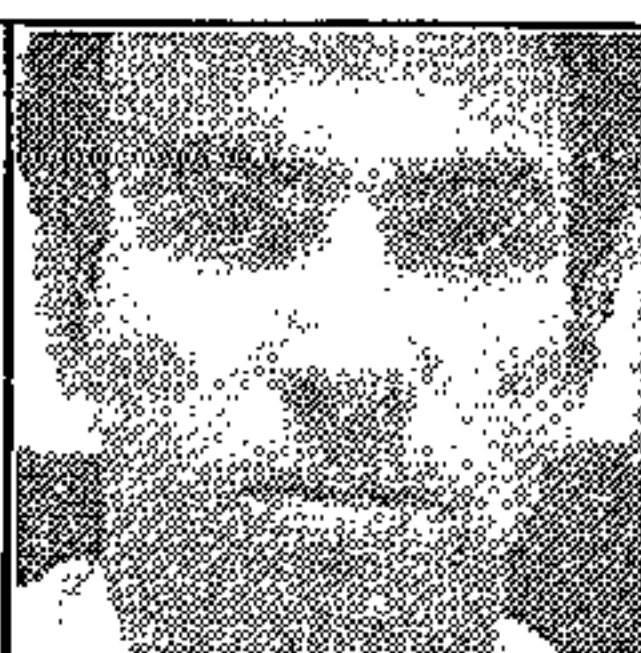
In addition, there has been the dramatic escapes of detainees from hospital to seek refuge in various foreign embassies.

This burst of activity must be seen as the act of desperate men and women who perceive that their only opportunity of ending their incarceration is to gamble with their lives.

I do not wish to debate whether or not these detainees were entitled to participate in the dramatic demon-

**by David Dison**

*a Johannesburg attorney who has represented detainees involved in the recent hunger strikes and embassy dramas*



strations which have taken place so far and which appear to be continuing.

Rather, I would wish to highlight some of the aspects of the arbitrary detention system which have grown up under the state of emergency and which will hopefully go some way towards explaining the desperate response of the detainees.

## Power

The emergency regulations have given the power to any member of the police force or the Defence Force to arrest any person without a warrant if he or she believes that the detention is "necessary for the safety of the public or the maintenance of public order, or for the termination of the state of emergency".

Just think how arbitrary and wide-ranging such power entails!

When one takes into account the lack of experience of the junior constable or newly trained soldier and one presents such a person with such wide-ranging and unchecked powers, and also takes into account that tens of thousands have been arrested under these powers under the successive states of emergency that have

been proclaimed since 1985, one begins to comprehend the inroads which this power has made into the normal common law system of arrest and detention.

Under that system, only a person who is reasonably suspected of having committed an offence may be arrested in connection with the offence, and such a person must appear in court within 48 hours of his arrest.

Under the emergency system, however, no such considerations apply. The member of the police or the army may keep the detainee in detention for 30 days, and that 30-day period may be extended by the Minister until the end of the current emergency.

Indeed, in most cases, the Minister has extended the initial 30-day period until the end of the emergency, and in thousands of cases these detention spells have been extended for further years under successive states of emergency.

Thus, after the recent hunger strike, some people who had literally spent every single day of the emergency behind bars were released — well over three years in detention without ever having been brought to court or charged with any offence.

One can only imagine what the effect of indefinite detention has on the minds of the thousands of people who have been subjected to it. From their perspective, there is no real rationale for their detention.

When the Minister is asked for specific reasons for their continuing detention, his response has generally been to say that they are a member of this or that organisation and that accordingly they constitute a threat to public peace and good order.

So, from day to day and from week to week the detainee languishes in a prison cell with no end in sight.

Under the emergency regulations it is not lawful to describe the conditions and treatment of these detainees while in detention but, from my experience, I would argue that the indefinite nature of the detention on its own constitutes a form of cruel and inhuman punishment.

## Effects

We, as lawyers dealing with detainees, have seen the effects upon the psyches of persons who are subjected to months of indefinite detention. And it is the young people particularly who suffer the most acute mental strain.

Thus we have the spectre of hundreds of emergency detainees having been referred to hospitals around the country for psychiatric help and of the more desperate ones making a dash for freedom either to an embassy or to another hideaway.

The national hunger strike which took place in January and February of this year was largely abated when the Minister of Law and Order himself acknowledged the massive problems which had been caused by this arbitrary system of detention.

It is reported that to date, since Mr Vlok began releasing detainees on a mass scale, some 650 have in fact been released from detention, many of them subject to the most stringent restrictions authorised by the emergency.

## Unaware

But there are still hundreds of emergency detainees who remain unaware of their fate and whose frustration and bitterness has been increased as result of their expectations having been raised and not fulfilled.

And there are still hundreds of embittered former detainees who have gone from the wilderness of detention to virtual house arrest in the townships of their origin.

It has been submitted that the Minister has embarked upon a programme of release that should be followed through to the finish. Expectations have been raised which have rendered desperate men and women even more desperate.

Unless the jails are cleared of emergency detainees, this spectre of hunger strikes, escapes and dramatic requests for refuge in foreign embassies will continue to haunt us.





Frank Chikane, of the SACC, Archbishop Tutu and Dr Moore

**Operators**

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**Special departure**  
**-21 May**

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## Escaped activist forecasts more hunger strikes

SOUTH Africa would experience more hunger strikes, more escapes from detention and sit-ins in foreign embassies as long as detention without trial existed and the state of emergency was in force.

The warning came from activist, former hunger striker and escaper Simon Ntombela, who made a 600km dash from detention in Durban to freedom in Johannesburg.

He said the country would see more of the freedom-or-death approach, symbolised by 38-day hunger striker Sandile Thusi, as more detainees became desperate in their quest for freedom.

Mr Ntombela's warning came in a week of high drama on the anti-apartheid front when:

- There were sit-ins at three foreign embassies after trans-provincial bolts to freedom by several detainees in less than 10 days;

### Fast

- A delegation of clergymen led by Archbishop Desmond Tutu met Minister of Law and Order Adriaan Vlok in Pretoria to discuss emergency detentions;

- The Government announced it would move all detainees on hunger strike to central incarceration in Bloemfontein;

- Longest hunger-striking detainee Thusi ended his fast after 38 days when the Government said it would not

By MANDLA TYALA

consider his release until he had started eating;

- Eastern Cape community leaders, some of whom have been in detention for nearly three years, threatened to resume a suspended hunger strike if they were not released.

Mr Ntombela, a part-time Unisa student and member of the South African Youth Congress, caused a stir this week when he jumped out of a second-floor window in a Durban hospital and surfaced at the US Consulate in Johannesburg less than two hours later.

He left the diplomatic compound on Friday after a 48-hour one-person sit-in.

Mr Ntombela said he escaped to highlight the plight of hundreds of detainees.

"Frustration and despair is brewed by constant promises of release which are not fulfilled by the Minister of Law and Order," he said.



# WE WILL NOT GO

By SOL MORATHI 329

**THE** six former detainees holed up at the British Embassy in Pretoria have vowed not to leave unless all restrictions imposed on them are lifted.

The six - five men and a woman - said although the attitude of the British ambassador was bad and that indications were that the diplomatic mission wanted to chase them out, they would continue to stay until all their demands were met.

The six entered the embassy, at 255 Hill Street, Arcadia, on Wednesday morning in protest against their restriction orders.

The six, released from detention recently, occupied the

embassy "so the British Government can pressure the South Africans into lifting the restriction orders".

British official Allen Lewis said yesterday the six were visitors and could not stay on British premises indefinitely.

The protesters are Donsie Khumalo, Cosatu's Northern Transvaal general secretary; Michael Seloane, the Mamelodi Youth Organisation's secretary general; Ignatius Jacobs, an executive member of the South African Youth Organisation; Sandy Lebese, an organiser for the Pretoria Council of Churches; Selebogo Mabena, former Mamelodi Youth Organisation organiser; and Grace Dube, Construction and Allied Workers' Union administrator.

Lebese said that if the British ask them to leave, as appeared likely, they would refuse to go. "They won't chase us out," he said, speaking from their enclave.

Among their grievances were that the six did not have freedom of speech, freedom of movement and association and they did not have the right to pursue a normal family life.

They therefore demanded that Law and Order Minister Adriaan Vlok lift the restrictions unconditionally and with immediate effect.

Khumalo was released last Thursday after he was detained on February 9. He was immediately restricted. The same applies to Lebese.

Yesterday, the Law and Order Ministry in Pretoria said the six could leave the embassy without fear of arrest, but declined to say whether the restrictions would be lifted.

## Escaper set to sit it out

By SELLO SERIPE

**HUNGER** strike detainee Simon Ntombela, who escaped from Durban's Shifa Hospital on Tuesday and is now holed up in the US Consulate in Johannesburg says he will not leave unless he is released unrestricted.

The SA Youth Congress publicity secretary - who passed through two airports undetected - said he would not come out of "hiding" until all detainees were released.

He and six other detainees were on their seventh day of hunger strike when he escaped.

● See Page 2 2/4/89

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# ayco marks iniversary

## organisation's leaders jailed

By SELLO SERIPE

marked the second anniversary of the former SA Youth Congress (Sayco), the country's youth congress.

which boasts 600 000 members, has half its members in detention under the emergency regulations. It is the Democratic Front's largest affiliate. Its activities are restricted.

In his own capacity, Sayco's former education officer Ephraim Nkoe, who was among four detainees released from Hillbrow Hospital to seek refuge in the West German Embassy last week, said Sayco's role was to prepare the youth of SA for the implementation of independence.

"We organised youth of SA also take this opportunity to educate the people of the long-colonised country and their liberation movement, Swapo, a successful preparation for independence," Nkoe said.

Sayco was formed on March 28, 1987 in Cape Town at a meeting attended by 250 delegates.

Robertson Islander Peter Mokaba was elected president.

Nkoe is currently in prison and facing a charge of treason for allegedly aiming at the overthrow of the ANC.

Detained Sayco national executive committee members are:

President Mzimase Muncotywa, general secretary Mphahlele, treasurer Fawcett Mathebe and publicity officer Simon Ntombela, who fled from Durban's Hillbrow Hospital on Tuesday and is in the US Consulate in Johannesburg.

Detained Nkoe, who was released subject to restrictions, sought refuge in the British Embassy this week and the removal of his restrictions.

Recently released are:

Detained officer Ephraim Nkoe, one of four activists released from Hillbrow Hospital and sought refuge in the West German Embassy. Two days later, Law and Order Minister Adriaan Vlok authorised their release.

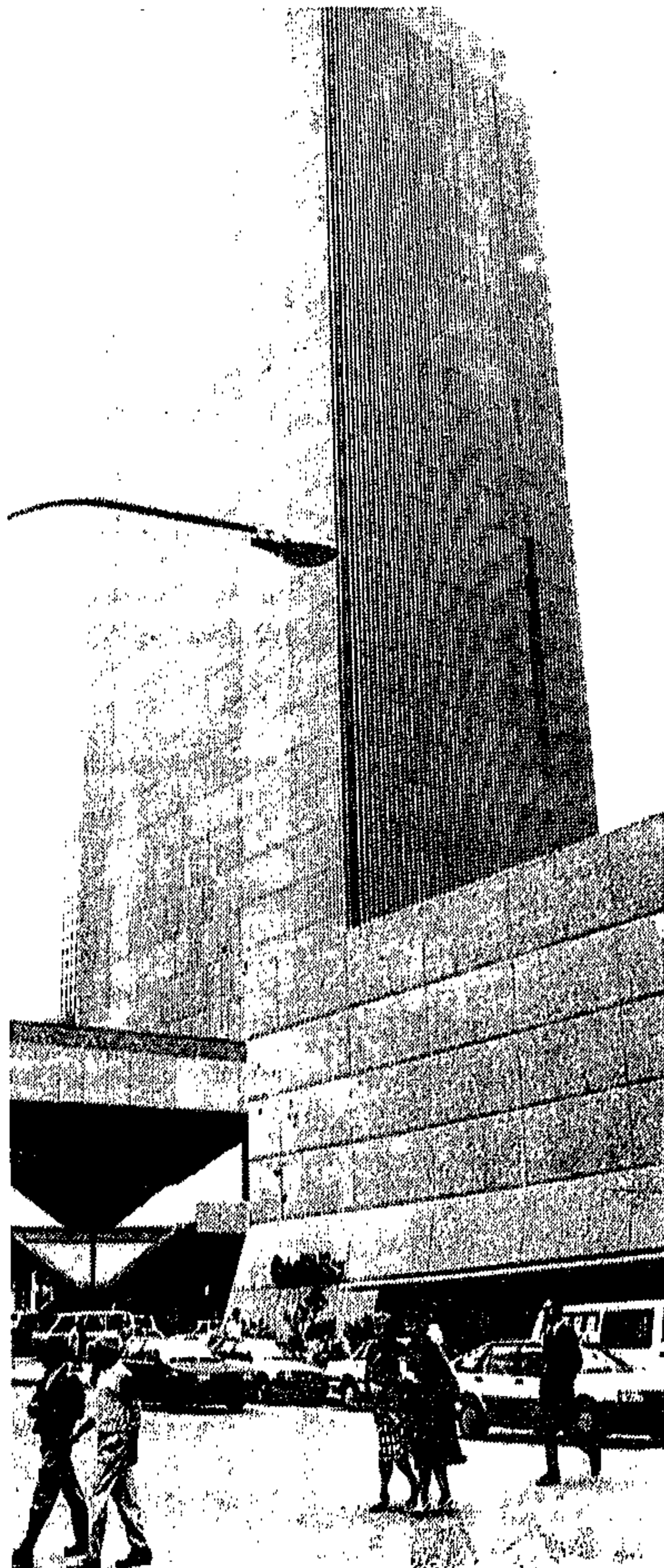
Detained officer Joe Nkuna, who is on R2 000 bail and charged with possession of banned literature. He is currently in Hazyview in KaNgwane. Cultural officer Mphahlele is also restricted to Hazyview.

Detained treasurer Freddie Vanqa.

Nkoe has embarked on many campaigns, including "the 32 Compatriots on Death Row", and has organised campaigns of other anti-apartheid organisations.

By accusing its leadership, the State has accused Sayco of being an ANC front - a claim Sayco has denied.

In November 1987, Nkuna, Sefohlele and Mathebe were taken from Johannesburg illegally by KwaZulu police and driven to the homeland. They were released three weeks following a Pretoria Supreme Court order.



Detainee Simon Ntombela holed up in the US Consulate in the Kline Centre, Johannesburg.



Ephraim Nkoe ... one of four who sought refuge in the West German Embassy last week.

## Detainee flees 600km to US Consulate

DETAINED youth leader Simon Ntombela walked out of Durban's Shifa Hospital this week and eight hours later was holed up 600km away, in the US Consulate in Johannesburg.

Ntombela left his guarded ward on the pretext of going to the toilet.

A former school teacher and no stranger to a clandestine existence after living in hiding for a year since his election to the Sayco executive, Ntombela had been in detention since September, 1988.

US authorities are presently negotiating with the South African government over his fate.

It is believed Ntombela was on his second hunger strike.

Ntombela's attorney,

Dahya Pillay, said she had been contacted by security police who told her of Ntombela's "disappearance" from hospital.

Pillay said Ntombela had been admitted "suffering from depression".

Reacting to the escape, Law and Order spokesman Brig Leon Mellet confirmed that the centralised facility for hunger strikers at Bloemfontein's Grootvlei Prison and Pelenomi Hospital was ready.

Ntombela's bid for freedom follows that of detainees Clive Radebe, Ephraim Nkoe, Mpho Lekgoro and Job Sithole escaped, who fled to the West German Embassy in Pretoria, Law and Order Minister Adriaan Vlok said their detention order had been lifted two days previously.



## Detentions continue despite Vlok's promise

By SIBUSISO MABASO

DETENTIONS under emergency laws are continuing despite Law and Order Minister Adriaan Vlok's promise to release a "substantial number of detainees".

This week, at least four officials of the restricted Azanian People's Organisation were reported to have been detained in a countrywide dawn swoop.

Those detained include Azapo deputy president Lybon Tiyane Mabasa and three officials in Port Elizabeth.

As the result of the continuing detentions hundreds of political activists - including UDF officials - have gone into hiding in anticipation of a possible police clampdown.



Own Correspondent

DURBAN. — Escaped hunger striker Mr Simon Ntombela was again detained by police yesterday, two days after he returned to his Kwamashu home from his refuge at the US Embassy.

Law and Order spokesman Brigadier Leon Mellet last night confirmed that Mr Ntombela was being held in connection with vehicle theft, and will appear in court shortly.

Mr Ntombela, 27, made a dramatic escape from Durban's Shifa Hospital last Wednesday and caught a plane to Johannesburg, where he holed up in the embassy until the police undertook on Friday.

His attorney, Miss Daya Pillay, confirmed reports of friends of the family that Mr Ntombela went to the Kwamashu shopping centre to buy newspapers about 11am yesterday, and was being given a lift home when he was stopped by plainclothes police in an unmarked vehicle.

He was allegedly ordered out of the car but refused to get out, holding on to his friend when the

# Hunger-striker Who escaped again is arrested again

Mr Ntombela 3/4/69

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police tried to force him out. The police then allegedly produced firearms, whereupon Mr Ntombela insisted on proof of their identity.

The two cars then drove to Kwamashu police station, where Mr Ntombela was detained.

Miss Pillay said she spent several hours yesterday afternoon trying to confirm Mr Ntombela's detention.

"Eventually an officer confirmed he was there, pending his transfer to C R Swart Square, but when I asked which section he was in, he refused to say and put the phone down," she said.

However, last night Miss Pillay

said that when she telephoned the Kwamashu police station about 5pm, a Sergeant Shabalala informed her that Mr Ntombela was being held as a suspect for allegedly stealing a car.

At a weekend press conference, Mr Ntombela described his daring escape from his hospital ward, which he said was to highlight the plight of other detainees.

When his guard left his ward on Wednesday morning, he said, he removed the louver windows and swung two floors down, using a telephone cord he had cut with a nail-clipper.

12-04-69



# FLIGHT TO FREEDOM

THERE was nothing unusual about the immaculately dressed black passenger aboard Flight SAS02 headed for Johannesburg from Durban on March 29.

But Patrick Khulu, looking like a small-town businessman, had a deceptive look about him. With his fingers tapping nervously at his briefcase, Khulu cut an image of one of those high-flying businessmen who spend most of their time in boardrooms or flying from one city to another.

Arriving at Jan Smuts Airport about 9.55am, an hour later, Khulu heaved a sigh of relief at finding no-one waiting for him there. He then boarded a taxi to the city, where he made a quick telephone call to a contact from a public booth.

Now joined by the mysterious

## Activist disguised as small-town trader

BY LEN MASEKO

contact, he began the most important part of his trip, Khulu and his companion, careful not to attract attention to themselves while walking through the city streets, quietly slipped into a building at the corner of Commissioner and Bluff streets.

"I am Simon Ntombela, a detainee who has just been discharged from police custody in Durban, and would like to see the consul-general," said Khulu, introducing himself to a receptionist at the United States Consulate.

Those words were to solve the mystery that surrounded the

disappearance of an emergency detainee who, about 6am on March 29, escaped from Shifa Hospital 600km away in Durban.

He had been receiving treatment at the hospital after embarking on a hunger strike for about a week, protesting against his continued detention without trial.

Ntombela was last seen on the hospital's premises as he dashed in hot pursuit of a guard in Durban, and would like to see the consul-general," said Khulu, introducing himself to a receptionist at the United States Consulate.

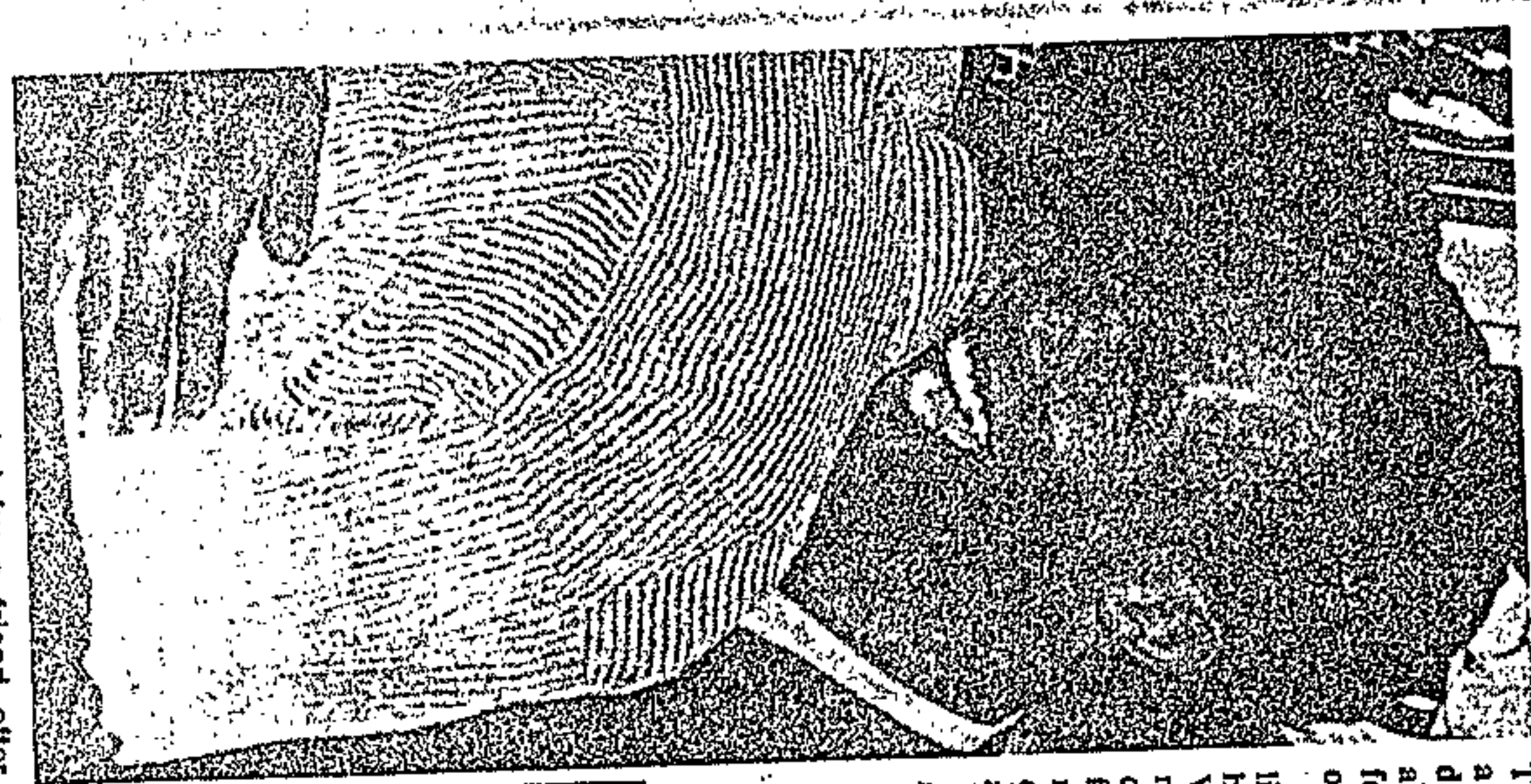
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bug on Friday. He had just left the American consulate, where he had spent two days under diplomatic cover.

Describing his escape, Ntombela said: "Early Wednesday morning when my guard left the ward for a few minutes I put my plan into action. I climbed through the ward window after removing the louvers. Using a telephone cord cut with a nail-clipper, I swung down two floors to the ground and then ran for freedom."

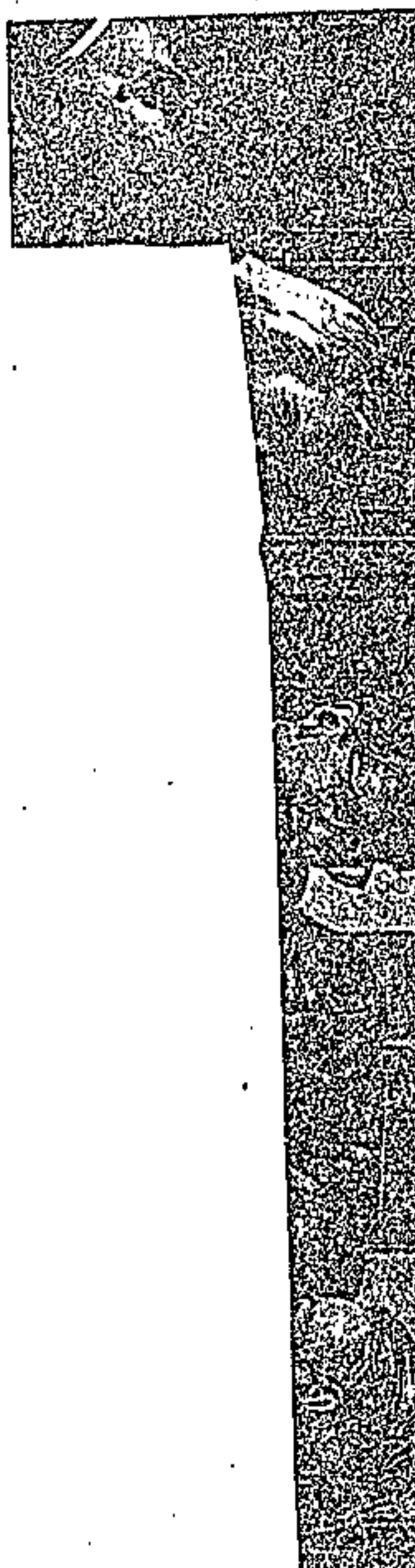
He said a nurse coming into the hospital grounds that morning asked, as he was dashing past, what was happening. "I'm going home," he told her.

After he got some neat clothes, so that I could look like a businessman," he went to secretary of the South African Youth Congress (Sayco), told a Durban's Louis Botha Airport, where he boarded the plane.



NTOMBELA is greeted by a friend after leaving the American consulate.

## MOVE TO MILDNESS





## Released youth leader arrested by mistake

## Staff Reporters

YOUTH leader Mr Simon Ntombela, who was granted his freedom last week after escaping from detention in a Durban hospital and taking refuge in the United States consulate in Johannesburg, was back in police custody for about 10 hours yesterday.

Mr Ntombela (27) was arrested at about 11 am in his home township of kwaMashu, outside Durban, said his attorney, Miss Daya Pillay.

A police public relations division spokesman said last night that the arrest was made by a

security policeman who was unaware of developments involving Mr Ntombela.

When the mistake was realised, Mr Ntombela was again released — at about 9 pm yesterday.

The spokesman said a charge of escaping from custody was being investigated.

Earlier, a spokesman for the Minister of Law and Order, Mr Adriaan Vlok, said the arrest had been in connection with a charge of car theft. The police public relations division issued another statement saying this incorrect information had been received from the police in kwaMashu.

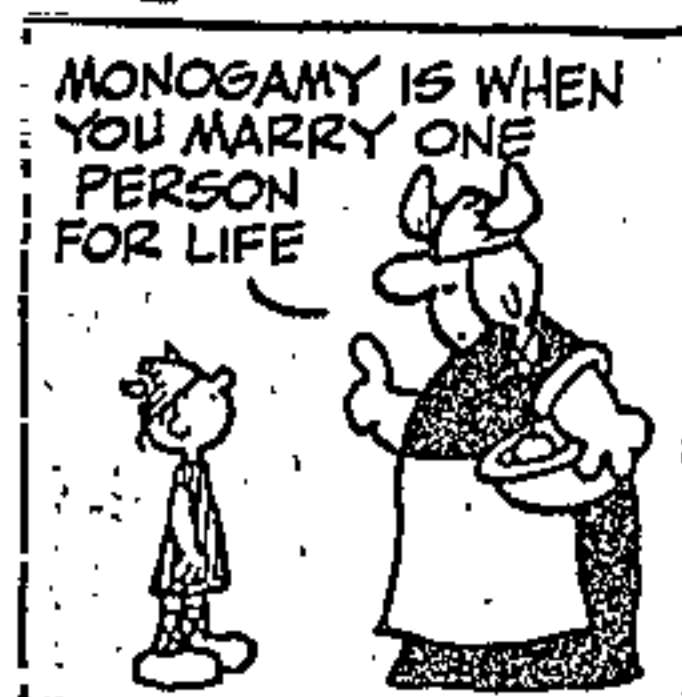
After the victim was run down, the motorist stopped and got out of his car. The enraged crowd hurled stones and bottles at him.

He fled but the crowd overturned his Ford Laser and tried to set it alight. Police extinguished the flames.

Police were themselves pelted with stones and bottles but baton-charged the crowd, which dispersed.

The motorist, who fled, later returned and was arrested, police said.

By Dik Browne



# Man killed, 14 injured by grenade

## Crime Reporter

An argument in a Soweto shebeen at the weekend resulted in a handgrenade attack on the premises, leaving one person dead and 14 injured, four critically, police said.

The attack was one of three grenade and bomb incidents in the township over the weekend.

A grenade was flung into a car at a house

in Rockville. The car was badly damaged but there were no injuries.

A blast damaged a substation in Protea last night, plunging Protea North into darkness. No reports of injuries had been received at the time of going to press.

A Soweto police spokesman, Lieutenant-Colonel Fanyana Zwane, said a man, asked to leave an Orlando West shebeen after an argument, threw a Soviet-made F1 grenade into the crowded yard.

into the crowded yard

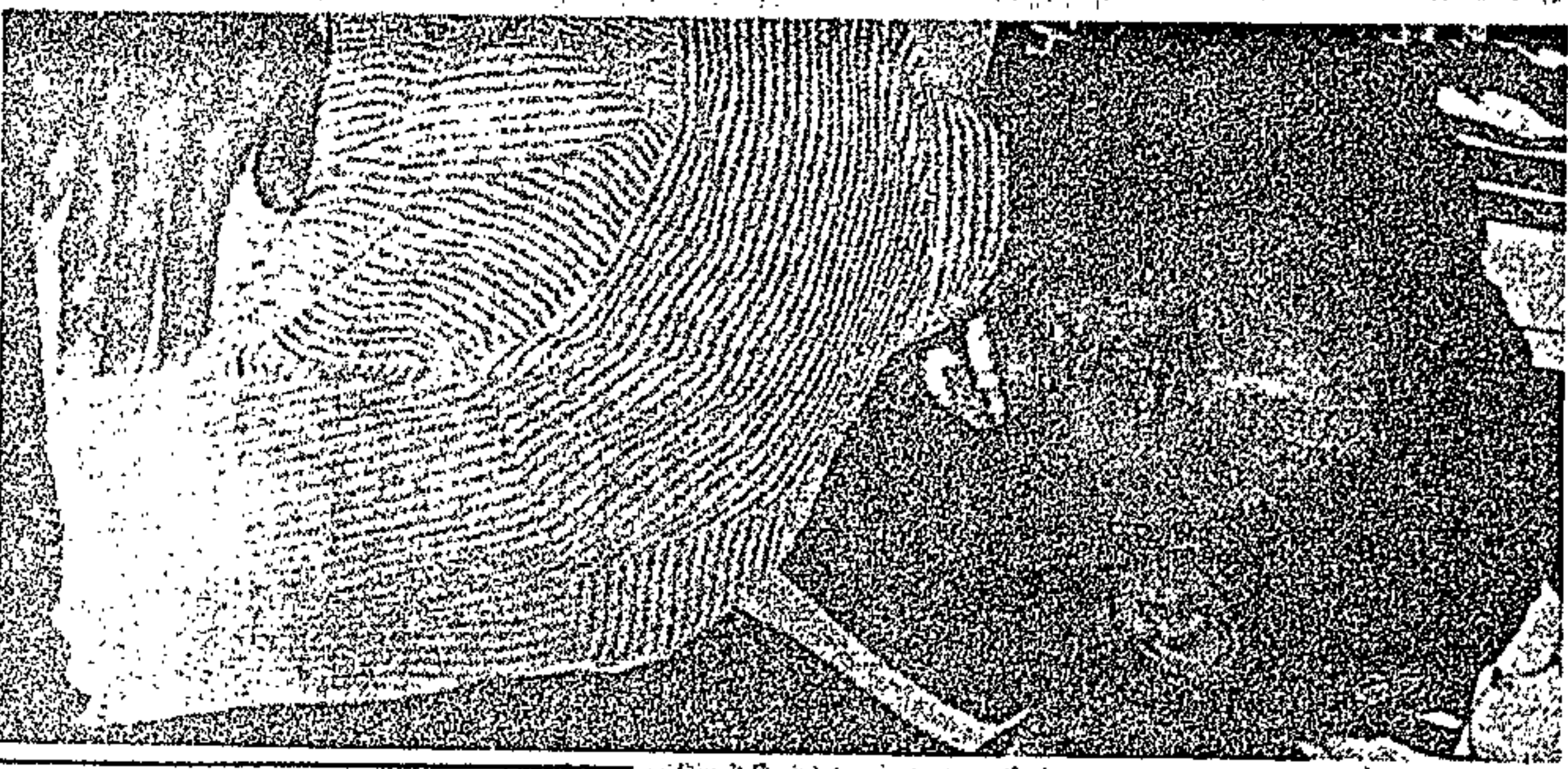


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# FLIGHT TO FREEDOM

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But Patrick Khulu, looking like a small-town businessman, had a deceptive look about him. With his fingers tapping nervously at his briefcase, Khulu cut an image of one of those high flying businessmen who spend most of their time in boardrooms or flying from one city to another.



NTOMBELA is greeted by a friend after leaving the American consulate.

## Activist disguised as small-town trader

BY LEN MASEKO

contact, he began the most important part of his trip. Khulu and his companion, careful not to attract attention to themselves while walking through the city streets, quietly slipped into a building at the corner of Commissioner and Eloff streets.

"I am Simon Ntombela, a detainee who has just disentangled himself from police in Durban, and would like to see the consul-general," said Khulu, introducing himself to a receptionist at the United States Consulate.

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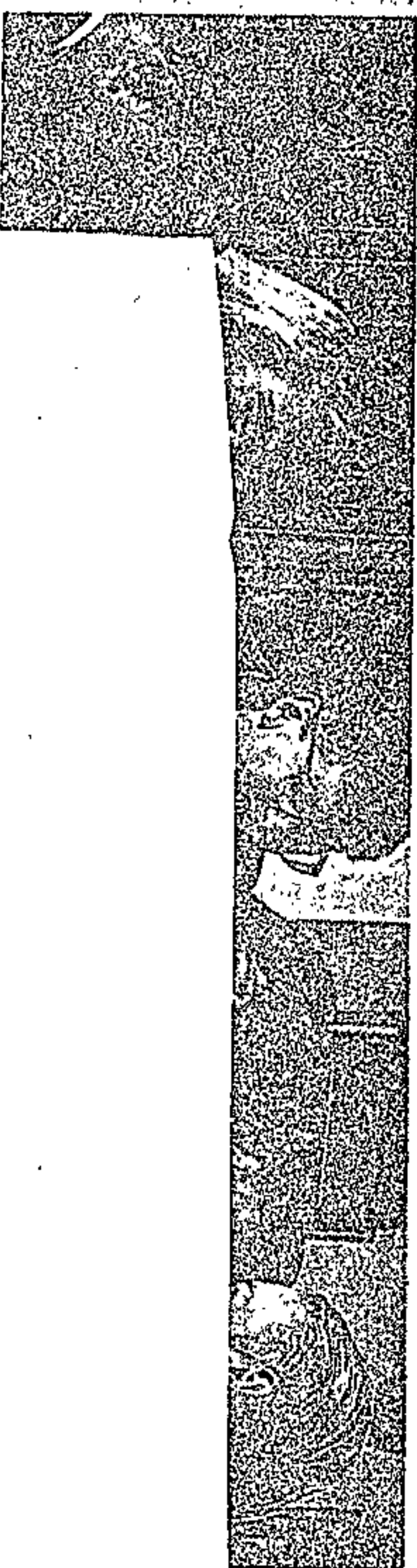
burg on Friday. He had just left the American consulate, where he had spent two days under diplomatic cover.

Describing his escape, Ntombela said: "Early Wednesday morning when my guard left the ward for a few minutes I put my plan into action. I climbed through the ward window after removing the louvres. Using a telephone cord cut with a nail-clipper, I swung down two floors to the ground and then ran for freedom."

He said a nurse coming into the hospital grounds that morning asked, as he was dashing past, what was happening. "I'm going home," he told her.

After he got some neat clothes, "so that I could look like a businessman," he went to Durban's Louis Botha Airport, where he boarded the plane.

## MOVE TO MILDNESS





# Ex-detainee arrested by mistake

The Argus Correspondent

JOHANNESBURG. — Youth leader Simon Ntombela, who made headlines last week when he escaped from detention in a Durban hospital and took refuge in the United States consulate in Johannesburg, was back in police custody for several hours at the weekend before being released.

Mr Ntombela, 27, was arrested about 11 am yesterday in his home township of Kwa Mashu, outside Durban, his attorney, Miss Daya Pillay, said.

This was confirmed by a spokesman for the police public relations division last night. He said Mr Ntombela had been arrested by a security policeman who had been unaware of the developments since Mr Ntombela's escape from Shifa Hospital.

When the mistake was realised, Mr Ntombela was released immediately about 9pm.

The spokesman said, however, that a charge of escaping from custody was being investigated. When first approached, police said a charge of car theft was being investigated but later said they had been mistaken.



## 'ANC member' gets bail after 8 months

Cape Times 4/4/89

Court Reporter

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A Langa teenager who has been in detention for eight months and faces charges under the Internal Security Act was released on R2 000 bail by a Cape Town Regional Magistrate yesterday.

Mr Phumzile Simelela, 19, was not asked to plead.

The court heard that the attorney-general had decided to withdraw a certificate frustrating bail which was granted on condition that Mr Simelela does not communicate with state witnesses and reports to Langa police daily between 8am and 5pm.

The state alleges that Mr Simelela was recruited as a member of the ANC by Mr Kenneth Moyake in May last year, received weapons training, travelled illegally to Lesotho to obtain arms and stored arms at his home.

A limpet mine and a detonator were allegedly found in his possession when he was arrested on July 29 last year.

The hearing was adjourned to June 19 for plea and trial in the Regional Court.

Mr J K Klopper was the magistrate. Mr M Stowe prosecuted. Miss C Burger of E Moosa and Associates appeared for Mr Simelela.



...concerned only the morning after that.

Released detainee  
faces terror charges

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Own Correspondent

CAPE TOWN — A long-term detainee who has been in detention for eight months has been released on bail by a Cape Town Regional Court.

Mr Phumzile Simelela (19) of Langa will be charged with terrorism and is expected to stand trial in the Cape Town Regional Court on June 19.

Mr Simelela, whose bail was set at R2 000, is alleged to have contravened the Internal Security Act from January 1987 until his arrest on July 29 last year by joining the ANC and plotting to overthrow the State.

He is alleged to have been trained in the use of hand grenades, limpet mines and a Makarov pistol by Mr Kenneth Moyake and to have illegally left South Africa and entered Lesotho with Mr Moyake with the object of bringing back arms to the Cape.

He is also alleged to have taken possession of a firearm belonging to another ANC member.

NSPI was a consumer-  
oriented body.



911- Tm's 4/4/89 329

## Detainee to sue after rearrest

**Own Correspondent**  
**DURBAN.** — Mr Simon Ntombela, a former detainee, who escaped from a hospital here last week, is instituting a civil claim for damages against the Minister of Law and Order.

Mr Ntombela was rearrested on Sunday in Kwa-Mashu while returning from a shopping centre, after assurances from the government that he would not be rearrested.

A security policeman,

who was unaware of the developments concerning Mr Ntombela, arrested him but when the "mistake" was realised he was released on Sunday night.

Mr Ntombela's lawyer, Miss Daya Pillay, said he was in the process of instituting a claim for his wrongful arrest.

"We have not yet decided how much we will claim in compensation from the state," said Mr Ntombela.

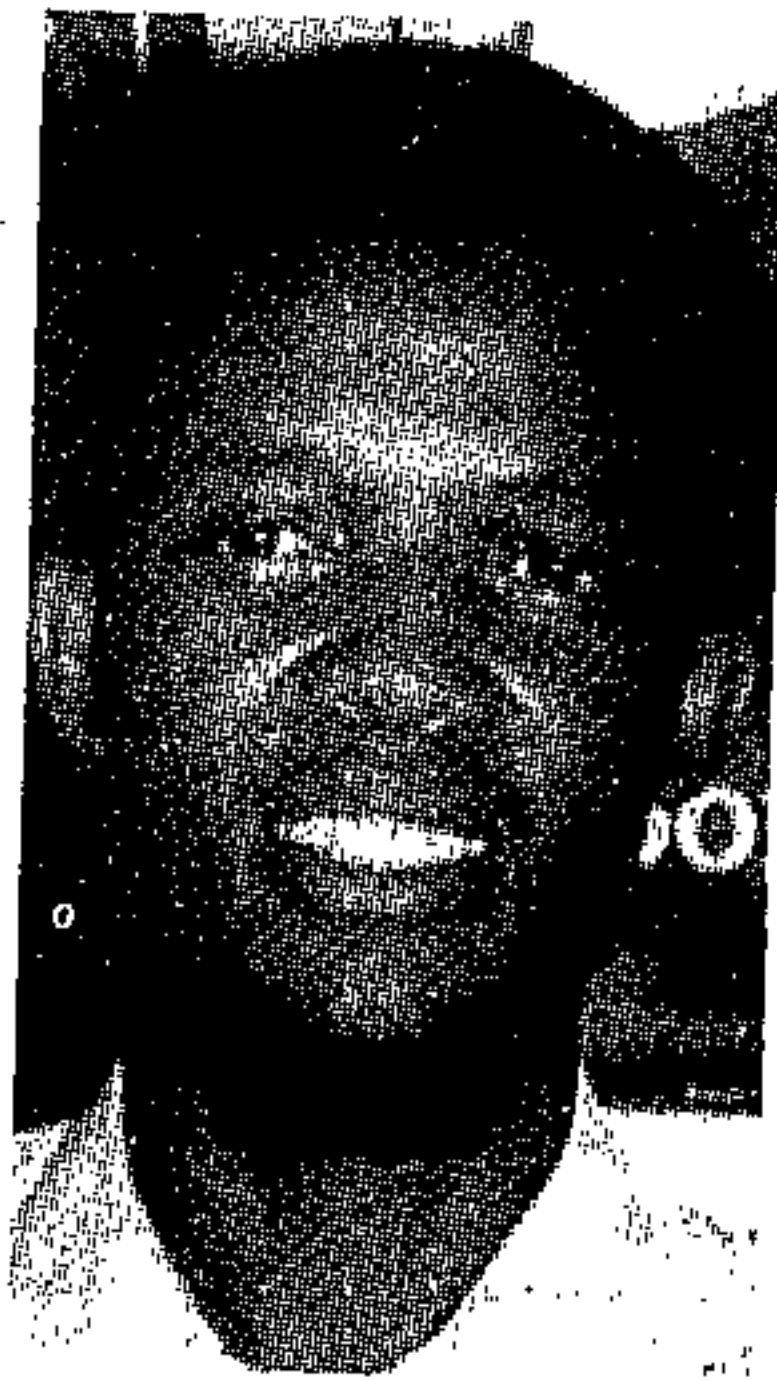
A police spokesman in

Pretoria said they would wait for the claim before commenting.

On Wednesday morning last week, he escaped from Shifa Hospital in Sydenham, Durban, and travelled by plane to the United States Consulate in Johannesburg.

Mr Ntombela stayed at the consulate till Friday when the government agreed not to rearrest him.

He escaped by removing the louvres from a hospital window.



Mr Simon Ntombela



# Thusi released under 'severe restrictions'

CNT 7.17.89 4/4/89

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DURBAN. — Mr Sundezi Thusi, emergency detainee and former hunger striker, who was critically ill for several days, was released from detention by the South African Police yesterday.

Mr Thusi was released on "the most severe restrictions I have ever encountered", his attorney, Miss Dhaya Pillay, said later.

During the hunger strike he was reported to be critically ill and had blurred vision. He fasted for 38 days before he accepted a communion wafer last Sunday.

The Minister of Law and Order, Mr Adrian Vlok, had said that Mr Thusi had to break his hunger strike before he would be released from detention.

Mr Thusi was in the intensive-care unit at St Aidan's Hospital when he eventually called off the fast which seriously threatened his life.

The secretary-general of the South African Council of Churches, the Rev Frank Chikane, negotiated with Mr Thusi, who eventually accepted a communion wafer.

Yesterday Mr Thusi was discharged from hospital and was taken home by relatives and friends.

A spokesman for Mr Vlok's office

confirmed that Mr Thusi had been released and allowed to return home.

Mr Thusi, a University of Natal researcher, was detained under the emergency regulations and went on a hunger strike to protest against his being held without any charges.

Two other detainees, Mr Isaac Nzuza and Mr Paulos Mvulana, were released together with Mr Thusi from St Aidan's Hospital at noon yesterday, Miss Pillay said.

Mr Thusi was driven from the hospital by riot police, she added.

"He has to report to the police twice every day, he cannot leave his home (in Umlazi) for certain hours every day, he may not talk to the press, and he cannot mix with more than four people at any one time," Miss Pillay said, backing up her statement about the rigid conditions pertaining to Mr Thusi's release.

She said, in response to a question, that "physically Mr Thusi was okay — and able to walk".

The other two detainees who were released from St Aidan's Hospital, Mr Nzuza and Mr Mvulana, were both detained on January 27 this year. They both went on hunger strikes on March 13 and ended them on March 23. — Sapa



# Their home is their cell

B/Day  
4/4/89

RESTRICTION orders have effectively replaced banning orders as government's way of forcing people to become their own jailers.

Activist Helen Joseph received the first of four banning orders in 1957. Trade unionist Amos Masondo was restricted last month, more than 30 years later. Joseph's order was broader and harsher, but a lot of the provisions are the same.

Banning orders and house arrests were issued under the Suppression of Communism Act and later the Internal Security Act (ISA), while restriction orders fall under the emergency regulations.

People are still listed under the ISA via the Consolidation List, and the names of banned people go on to the list automatically. It prevents people from being quoted, and attending meetings of certain organisations.

Bannings run primarily for a five-year period, while restriction orders run until the lifting of the emergency and must be renewed annually. Still used extensively is a listing under the ISA which prevents a person from being quoted and from attending certain gatherings. Banned people are automatically included on the list.

Official figures are not available, but lawyers have estimated that about 90% of detainees, released in terms of government's recent undertaking following hunger strikes, have been restricted.

## Less pressure

Of those detained under emergency regulations, only about 10% have been charged and less than half of that number convicted, one lawyer claims. The Human Rights Commission estimates that more than 500 former detainees are now restricted, up from 26 former detainees known to have been restricted in terms of emergency regulations during 1987/88.

Lawyers maintain restriction orders lessen the pressure and emotionalism surrounding the detainees while effectively rendering them incapable of any political action.

The restriction order served on Masondo, detained for more than two years without being charged, is considered by his lawyer to be one of the more severe examples, but it is similar to many others. Masondo may not:

- ☐ Take part in any activities or acts of the Soweto Civic Association;
- ☐ Be outside the Johannesburg magisterial area at any time;
- ☐ Be outside the boundaries of his Soweto home between 6pm and 5am;
- ☐ Take part in any interview with any member of the media;
- ☐ Have anything to do with any

Former detainees are protesting at restrictions imposed after release. DIANNA GAMES reports



☐ HOME FROM HOME ... Helen Joseph at her Norwood home holding one of her banning orders

PICTURE: Robert Botha

matter for publication;

- ☐ Attend any gathering which has been convened to attack, criticise or protest against any acts, policies or proposed acts of government or any local authority;

He must report daily to Moroka police station between 5am and 6pm until notified otherwise in writing.

Other orders — for example, those on Witwatersrand University law lecturer Raymond Suttner and former president of the SA National Students' Congress Tiego Moseneke — prevent them from entering any educational institution providing formal education.

Suttner is still employed by the university, although by not being allowed on campus his work is limited. He's also studying for his PhD.

Moseneke, a former Wits student, completed a law degree in prison but may not now further his studies at any SA university.

Helen Joseph was one of the first to be banned in 1957. She was prohibited from:

- ☐ Leaving her Norwood, Johannesburg, house between 6.30pm and 6.30am on weekdays and on public holidays, and from 2.30pm on Saturdays to 6.30am on Mondays;
- ☐ Entering any black area;
- ☐ Communicating in any way with anyone prohibited under the Suppression of Communism Act or the Riotous Assemblies Act;

- ☐ Preparing, contributing to, printing, publishing or disseminating anything for publication;
- ☐ Receiving any visitors (she did not have one for nine years), except a doctor or lawyer, provided they were not also banned people;
- ☐ Attending all gatherings of three or more people "at which the persons present also have social intercourse with one another";
- ☐ Belonging to any political organisation;
- ☐ Performing any act likely to engender feelings of hostility between blacks and whites; and
- ☐ Giving any educational instruction of any kind, except to her own children.

## Prosecuted

She also had to report to a police station every day between certain hours. She forgot three times and was prosecuted once, but served a total of only four days of a 12-month maximum sentence.

A later banning order was amended to include a prohibition on entering premises where there was a trade union or employer association.

Joseph's third banning order was lifted in 1971 after severe illness, but she was banned again in 1980 at the age of 75. She is now allowed to lead a normal life in her Norwood home, but still may not be quoted.



ACTIVIST Mr Simon Ntombela (27), who made a dramatic escape from a Durban hospital last week and then took refuge in the United States Consulate in Johannesburg, was arrested on Sunday but released shortly afterwards.

Mr Ntombela was arrested while returning from a shopping centre in KwaMashu at about

## Shifa escaper Ntombela held for 10 hours

SOWETAN Correspondent

11am when he was spotted by a security policeman.

A police spokesman said Mr Ntombela had been arrested by a security policeman who had been unaware of the developments since Mr Ntombela's escape from Shifa Hospital.

"When the mistake was realised, Mr Ntombela was immediately released, at about 9pm."

The spokesman said a charge of escaping from custody was still being investigated.

Police initially told Mr Ntombela's attorney that he was being charged with car theft. However, police later issued another statement saying that this was not true.

The error came about after incorrect information was given to them from the KwaMashu police, they said.

Mr Ntombela escaped from hospital on Wednesday morning. After removing a window pane, he cut the telephone cord and used it to lower himself from the second floor of the hospital.

He then took a bus to a friend's home and later caught a plane to Johannesburg, where he sought refuge at the American Consulate.



# Mwasa man vanishes

## Mapalakanye hasn't been seen for three weeks

AN ORGANISER of the Media Workers' Association of South Africa has mysteriously disappeared from his Tembisa home, leaving his family deeply worried.

Mr Maropoli Mapalakanye, an official of Mwasas's Southern Transvaal branch, was last seen on his way home from the union's Johannesburg offices on March 9.

Mwasas's general secretary, Mr S'thembele Khala, said officials of the union had searched for Mr Mapalakanye at

BY LEN MASEKO

various places, including hospitals, without success.

Mr Mapalakanye, a member of the Mafube Arts Commune, spent nine months in detention last year. He was released in September after testifying that, as a State witness in a terrorism trial at Klipfontein, he was tortured and forced to

sign a statement in which he admitted things he knew nothing about.

Meanwhile a member of Mwasas's Northern Transvaal region, Mr Sonyboy Molung, was still in detention, Mr Khala said.

He said Mr Molung was taken from the union's Pretoria offices last month.

"The Minister of Law and Order, Mr Adrian Vlok, has not yet responded to a fax sent by our lawyers to him, inquiring about the Mwasas member's detention," Mr Khala said.

Mwasas has called on the Minister to say whether Mr Mapalakanye was in detention and under which security legislation Mr Molung was being held.



MR MAPALAKANYE and friend after his release from detention last year.



## THATCHER 'VERY CONCERNED' ABOUT AILING MPETHA

CAPE TOWN — British Prime Minister Margaret Thatcher has intervened personally in an effort to have jailed Cape Town trade unionist Oscar Mpetha, 79, released from prison.

Thatcher recently wrote a letter to Labour Party MP Robert Parry in which she said: "I can assure you we will continue to urge the SA government to free him."

Mpetha is serving a five-year sentence following his conviction under the old Terrorism Act for his

Political Stat (3251)

involvement in incidents in Crossroads which resulted in the death of two men whose cars were stoned.

Last week his son Karl was killed in a car accident in Victoria West and the family have appealed to government to allow him to attend his son's funeral.

Mpetha, who has diabetes and kidney problems, is reported to be in Groote Schuur Hospital.

In her letter Thatcher said: "We

have been concerned about Mr Mpetha for some time."

The British embassy in Pretoria had made representations to the SA government on several occasions and Minister of State in the Foreign Office Lynda Chalker had raised the issue again with SA's ambassador in London Ray Killen.

Chalker had impressed upon Killen "the need for the SA government to give urgent consideration to Mr Mpetha's release on humanitarian grounds".



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## Desperate bid to free Mpetha



5-12/4/89 Esther Mpetha

369  
Suth

A FRANTIC 11th hour appeal has been made to the government to free imprisoned 79-year-old former UDF president Oscar Mpetha before his son's funeral on Saturday.

Lawyers representing the family have made representations to the Minister of Justice Kobie Coetsee and prison authorities to release the veteran trade unionist "as a matter of urgency".

The ailing Mpetha, who has spent most of his five year sentence for terrorism confined to a hospital bed under guard at Cape Town's Groote Schuur Hospital, has been shattered by the death of his 36-year-old son,

Karl, who died in a motor accident near Victoria West last Thursday.

"When we broke the news to my father he wept bitterly," said Esther Mpetha.

She is "extremely worried" about the health of her father who is being treated for diabetes and related illnesses.

In urgent letters to the authorities, the family's lawyer has urged them to release Mpetha on humanitarian grounds before the funeral.

The lawyer asked them to take into consideration the "extremely

• TURN TO PAGE 3

**Mpetha**

• FROM PAGE 1

traumatic experience" of Mpetha's youngest son's death, his illness and age.

In November 1987 while undergoing treatment at Groote Schuur Hospital, Mpetha was refused permission by prison authorities to attend the funeral of his 72-year-old wife, Rose.

"When my father went to jail my mother and my brother were alive, but now they are both dead. I don't know what to do," said a tearful Esther who now has the task to bury her younger brother.

Karl's death is the third tragedy to hit the Mpetha family in the past 10 years.

Mpetha's eldest son Harold was stabbed to death in November 1979 while on his way home from church.

The campaign for the release of Mpetha, which included a plea by British Prime Minister Margaret Thatcher, has been stepped up in recent months amid renewed fears for his health.

Archbishop Trevor Huddleston, president of the Anti-Apartheid Movement in the United Kingdom, has described Mpetha's imprisonment as a "disgrace to the civilised world".

In 1987 Mpetha rejected an offer of conditional release.

Mrs Albertina Sisulu, wife of jailed ANC leader Walter Sisulu, this week rejected reports that her husband's release was imminent.

Mrs Sisulu, who visited her husband last week, said he was "well".

Rumours of Sisulu's release were fueled by a report that he had been separated several weeks ago from the other Rivonia trialists held at Pollsmoor Prison. This was seen as a prior step to his release.

The SA Prison Services said, on Tuesday it was not its policy to comment on the release of individual prisoners.



## Christians hold anti-detentions poster protest

CAPE TOWN — Dr Allan Boesak, president of the World Alliance of Reformed Churches, and 14 other Christians held a defiant poster protest against detentions on the steps of St George's Cathedral yesterday.

Nobody was arrested during the half-hour long lunchtime demonstration, although police arrived within the first 10 minutes and warned the participants to disperse.

A policeman was told the protesters would remain there until 1.15 pm.

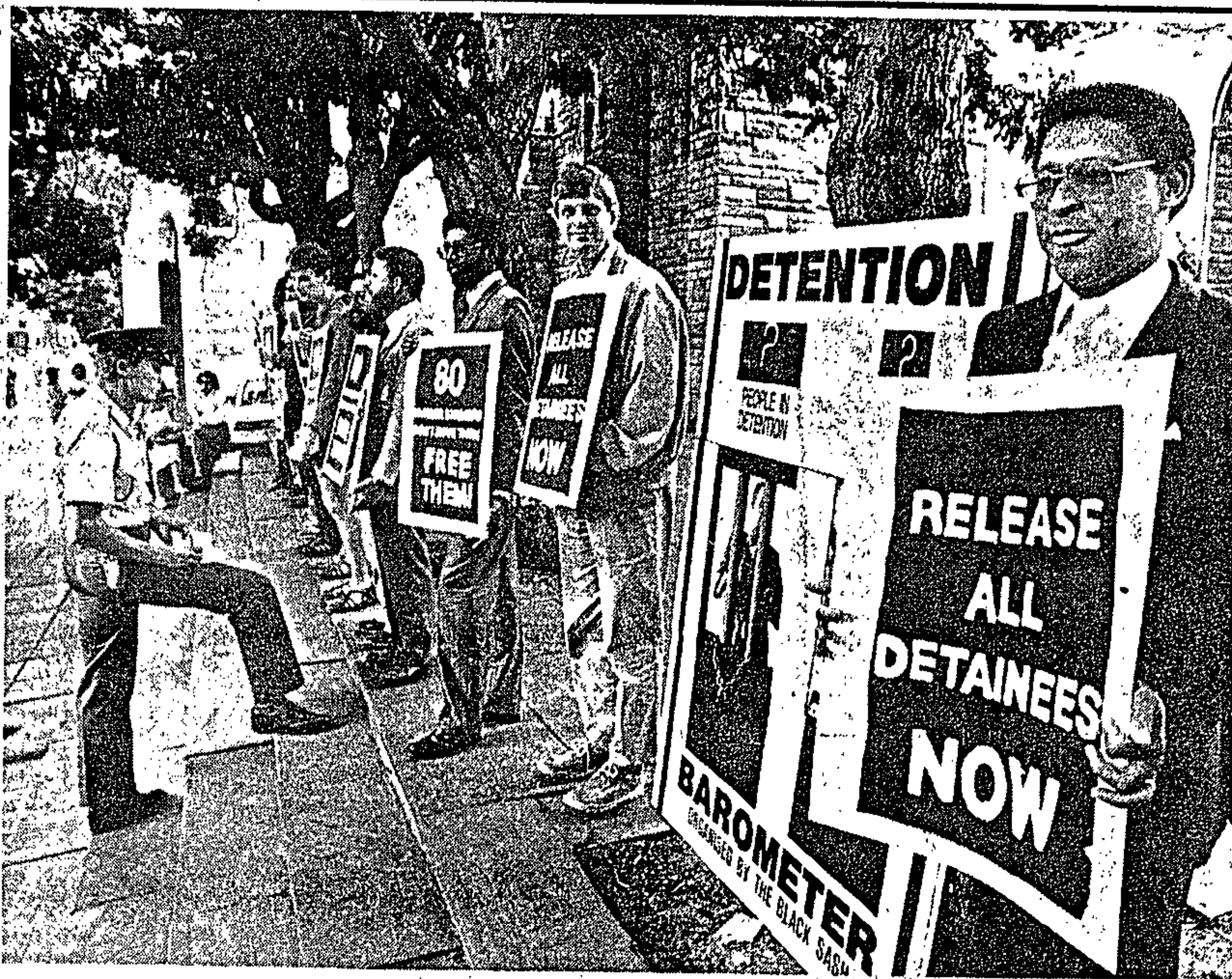
Among the protesters were the Rev Douglas Bax, the Rev Syd Luckett of the Anglican Board of Social Responsibility, the Rev Russel Botman representing the Western Province Council of Churches, and the Rev Pierre van den Heever of the Methodist Church.

At one stage during the protest, four passing young whites sang "Die Stem". Dr Boesak immediately drew the attention of a policeman taking down the names of protesters that the gathering of singers was also illegal.

Two protesting Christians responded to the singing of "Die Stem" by taking out recorders and playing "Nkosi Sikelel' iAfrika".

Observers said the protest heralded a new phase in the ongoing campaign involving civil disobedience by church and other organisations to publicise the plight of remaining emergency detainees. — Sapa.





Picture: ANDREW INGRAM, The Argus.

**POSTER PROTEST:** Church leaders led by Dr Allan Boesak, right, and members of the public, take part in a protest outside St George's Cathedral after a press conference yesterday at which the leaders accused law and order Minister Mr. Adriaan Vlok of breaking his word over hunger-striking detainees.

## Vlok broke promise — Boesak

By KAREN STANDER  
Religion Reporter

CHURCH leaders have accused Mr Adriaan Vlok, Law and Order Minister, of breaking his promise about hunger-striking detainees and said they were no longer prepared to talk to him.

Dr Allan Boesak, president of the World Alliance of Reformed Churches, said yesterday there would be a "moratorium" on talks between Mr Vlok and the church leaders who had negotiated with him to try to stop the strikes.

Police watched without taking action as a group of 15 — including Dr Boesak, the Rev Russel Bothman,

chairman of the Western Cape Council of Churches, the Rev Sid Luckett, director of the Anglican Board of Social Responsibility, and the Rev Douglas Bax of the Congregational Church — held a 25-minute demonstration on the steps of St George's Cathedral after a Press conference.

Dr Boesak accused Mr Vlok of trying to "take us for a ride" and backing down on his undertaking to release a "substantial" number of detainees.

Although Mr Vlok had said 580 had been released, the church knew only of about 300. Eighty-four were still on hunger strike.

The church leaders have pledged

further demonstrations today and Friday to focus attention on the plight of detainees.

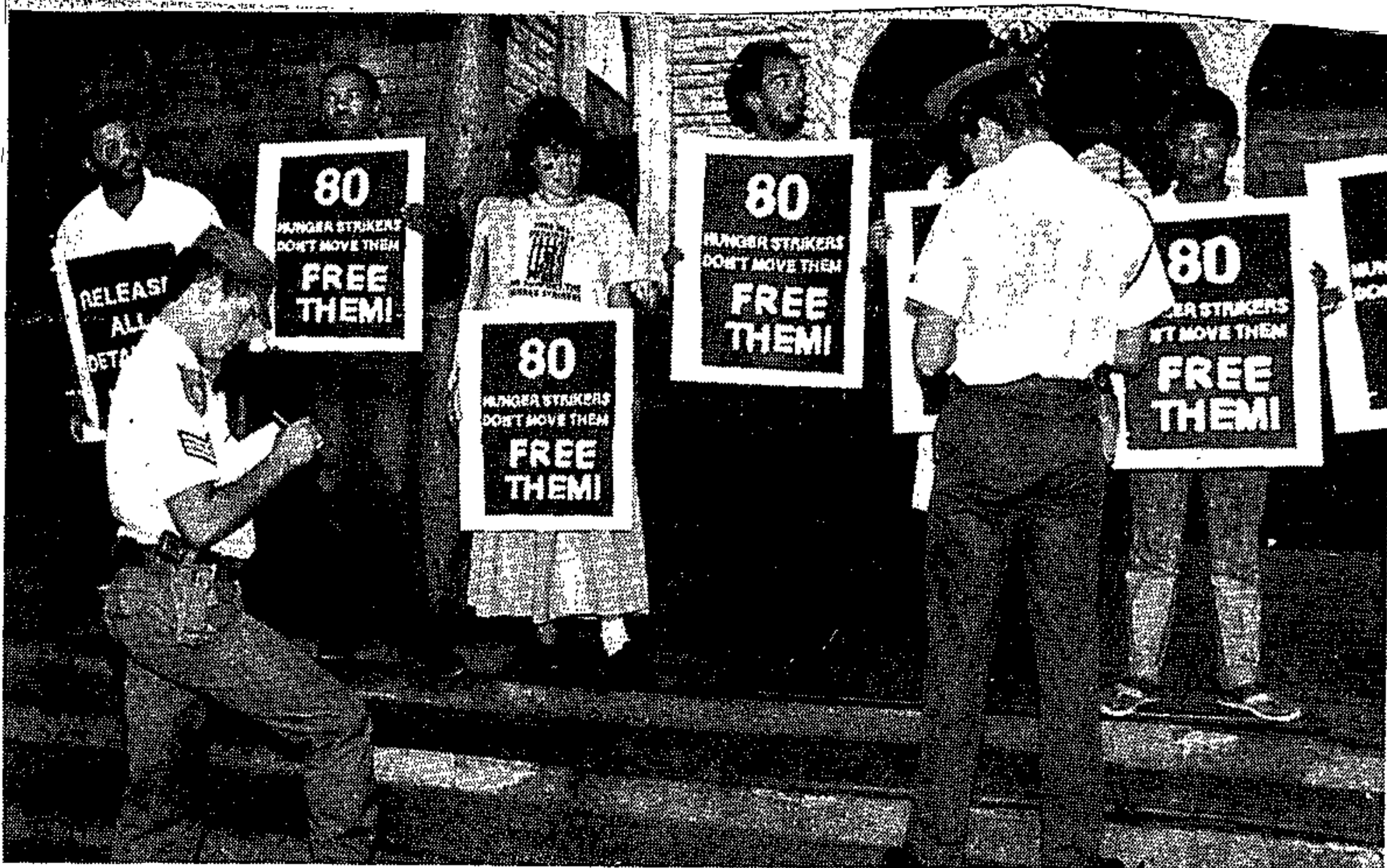
"We really thought the Minister would keep his word. In my understanding and in the language of international diplomacy, 'substantial' is always interpreted as more than half," Dr Boesak said.

He called on Mr Vlok to provide the names and dates of releases to prove his honesty and for restrictions on former detainees to be lifted.

Police vehicles arrived soon after the demonstration began. A policemen took the names and addresses of the 15.

AKG 5/4/89  
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**CITY DEMO . . .** Police take names of people protesting on the steps of St George's Cathedral yesterday. From the left are Father Jonathan Pieterse, Mr Vivian Petersen, Ms Claire Keeton, Rev Charles Martins and Heinrich Magerman.

Picture: ERIC MILLER/AFRPIX

By PETER DENNEHY

The president of the World Alliance of Reformed Churches, Dr Allan Boesak, and 14 others held a poster protest against detentions yesterday on the steps of St George's Cathedral.

No one was arrested during the lunchtime demonstration, which lasted almost half-an-hour. Police arrived within the first 10 minutes and warned the participants to disperse.

A policeman was told the protesters would remain there until 1.15pm. Among the protesters were the Rev Douglas

Bax of the Rondebosch Congregational Church, the Rev Syd Lockett of the Anglican Board of Social Responsibility, the Rev Russel Botman representing the Western Province Council of Churches, and the Rev Pierre van den Heever of the Methodist Church.

At one stage during the protest, four passers-by sang "Die Stem". Dr Boesak said to a police-

man taking down the names of protesters that the gathering of singers was also illegal.

Two of the protesters responded to the singing of "Die Stem" by taking out recorders (flutes) and playing "Nkosi Sikelel' iAfrika".

Yesterday's protest was part of a new campaign involving civil disobedience by church and other organisations

## Free detainees, say churchmen

to publicise the plight of the the remaining emergency detainees.

Dr Boesak said at a press conference before the demonstration that "we know of 84 people who are still on hunger strike".

Lawyers and the human rights commission claim 300 detainees have been released, while the Minister of Law and Order, Mr Adriaan Vlok, claimed 580 have been freed.

Another protest, this time by the Catholic Church, is expected today and on Friday a "joint action" is to be undertaken.

Cape Times 5/4/89 329



# How Simon slipped the dragnet

JOHANNESBURG. — Escaped detainee Simon Ntombela made his break from a guarded second-floor ward in Durban's Shifa hospital by climbing down a piece of telephone cord he had earlier secretly cut with his nail clippers.

Ntombela, 27-year-old publicity secretary for the outlawed South African Youth Congress (Sayco), gave details of his sensational escape from Durban after leaving the United States consulate in Johannesburg, where he had been granted temporary asylum.

He is the fifth hunger-striking detainee to have escaped in the past two weeks.

Ntombela won an undertaking from Pretoria neither to arrest him as he left the consulate nor to slap on him a restriction order.

Harsh restriction orders have been imposed on half the several hundred detainees released following a series of hunger strikes in January to protest against imprisonment without trial.

Ntombela was on his eight day without food, his second hunger strike since his arrest last September, when he made his escape.

## Police

Despite the presence of a police guard at the door of his private ward, Ntombela prepared for his escape on Tuesday night by secretly cutting a length of telephone cable running along the wall of his ward.

When his guard briefly left his post in the early hours of Wednesday, Ntombela quickly dressed, pulled the ward window from its frame, tied the telephone cable to the frame and slid down two floors to the ground.

"Then I ran. A nurse asked me what I was doing and I replied, 'Going home'," said Ntombela.

He was 200 metres from the hospital when his police guard gave chase.

Despite his weakened condition after eight days without food, Ntombela managed to get away.

"I was running for freedom, he was running for his pay."

After climbing over several walls, he made his way to a safe house where, before his arrest in Septem-

ber, he had packed a set of clothes, including a jacket and tie and a briefcase, and an automatic banking card.

He then caught a bus into central Durban and withdrew money for a plane ticket to Johannesburg, guessing correctly that police would by then have placed guards on foreign diplomatic missions in the city.

In a taxi to the airport, he saw a police helicopter circling over the area surrounding the Shifa hospital from which he had escaped.

At the airport, Ntombela charmed his way to the front of the ticket queue, only to find the next flight to Johannesburg, at 9am, was full.

His luck held, however. He bought a standby ticket which saw him in a business-class seat of a Jumbo 747, "looking like a small-time businessman".

## Consulate

On landing in Johannesburg, he took a taxi into the city centre. Worried about the risk of going into the heavily-guarded consulate alone, he approached a friend, whom he refused to name, to accompany him.

"If anything happened, this person could tell the world," he explained.

As it was, his arrival at the US consulate, exhausted and scared, was the least eventful phase of his escape.

He gained entrance easily and, after a few initial questions, "they welcomed me warmly, made me feel safe and calmed me down".

They also gave him a cup of soup, his first food in eight days.

Ntombela's praise of the US diplomats was in sharp contrast to the sharp criticism levelled against the British embassy staff and Margaret Thatcher's British government, who ordered out of the embassy six former detainees who sought asylum at the same time as Ntombela sought sanctuary at the US consulate.

The issue, however, is a more complex one.

The six, and most opposition commentators, view the restrictions imposed on them and other ex-detainees - which include home arrest and a ban on political activities, travel and activities often vital to the

ex-detainee's continued employment or study - as little more than an extension of detention without trial.

Civil rights activist Max Coleman has described them as "privatised detention".

Other have spoken of "release into a bigger prison".

Diplomats at the British embassy in Hill Street, Pretoria, did not view it this light, and the six left last Thursday.

The incident earned the British bitter criticism from Murphy Morobe, acting publicity secretary for the outlawed United Democratic Front and himself an escaped detainee, who avoided a restriction order by spending several weeks in the same US consulate which served briefly as Ntombela's refuge.

Morobe described the British treatment of the six as "inhuman".

Sayco executive member Ephraim Nkoe described the British decision

to order himself and the others out as one "consistent with the politics of the Conservative administration under Thatcher".

Thatcher's government, he said, did everything it could to help Pretoria.

Bitterness generated by the incident may, however, have obscured the fact that, despite their effective eviction, the six scored a significant diplomatic and political point.

Their action was undertaken against a background not only of the two most recent escapes (by Ntombela and the Nkoe group), but also those of Morobe, acting UDF secretary general Valli Moosa and National Education Crisis Committee leader Vusi Khanyile.

After all three breakouts, the escapers explicitly demanded, and won, guarantees both that they would not be re-detained and that they would not be restricted.

The action by the six thus constituted not the first diplomat-linked challenge to restrictions imposed on ex-detainees, but the latest in a series of skirmishes on the issue.

The fact that they did not succeed is less significant than the fact that the challenges are not restricted only to those still formally detained.

It remains to be seen, however, whether the threat by the six to defy their restrictions and court arrest is a forerunner of a more generalised action.

\* The six are: \* Donsie Khumalo, Congress of South African Trade Unions Northern Transvaal regional secretary; Selebogo Mabena and Michael Seloane of the Mamelodi Youth Organisation; Ignatius Jacobs, a Sayco executive member; Grace Dube, administrator for the Cosatu-affiliated Construction and Allied Workers' Union; and Pretoria Council of Churches organiser Sandy Lebese.



Simon Ntombela

PIC: NEW AFRICAN



# Former striker flees, will not be rearrested

JOHANNESBURG. — A former hunger striker at Diepkloof Prison yesterday fled to the British Consulate-General here for refuge but left at 3pm with the assurance from Law and Order Minister Mr Adriaan Vlok that he would not be rearrested.

Mr Tebego Mngomezulu, a Soweto Youth Congress member who has been detained since August last year, was being treated at Johannesburg Hospital after being on hunger strike.

Mr Mngomezulu's lawyer, Ms Kathleen Satchwell, confirmed last night that Mr Vlok had given the assurance her client would not be rearrested and said there had been no mention of restrictions against him.

Ms Satchwell said she "understood" Mr Mngomezulu had "been away from the hospital

## Twelve detained

PARLIAMENT. — The Minister of Law and Order, Mr Adriaan Vlok, yesterday tabled the names of 12 people detained in terms of the emergency regulations.

They are: Halala, Christopher; Molefe, Trevor; Raboshago, Morgan; Bob, Joseph; Sithole, Floyd; Khumalo, Sylvester; Lenagane, Leonard; Luthuli, Enock; Shoji, Erenus; Shabangu, Bhekezitha; Ntombela, Sibonela and Ndokweni, Simon. — Sapa

since Saturday". She declined to elaborate.

His condition was "not good" and he would still be undergoing

medical treatment, Miss Satchwell said.

She said Mr Mngomezulu was a student at the University of the Witwatersrand and also said she had no knowledge of Mr Mngomezulu being a member of the Soweto Youth Congress.

Meanwhile, two more Durban emergency detainees, Mr Dennis Nkosi and Mr Ian Mkhize, were released from detention this week but have been served with severe restriction orders.

Mr Nkosi has among other restrictions been restricted to the Volksrust area and placed under house arrest.

Mr Mkhize has been restricted to the Durban and Pinetown areas and has to report to the KwaDebeka police station twice daily. — Sapa and Own Correspondent



## 750 detainees released, 150 still held — Vlok

Political Staff

M645 6/4/89 329

NEARLY 750 state of emergency detainees have now been released, leaving about 150 in detention, a spokesman for the Minister of Law and Order, Mr Adriaan Vlok, has claimed.

Brigadier Leon Mellet rejected recent allegations by Dr Allan Boesak, president of the World Alliance of Reformed Churches, that only 300 had been released.

He added that there were no detainees on hunger strike. Four, who were on hunger strike, were still being treated in hospital.

● Mr Vlok yesterday defused a possible international incident when an escaped detainee, Mr Tebogo Mngomezulu, took refuge in the British Consulate-General in Johannesburg.

The British Ambassador, Sir Robin Renwick, took immediate action and secured a release order from Mr Vlok's office. Mr Mngomezulu was taken to his lawyer within hours.

Police sources said security would be tightened to prevent further escapes from hospitals.

396)

MAN'S SHOP S. AUNW



Thrus and

551

THURSDAY, 6 APRIL 1989

552

Coloured farmers

2(a) — R530 800

(b) — R451 700

Indian farmers

2(a) — R2 311 500

(b) — R 771 000

Land and Agricultural Bank loans granted:  
amount

219. Mr R J LORIMER asked the Minister of Finance:

(a) What total amount had been granted in loans to farmers by the Land and Agricultural Bank as at 31 December 1988 and (b) to how many farmers had these loans been granted?

B503E

The MINISTER OF FINANCE:

(a) R2 774 658 227

(b) 38 835

Internal Security Act: persons detained under section 28

255. Mrs H SUZMAN asked the Minister of Justice:

(1) How many persons in each race group were detained in terms of section 28 of the Internal Security Act, No 74 of 1982, (a) in 1988 and (b) as at 31 December 1988;

B560E

The MINISTER OF JUSTICE:

(1) (a) None

(b) None

(2) Falls away.

Internal Security Act: women detained

256. Mrs H SUZMAN asked the Minister of Justice:

(1) How many women were detained under section 31 of the Internal Security Act, No 74 of 1982, (a) in 1988 and (b) as at 31 December 1988;

(2) for how long had each such woman been detained as at 31 December 1988?

B561E

The MINISTER OF JUSTICE:

(1) (a) One

(b) None

(2) Falls away.

Own Affairs:

Sea Point: rent-controlled premises

22. Mr C W EGLIN asked the Minister of Local Government and Housing:

(1) How many rent-controlled premises were there in the Sea Point constituency as at 31 December 1988;

(2) (a) how many such premises were decontrolled in 1988 and (b) what is the (i) address and (ii) description of each of the properties concerned?

B282E

The MINISTER OF LOCAL GOVERNMENT AND HOUSING:

(1) On 31 December 1988 there were still 698 units, comprising of 580 dwellings and 118 flats, subject to rent control;

(2) (a) 452 units, comprising of 28 dwellings and 424 flats, were exempted from rent control of which 396 units, comprising of 20 dwellings and 376 flats, were conditionally exempted from rent control subject to the granting of continued protection to the tenants thereof if and for as long as such tenants comply with the prescribed requirements for continued protection;

(b)

(i) (ii)

Address Property description

Flats 1, 11 and 15 Embassy, 198 High Level Road, Sea Point, Cape Town at Sea Point

Flat 14, Arrow Court, 263 Main Road, Sea Point East, Cape Town at Erf 120, Cape Town at Sea Point East

Flats 1-4, Clarendon Court, 167 High Level Road, Sea Point, Cape Town at Erf 1063, Cape Town at Sea Point

Flats 1-2, Dunoon Building, 12 Solomon Road, Sea Point, Cape Town at Erf 79, Cape Town at Sea Point

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554

Flat 14 and 19, Ark Royal, 18 Hall Road, Sea Point, Cape Town at Erf 630, Cape Town at Sea Point

Flats 2-10, 12, 14 and 16, Embassy, 197 High Level Road, Sea Point, Cape Town at Erf 202, Cape Town at Sea Point

Flats 1-12 and 15-18, Ark Royal, 18 Hall Road, Sea Point, Cape Town at Erf 630, Cape Town at Sea Point

Flats 2 and 3 Irwinien Road, Sea Point, Cape Town at Erf 427, Cape Town at Sea Point

Flat 1, Wisbeach Court, Wisbeach Road, Sea Point, Cape Town at Erf 1165, Cape Town at Sea Point

12A and 12B, Bertram Road, Sea Point East, Cape Town at Erf 525, Cape Town at Sea Point East

Flats 1 and 4, Irwinien Road, Sea Point, Cape Town at Erf 427, Cape Town at Sea Point

Flats 3, 5, 7-9 and 11, Whitehall Flats, 10 London Road, Sea Point, Cape Town at Erf 594, Cape Town at Sea Point

Savoy Flats 10, High Level Road, Sea Point, Cape Town at Erf 996, Cape Town at Sea Point

Savoy Flats 1-9 and 11-12, High Level Road, Sea Point, Cape Town at Erf 996, Cape Town at Sea Point

Flats 1-41, 43, 44 Graham Court, c/o Graham and Milton Roads, Sea Point, Cape Town at Erf 476, Cape Town at Sea Point

Flats 1-6, London House and 1-2 Cardew, London Road, Sea Point, Cape Town at Erf 564, Cape Town at Sea Point

Flats 1-12, 14-17, Palm Court, London Road, Sea Point, Cape Town at Erf 617, Cape Town at Sea Point

Flats 102, Terminus Building, 102 Regent Road, Sea Point, Cape Town at Erf 78, Cape Town at Sea Point

Flats 1-2, Dunoon Building, 12 Solomon Road, Sea Point, Cape Town at Erf 79, Cape Town at Sea Point

Flats 2-11, Thelma Court, 24 Regent Road, Sea Point, Cape Town at Erf 322, Cape Town at Sea Point

Flats 1-8, 10-15, Victory Court, c/o Graham and Oliver Roads, Sea Point, Cape Town at Erf 511, Cape Town at Sea Point

Flats 12, 14-14A, Graham Road, Sea Point, Cape Town at Erf 1017, Cape Town at Sea Point

Flats 5-6, Fairmont Court, Solomon Road, Sea Point, Cape Town at Erf 72, Cape Town at Sea Point

Flats 1-5, 7, 9, 10, 12, 15-21, Marais Mansions, Marais Road, Sea Point, Cape Town at Erf 1151, Cape Town at Sea Point

1-7 Charnwood, c/o Lincoln and Oliver Roads, Sea Point, Cape Town at Erf 551, Cape Town at Sea Point

A-R Achilles Park, 8 Cassel Road, Sea Point, Cape Town at Erf 175, Cape Town at Sea Point

Flats 1-7, Queensbury Court, Solomons Road, Sea Point, Cape Town at Erf 67, Cape Town at Sea Point

Flats 1-11, 12, 14, 17, 24 and 25, Gloucester Court, Beach Road, Sea Point, Cape Town at Erf 806, Cape Town at Sea Point

Flats 1-12, La Plaza Flats, London Road, Sea Point, Cape Town at Erf 595, Cape Town at Sea Point

Flats 1-12, 14-19, Ark Royal Flats, Hall Road, Sea Point, Cape Town at Erf 630, Cape Town at Sea Point

Flats 1-8, St Paola Flats, Worcester Road, Sea Point, Cape Town at Erf 456, Cape Town at Sea Point

Section 2, Section 4, Tobo Lodge, 16 Oliver Road, Sea Point West, Cape Town at Erf 530, Cape Town at Sea Point West

Flats 1-9, Audubon, c/o Kloof and Church Roads, Sea Point, Cape Town at Erf 351, Cape Town at Sea Point



THURSDAY, 6 APRIL 1989

## The MINISTER OF LAW AND ORDER:

- (1) (a) I refer the honourable member to my reply to written question number 86 of 1988 (Hansard col 253)
- (b) 2 persons
- (2) No
- (a) to (c) Fall away.

## Detainees: death in detention

74. Mrs H SUZMAN asked the Minister of Law and Order:

Whether any persons died in 1988 while being detained in terms of the security laws of the Republic; if so, (a) how many, (b) what were their names, (c) (i) on what date and (ii) in terms of what statutory provisions was each detained, (d) on what date did each of them die and (e) what was the cause of death in each case?

## The MINISTER OF LAW AND ORDER:

B176E

- Yes
- (a) one person
- (b) ALFRED MAKALENG
- (c) (i) 12 June 1988
- (ii) in terms of the Security Emergency Regulations, 1988
- (d) 26 August 1988
- (e) Natural causes — increased intra-cranial pressure as a result of intra-cerebral obstruction of cerebro-spinal fluid circulation caused by hydatid cyst phases of the pig tape-worm.

83. Mr J B de R VAN GEND asked the Minister of Communications:

- (1) What are the geographical boundaries of each exchange area in the Greater Cape Town area;
- (2) how many telephones are there in business premises in each such exchange area;
- (3) what was the waiting list for business telephone services in each such area as at 31 December 1988;

HOUSE OF ASSEMBLY

Hansard

(4) how many business telephone services were installed in each such area in 1988? B185E

## The MINISTER OF COMMUNICATIONS:

- (1) Descriptions of the geographical boundaries of each exchange area in the Greater Cape Town area entail much detail which is difficult to present meaningfully in written form. It would be more practical and informative to view the departmental maps depicting the relative information. Should the honourable member be interested, the necessary arrangements can be made;

	(2)	(3)	(4)
Altria	511	—	156
Ahtlone	2 690	20	2 535
Atlantis	472	3	907
Banhoeck	61	—	73
Barrack Street	7 818	3	4 606
Bellville	6 324	4	3 641
Bergvliet	385	—	1 685
Bishop Lavis	2 401	1	2 761
Bloubaers	1 008	1	989
Bloubaersstrand	395	—	832
Bonteheuwel	83	—	269
Bothasig	271	—	962
Brackenfell	452	1	2 124
Braevuew	963	6	2 058
Camps Bay	189	2	740
Clareinch	334	3	649
Cloetesville	3 882	—	1 133
Constantia	103	—	40
Courtrai	698	—	478
Crawford	348	—	333
Durbanville	485	2	161
Eastridge	949	—	1 815
Eerste River	98	—	2 212
Epping	193	1	985
Erica	3 394	7	1 537
Faure	145	—	838
Firgrove	147	—	94
Fish Hoek	133	—	140
Foreshore	577	—	796
Franschoek	13 705	3	5 381
Goodwood	209	—	323
Gordon's Bay	2 327	1	2 325
Grassy Park	238	—	457
Groot-Drakenstein	403	3	2 413
Hanover Park	168	—	142
Hout Bay	450	2	831
Kenmere	556	—	432
	1 145	—	853

THURSDAY, 6 APRIL 1989

- (2) how many telephones are there in private homes in each such exchange area;
- (3) what was the waiting list for private telephone services in each such area as at 31 December 1988;
- (4) how many private telephone services were installed in each such area in 1988? B186E

## The MINISTER OF COMMUNICATIONS:

- (1) Descriptions of the geographical boundaries of each exchange area in the Greater Cape Town area entail much detail which is difficult to present meaningfully in written form. It would be more practical and informative to view the departmental maps depicting the relative information. Should the honourable member be interested, the necessary arrangements can be made;

	(2)	(3)	(4)
Altria	4	—	156
Ahtlone	20 008	2 616	2 535
Atlantis	3 031	100	907
Banhoeck	500	—	73
Barrack Street	5 345	1	4 606
Bellville	6 238	—	3 641
Bergvliet	5 390	5	1 685
Bishop Lavis	15 201	25	2 761
Bloubaers	4 856	—	989
Bloubaersstrand	1 446	89	832
Bonteheuwel	773	3	269
Bothasig	4 863	59	962
Brackenfell	7 652	79	2 124
Braevuew	4 917	56	2 058
Camps Bay	2 016	18	740
Clareinch	2 603	12	649
Cloetesville	9 139	—	1 133
Constantia	1 276	—	40
Courtrai	3 089	—	478
Crawford	1 275	3	333
Durbanville	3 300	27	161
Eastridge	6 030	31	1 815
Eerste River	2 742	162	2 212
Epping	2 527	411	985
Erica	2 280	—	1 537
Faure	4 152	60	838
Firgrove	148	—	94
Fish Hoek	3 150	—	796
Foreshore	530	—	140
Franschoek	379	7	5 381
Goodwood	655	—	323
	7 419	1	2 325

84. Mr J B de R VAN GEND asked the Minister of Communications:

- (1) What are the geographical boundaries of each exchange area in the Greater Cape Town area;



## Thusi tells of pains <sup>329</sup>

*Carl Tivik 6/4/89*  
DURBAN. — Mr Sandile Thusi, former hunger striker and emergency detainee, who was released from detention from St Aidan's Hospital here on Monday, after fasting for 38 days, may have to return to hospital.

Mr Thusi's lawyer, Ms Daya Pillay, said his recovery was being impaired by the fact that he had to report to the Umlazi police station twice a day.

"He is complaining of pains in his legs and if he does not get the necessary rest he may have to go back to hospital," said Ms Pillay, adding that his doctor had said he must rest for the next 72 hours.



# Court told of 'noisy' interrogation

Cape Times 6/4/89 329  
Court Reporter

ABOUT 20 Port Elizabeth policemen banged on the walls and made "horrendous noises" while a woman, alleged to have harboured a terrorist, was interrogated, Cape Town Regional Court heard yesterday.

Ms Sindiswa Beauty

Dlawu, 27, of KwaZulu, PE, was giving evidence in a trial in which she, Mrs Ethel Thenjiwe Loza, 44, Ms Maureen Mandisa Loza, 19, both of Guguletu, and Mr Xolile Mini, 30, of Khayelitsha, pleaded not guilty to harbouring suspected guerilla Mr Nkululeko

"Solly" Mutsi.

Ms Dlawu said she was forced to make a statement saying that she knew Mr Mutsi was a "terrorist".

The hearing continues tomorrow.

Mr M J Langenhoven was the magistrate. Mr F Silbert prosecuted. Mr M A Albertus instructed by Mr B T Ngcuka of N J Yekiso and Associates appeared for the four.



**Mellet: Fewer  
than 170 still  
in detention**

*Charles Fong 6/16/89*  
(329)  
Political Staff

MORE THAN 730 detainees have been released since February 14, Law and Order spokesman Brigadier Leon Mellet said yesterday. That leaves fewer than 170 still in detention.

Brigadier Mellet said no detainees were currently on a hunger strike, and that only four were at present in hospital.

Minister of Law and Order Mr. Adriaan Vlok tabled the names of another 12 detainees in Parliament yesterday who had been held for 30 days or more.

Mr. Vlok said yesterday that one detainee, Mr. Alfred Makaleng, had died in prison last year.



## Banished two win

TWO Upington residents, whose restriction orders on their release from detention meant their effective banishment, can now return home.

Former detainees Daniel Tom, 20, and Simon Mnyaka, 22, brought a supreme court action to have the orders overturned on grounds that they were *ultra vires*.

In terms of a settlement reached, the minister of law and order authorised the divisional commander of the security police in Kimberley to withdraw the conditions he imposed when releasing them.

The pairs' restriction orders, imposed in February, barred them from being in the Upington magisterial district and from taking part in any activities of the Upington Youth Organisation.

329

Wm/ML  
2-13/4/89



# Another detainee seeks refuge

329  
Soweto 7/14/89

A FORMER hunger striker at Diepkloof Prison fled to the British Consulate-General in central Johannesburg on Wednesday for refuge but left with the assurance from Law and Order Minister Mr Adriaan Vlok he would not be rearrested.

Mr Tebogo Mngomezulu, a Soweto Youth Congress member who has been detained since August last year, was being treated at the Johannesburg Hospital after being on hunger strike.

In a statement, a spokesman for the British Embassy in Cape Town said Mr Mngomezulu entered the Press room at the Consulate in Johannesburg early on Wednesday morning.

The Embassy had obtained an assurance from Mr Vlok he would not be rearrested. Mr Mngomezulu left the Embassy at 3pm and was taken to his lawyer, the spokesman said.

against Soul Brothers  
may be furnished.  
Mr Nkosi is suing the  
musical group for the  
money they owe him.

was  
surt, on



HUMAN RIGHTS COMMISSION

## Detention used to kill opposition

Detention without trial is a practice which ranks high on the list of universally condemned human rights violations. In the South African context, it is viewed as doubly indefensible on account of its role as one of the main props in the defence of the apartheid system against its opponents and detractors.

Since its first use during the 1960 state of emergency, detention without trial has served to isolate, intimidate and destroy the leadership of political activism against apartheid domination and in the past four years it has been employed on a mass scale to do the same to whole communities and rank-and-file membership of popular organisations dedicated to the demise of apartheid.

This arbitrary loss of liberty, independent of the jurisdiction of any court of law, has been experienced by an estimated 75 000 people over the years, in the name of the security of the State. This huge number is surely indicative, not simply of a handful of dissidents, but of mass opposition to an unjust and untenable system.

However, among the white public at large there has been a growing insensitivity to the issue of detention without trial which has even developed into a passive acceptance of its "necessity".

### Severely jolted

But this complacency was severely jolted recently by the forgotten victims of emergency detention taking their lives into their own hands and declaring to the world that they were prepared to starve themselves to death rather than accept indefinite internment.

As a result of their courageous action, there is now a greater awareness than at any time since 1960 of the evil meaning and moral unacceptability of detention without trial.

At the height of the detainees' hunger strike, when the authorities were beginning seriously to ponder on the catastrophic consequences in the event of detainees starting to die, there was considerable speculation as to the manner in which the State would react.

Some felt that the situation had the potential of securing the release of every detainee, perhaps the lifting of the state of emergency, and perhaps even the abandonment of detention without trial.

The release of all detainees still seems (at the time of writing) an achievable goal since the hunger strike continues in some jails and is only suspended in others.

In the meantime, by means of heavy restrictions, the status of detainees is being converted from incarceration within prison walls to incarceration within a web of prohibitions involving almost as much loss of freedom, and at no expense to the State.

This device is as old as detention without trial itself, but it is now being advanced to a pitch of perfection that must gladden the hearts of the Government's securocrat engineers.

HUMAN RIGHTS COMMISSION

LSR



## Student gets Vlok assurance

By Kaizer Nyatumba 329

A student who went on a hunger strike in protest at his continued detention escaped from hospital, sought refuge at the British Consulate in Johannesburg, and left a free man a few hours later.

Mr Tebogo Mngomezulu (25), a second-year BA student at the time of his detention in August 1988, escaped on Saturday from Johannesburg Hospital where he was receiving treatment after being on a hunger strike. He presented himself at the British Consulate on Wednesday.

### ENTERED PRESS ROOM

A spokesman for the British Embassy in Cape Town said Mr Mngomezulu entered the press room of the consulate in Johannesburg early on Wednesday morning. He left at 3 pm after the embassy had obtained an assurance from Minister of Law and Order Mr Adriaan Vlok that he would not be redetained.

Mr Mngomezulu's lawyer, Miss Kathleen Satchwell, later confirmed that Mr Vlok had given an assurance that her client would not be rearrested. No possible restrictions against him were mentioned by Mr Vlok.

The lawyer's office yesterday said Mr Mngomezulu was a member of Wits' Black Students Society. It was not known when he would resume studies. He was expected to continue undergoing medical treatment.

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N45

11 7 1989

Figures after new escape

# 750 detainees released, 150 still held

329  
12/11/89

By Bruce Cameron,  
Political Staff

CAPE TOWN — Almost 750 state of emergency detainees have now been released by Minister of Law and Order, Mr Adrian Vlok, leaving about 150 in detention.

And the Minister acted rapidly on Wednesday to defuse another possible international incident when an escaped detainee, Mr Tebogo Mngomezulu, took refuge in the British Consulate in Johannesburg.

British Ambassador Sir Robin Renwick took immediate action securing a release order from Mr Vlok's office and Mr Mngomezulu was taken to his lawyer within hours.

Following the latest escape of a detainee from hospital, police sources said that firm instructions had been given to tighten up on measures taken to prevent the escape of detainees.

The measures would include policemen shackling themselves to detainees if necessary.

Brigadier Leon Mellet, spokesman for the Ministry of

Law and Order, confirmed yesterday that about 750 detainees had been released leaving about another 150 in detention.

"There are now no detainees on hunger strike and there are four detainees who were on hunger strike still being treated in hospital."

He rejected claims made by the Dr Alan Boesak in Cape Town that only 300 people had been released.

## Detainee died

"Dr Boesak knows what the position is and he can come and check the facts with us."

In reply to a written question asked in Parliament by Mrs Helen Suzman (PFP, Houghton), Mr Vlok said one person had died in detention last year.

The person, Alfred Makaleng, had died in June of natural causes, namely "increased intra-cranial pressure as a result of intra-cerebral obstruction of cerebro-spinal fluid circulation caused by hydatid phases of the pig tapeworm".



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usmk  
2-13/4/89

THERE are still approximately 35 detainees on hunger strike in five prisons around the country, according to monitoring groups.

These groups also hasten to point out that it is very difficult for them to obtain exact statistics.

It is estimated Krugersdorp Prison has 15 hunger strikers, 10 remain in Westville Prison, five hold on to their death fast in Modderbee Prison near Johannesburg, while Pretoria Central Prison and Johannesburg Prison (Diepkloof) each have two fasters.

The government announced this week that detainees on hunger strike would be moved to Pelenoni Hospital in Bloemfontein as this hospital is allegedly better equipped to deal with detainees' health needs.

Three detainees, David Duitwile, a student from Soweto, Steward Madi, a teacher from Soweto and Zwelani Goniwe, a Durban activist, are known to have already been moved to Bloemfontein.

The Ministry of Law and Order said that police would also be able to keep a firmer grip on the detainees in Bloemfontein and this was hoped by the Ministry of Law and Order would stop the seemingly endless run of escapes from detention.

The Minister of Law and Order is standing by his decision not to release detainees who are on hunger strike. He only considers releasing these detainees when they abandon or suspend their fasts.

The Ministry of Law and Order has said that to date 700 detainees have been released, leaving approximately 200 in custody.

About 302 have been released unconditionally.

## About 35 detainees still on hunger strike

By THANDEKA GOUBULE

Meanwhile, the Reverend Frank Chikane and other prominent church leaders were this week visiting detainees in Port Elizabeth, Durban and Pietermaritzburg.

According to Sakkie Macozoma, director of communications for the SA Council of Churches, "We are committed in the short term to have the prisons empty. Then we will address the problem of restriction orders."

"There is growing discontent with restriction orders issued in terms of Emergency regulations," he said.

Last week the six anti-apartheid activists who sought refuge in the British Embassy pledged to defy their restriction orders.

In other developments this week:

● **CARMEL RICKARD** reports that Durban activist Simon Ntombela, who briefly sought refuge in the Johannesburg American consulate general last week, is taking legal action over his detention by police just two days after assurances that he would not be re-detained.

Ntombela escaped from the Durban hospital and flew to Johannesburg where he was granted temporary refuge in the consulate.

After his lawyers received assurances from the minister of law and order that he would not be re-detained, Ntombela flew back to Dur-

ban last Friday night.

On Sunday morning he was picked up by police in kwaMashu, allegedly at gunpoint, and taken to the local police station. A friend who witnessed the incident alerted lawyers and family, but the lawyers claim police denied for some time that he was on the premises.

Later police acknowledged he was there, saying he was being held in connection with vehicle theft. This explanation was repeated later by an official of the ministry of law and order.

However, some hours later this statement was retracted; the official said a kwaMashu security policeman had detained Ntombela in connection with his escape from detention and that Ntombela had been released immediately this was discovered.

● Former detainee Sandile Thusi, who went on a 38-day hunger strike which brought him close to death, was this week officially notified of his release — but he is still far from free.

His lawyers said restrictions served on Thusi after his formal release were the most severe they have yet seen.

They combine banishment to Umlazi with partial house arrest. He is also barred from being on the premises of any educational institution, or being with more than four people at a time.

Together, these restrictions mean an end to his job as researcher at the University of Natal, Durban. Since he is unable to leave Umlazi, alternative employment will also be difficult to find.

When he was released, the police gave him a letter in which they absolved themselves from any further medical costs resulting from his stay in hospital. Thusi had to leave hospital immediately as he could not afford to stay on.

His lawyer said Thusi would probably need further medical consultations but each would involve special permission to leave Umlazi.

She said Thusi, a devout Lutheran, was also concerned that he would no longer be able to attend church services in view of the restriction on being with more than four other people at a time.

● **GAVE DAVIS** reports that Western Cape church leaders this week accused Vlok of breaking his word over the release of detainees and declared a moratorium on further talks with him.

Dr Allan Boesak said while the minister claimed 580 detainees had been released, lawyers and human rights organisations put the figure at 300.

Most of those released had been put under restrictions so severe their homes had become prisons, Boesak said. He urged Vlok to scrap restriction orders and release detainees unconditionally.

He was speaking shortly before he and other clergymen staged a half-hour demonstration on the steps of St George's Cathedral on Wednesday, bearing placards saying "Release all detainees now".

# Escaped detainee says he's a nervous wreck

PAT DEVEREAUX

FORMER Black Students Society member, Mr. Tebogo Mngomezulu — the 11th emergency detainee to escape from hospital — is suffering from psychological repercussions after nine months in detention.

A free man now, the 25-year-old student leader interviewed yesterday said: "I am a nervous wreck and will be going to see a psychotherapist."

Detained on August 12 last year, Mr Mngomezulu said that after being in hospital for a month and 18 days — as a result of going on hunger strike — he had believed the Minister of Law and Order, Mr Adriaan Vlok, did not intend to release him.

"A security police visit while I was in hospital was the last straw. I decided I had to take my freedom," said the young man.

"So last Saturday I just walked out of the Johannesburg Hospital after telling my guard I was going to fetch something."

On Wednesday he went to the British Consulate for refuge. "In five hours I managed to get the as-

MR TEBOGO MNGOMEZULU: Eleventh detainee to escape.

surance that I would not be restricted or rearrested. This was something my lawyers had been unable to achieve in months of negotiations with the Government.

"It just shows that a bit of international pressure can do," said Mr Mngomezulu.

Detainee monitoring groups around the country estimate that there are approximately 35 detainees still on hunger strike.

In the wake of a number of escapes, the Government this week announced that hunger striking detainees would be moved to Pelenoni Hospital in Bloemfontein.

Three detainees have apparently already been moved there.





# Democrats meeting to go ahead

Mr. T. S. 8/4/89 329

Staff Reporter

DRAMATIC out-of-court manoeuvring between Cape Democrats, police and their lawyers yesterday has led to a fair certainty that a public meeting on the hunger strike will go ahead unhindered in the City Hall on Monday evening.

Police have assured Cape Democrats, who are organising the 8am meeting, that there is no reason at present to ban it.

One of the speakers at the meeting will be hunger striker and hospital escapee Mr Ephraim Nkoe, who was on the national executive of the South African Youth Congress until it was banned.

Mr Murphy Morobe, who was acting publicity secretary for the UDF, will also speak, along with MP Mr Jan van Eck, Ms Debra Marsden of Cape Democrats, and Mr Charles Villa-Vicencio of UCT religious studies department.

Ms Sue Philcox, an executive member of Cape Democrats, regards what the police said as "an undertaking" from them, and a victory for her organisation.

"As far as we are aware it is the first time that police have given this kind of undertaking before a meeting," she said.

However Brigadier Frans Loots, the acting Western Cape divisional commissioner of police (in the absence of Brigadier Roy During), had a slightly different interpretation of events.

"We did not give an undertaking," he said. "We said there was no reason at this moment to ban it. Nothing prevents us from banning it at a later stage, if circumstances change," he said.

Ms Philcox said she and her attorneys had written a letter to Brigadier During advising him of the meeting and asking him to tell Cape Democrats by 10am yesterday whether he intended to ban it or not.

"We said if we don't hear from him by 10am we are going to infer on the basis of past experience that he regards the meeting as unlawful but is going to prohibit it at a stage so late that we won't be able to go to court."

Brigadier Roy During was criticized in January by a judge who said the procedure he had followed with regard to the last-minute banning of a previous City Hall meeting had been "quite simply an essay in cynicism".

Canem 9/4/89

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# Death row men freed on appeal

CP Correspondent

LUNGILE Bacela will never be able to taste the freedom the Appeal Court has given him – he committed suicide in jail, seven months before his conviction and sentence were set aside.

Bacela was one of 10 Stutterheim residents whose convictions and sentences were set aside by the Appeal Court in Bloemfontein at the end of last week.

The men were convicted in September 1987 after being found guilty on three counts of murder and one of arson.

Convicting them, Judge AP Beckly used the common purpose principal which was also applied in convicting the Sharpeville Six.

He sentenced Bacela, who was 16 years old at the time of the crime, to 14 years' imprisonment, while three of the other accused received triple death sentences for the alleged necklace murder of three women who had been accused of being witches and having caused the death of a comrade.

After spending nearly a year in jail, Bacela apparently wrote a letter to his parents in which he told them he was depressed and complained about alleged ill-treatment.

He was later found dead in his prison cell and his parents were told that he had hanged himself in the Kirkwood Prison on September 4, 1988.

Bacela's attorney said a post mortem had been conducted without family representation. They then instructed a Port Elizabeth-based pathologist to conduct a second post mortem.

Even though this was carried out in September last year, the attorney has not yet received a report.

The pathologist who conducted the post mortem said he was unable to explain why the attorney had not yet received the report.

Bacela's attorney said he was not sure whether the family were considering taking further steps since it had been established that Bacela had been wrongfully imprisoned.

At the end of last week the Appeal Court set aside the convictions of all 10 men after finding that they had been wrongfully convicted.

## But order came too late for Bacela

Judge Vivier of the Appeal Court said there were obvious flaws in the trial court's findings.

He said he was of the view that the State's evidence identifying the individual appellants as members of the mob present at the scene where the crimes were committed was so thoroughly unreliable that it should have been rejected by the trial court.

The trial court had also erred in its approach to the evidence of the appellants.

To adopt a global view of the totality of the defence cases in order to reject the evidence of an individual accused was not permissible and constituted a serious misdirection, Judge Vivier said.

The three men who were freed after spending 18 months on death row in Pretoria are Mxolisi Malgas, Michael Mambukwe and Lulamile Maneli.

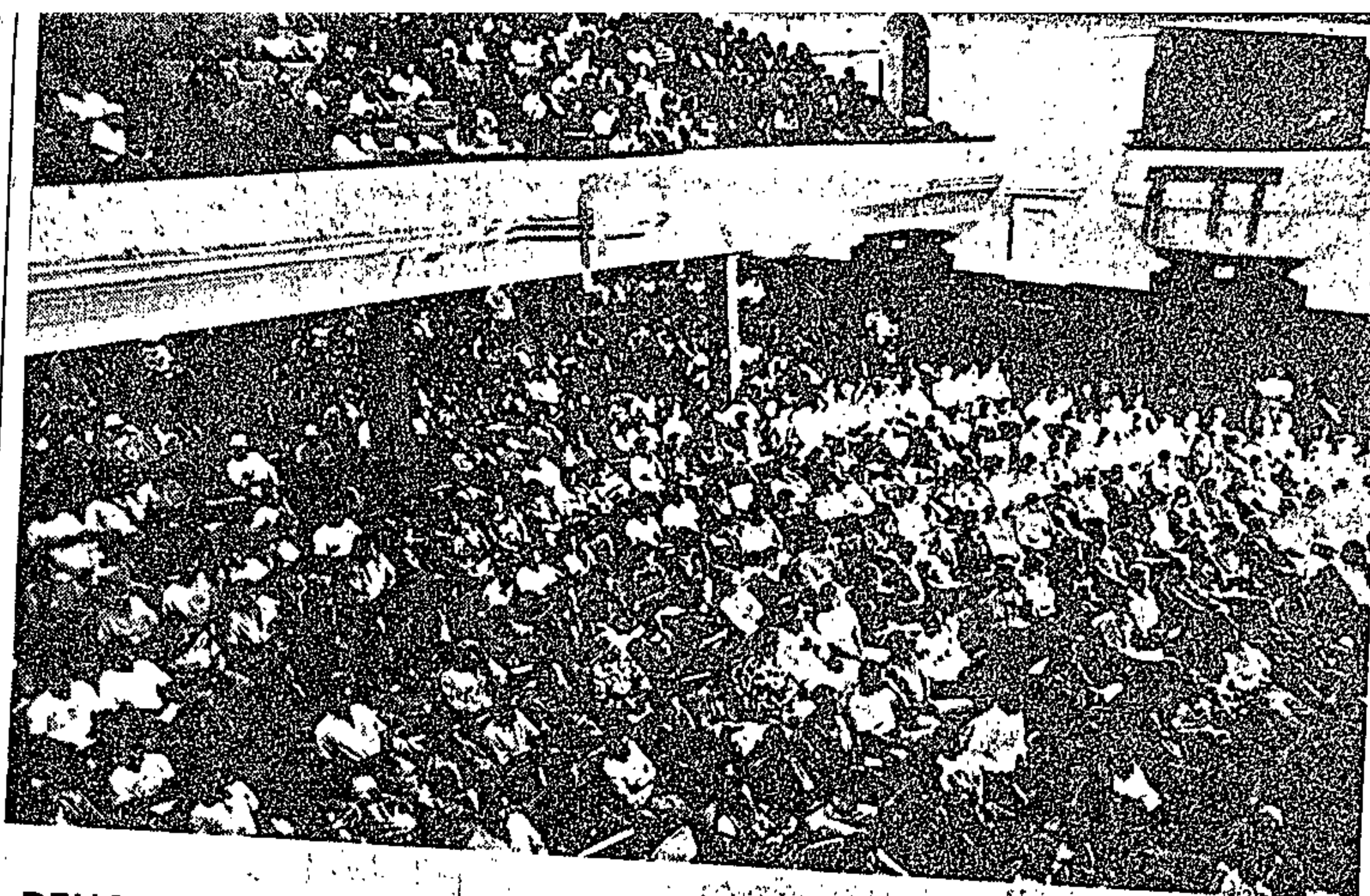
The Grahamstown branch of the Society for the Abolition of the Death Penalty in South Africa welcomed the setting aside of the death sentences.

However, the society pointed out that in the last seven months six Eastern Cape men had had their convictions and death sentences set aside on appeal.

The society said in a statement that this was "damning evidence that judges can and do err".

The statement added that this was "possibly the most powerful reason for not entrusting the judiciary with the right to take human life". – Ana





**DEMOCRATIC CROWD:** About 1 500 people attended the Cape Democrats meeting at the City Hall last night. Pictures: HANNES THIART, The Argus.

# Hunger strikes an effective weapon, Cape Democrats told

By BRONWYN DAVIDS  
Staff Reporter

THE recent hunger strike by political detainees dealt the system of detention without trial a severe blow, Claremont independent MP Mr Jan van Eck told nearly 1 500 people at a Cape Democrats meeting in the Cape Town City Hall.

"A few years ago, I thought that torture and interrogation of prisoners only happened in Russia. But it happens at police stations in our own nice white suburbs," he said last night.

He exhorted the newly formed Democratic Party to "break down the barriers between blacks and whites".

The main issue was no longer apartheid but power and the only way to remove the government was to mobilise white democratic parties left of government in working towards a united South Africa.

The Democratic Party should align itself with the majority of South Africa and the freedom struggle.

## FREEDOM CHARTER

"They should encourage the white electorate to come to terms with the Freedom Charter and any new manifestoes drawn up by the African National Congress. The Democratic Party will achieve very little if they build up links with non-democratic organisations such as Inkatha."

Of the hunger strike, Mr van Eck said it was sad so many lives had to be laid on the line



**APPLAUSE:** Former detainee Mr Ephraim Mkoe and Mr Jan van Eck, MP for Claremont, applaud a speaker during the meeting.

before people were released. The restrictions the government was using instead still destroyed lives as it removed people from the community.

Mr Ephraim Mkoe, a hunger striker who escaped from Hillbrow Hospital to seek asylum in the West German Embassy and was later released, was greeted with a standing ovation.

He said he had been in detention since July last year.

He and fellow detainees had petitioned Minister of Law and Order Mr Adriaan Vlok for

their release without success.

As a last resort, a group of 20 prisoners at Johannesburg Hospital began a hunger strike on January 23.

## HEALTH DAMAGE

"We could either submit to detention without trial or fight for truth. We choose to fight, knowing we could die or suffer irreversible health damage."

Miss Debra Marsden, who is on the executive of the Cape Democrats, said: "Hunger strikes have become the weapon of the weaponless."



Former detainees defy restriction orders

# Rearrest looms for six

D/Dec 11/4/89

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RESTRICTED former hunger-strike detainees who stayed at the British Embassy for 27 hours last month could face rearrest for contraventions of their restriction orders, police said in Pretoria yesterday.

The spokesman said, however, it was not SAP policy to divulge what their plans were on such cases.

## Statement

The former detainees, Donsie Khumalo, Sandy Lebesse, Grace Dube, Selebogo Mabena, Mike Se-loane and Ignatius Jacobs last month went on a campaign, defying the government by contravening the restrictions imposed on them in terms of the emergency regulations.

Asked for comment, a spokesman for the Law and Order Minis-

SIPHO NGCOBO

try, Lt Peet Bothma, referred Business Day to a statement made by Minister Adriaan Vlok last month assuring the six former detainees they would not be arrested if they left the embassy.

Lt Bothma could not be drawn into disputing the Police Directorate spokesman's statement that the six face possible arrest for breaking their restriction orders.

Lawyer Peter Harris, who represents former hunger-striker and senior Cosatu official Donsie Khumalo said police had been calling at Khumalo's place looking for him. He declined to comment further, saying he was adopting a wait-and-see attitude. He said he did not know where Khumalo was.

A source close to the former detainees, who took refuge at the British Embassy, said police had also been to the homes of some of

the other five former detainees.

The defiance campaign started on March 30, the same day the six left the British Embassy after an unsuccessful sit-in on the embassy's front porch.

## Restriction

The six, who were demanding the lifting of their restriction orders and the release of all political detainees, were told by the British that they were not welcome and were refused permission to go beyond the embassy reception foyer.

In a continued fight to have their restriction orders lifted, the six did not report at the nearest police stations as their restriction orders require.

Some of the detainees who, in terms of their restrictions are under house arrest between 6am and 6pm, left their homes that evening.



# Journalist held after Durban bombings

W 12/1/89  
Pretoria Correspondent

The Minister of Law and Order, Mr. Adriaan Vlok, yesterday announced that the news editor of *Natal Post* had been arrested in connection with several bomb blasts in Durban.

A Ministry of Law and Order spokesman said Mr. Mohammed Rohan had been arrested shortly after the explosion at the C.R. Swart police headquarters at the weekend.

Mr. Rohan (35), is allegedly linked to four explosions since January 25.

Mr. Vlok described him as "a trained terrorist" who had been recruited during "a safari of journalists and clergy to Lusaka". Police said he had been recruited in October 1988 on a trip to Lusaka with a delegation of the Natal and Transvaal Indian Congresses.

Mr. Vlok said weapons and a car bomb had been found during his arrest.

Mr. Rohan "had to commit acts of terror in return for information from the so-called inner circle which he could then use in his newspaper to improve the image of the terrorists and to enhance his own career", said Mr. Vlok.

Mr. Rohan broke a leg during his arrest and is being treated in Addington Hospital.

# Four hours of freedom

IN the most severe restrictions ever imposed in terms of the state of emergency, four activists have been confined to their homes for 20 hours.

And in their daily four hours of "freedom", they are also required to report twice — between 10am and 11am and 12 noon and 1pm — to a police

station during the four hours they are allowed to leave their homes.

Pillay Mdatyulwa and Vuyisile Malangeni, detained since June 1986 were served with the restrictions, described as "ridiculous" by their lawyer, on their release.

Mdatyulwa's restrictions prevent him from resuming his work at the Queenstown post office. He is also barred from taking part in the activi-

ties of 12 community organisations, some of which were not in existence at the time of his detention.

Malangeni has been barred from taking part in the activities of the Queenstown Youth Congress.

Their lawyer, Hintsa Siwisa, said his firm was investigating the possibility of challenging the restrictions in court.

Similar harsh restriction orders have been slapped on Octavius Magunda and Sam Semetse of Tembisa on the East Rand.

Seventeen other detainees released in the Border area recently have all been served with restrictions.

Among those are a fieldworker of the Border Council of Churches, Alfred Motele, and East London youth activist, Gerald Hawkes.

SOUTH's Durban correspondent reports that Zolani Goniwe and Khumbulani Msomi, the two Durban hunger strikers sent to Bloemfontein after a rash of escapes, were released last Thursday with heavy restrictions signed by Law and Order Minister Adriaan Vlok.

Goniwe joins former detainee Skhonzi Gazu, 22, released and restricted two days earlier, in house arrest in Lamontville.

## Vigilantes

Gazu was detained in mid-January at a flood disaster committee meeting and is now under an 18-hour house arrest.

Msomi has been restricted to KwaNdengezi outside Pinetown, where the activities of vigilantes have given rise to fears for his life.

Msomi's lawyer, Linda Zama, slammed the vagueness of regulations which, for example, bar him from "discussing some or other matter" with other people.

Msomi, Goniwe and Gazu are joined by two St. Wendolins detainees, Phambili High School scholar Arthur Gumede, 19, and University of Natal BA student, Sibusiso Kwela, whose restrictions end their studies.

Only one detainee so far has been released without restrictions in Durban.

Christian Gcabashe, 20, of Kwa-Mashu, was on hunger strike for 19 days after being detained on August 26 1989.

The Detainee Co-ordinating Committee said at a Durban press conference that Natal could have 150 restricted detainees, which the number reaching up to 800 countrywide.

Meanwhile, the burglary of the Durban offices of the National Medical and Dental Council (Namda) this week is the latest incident in an apparent series of burglaries linked to information about hunger strike detainees.



# Man resumes hunger strike

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A detainee yesterday announced that he had resumed his hunger strike because police had not honoured an undertaking to charge him.

A spokesman for the Minister of Law and Order said that Mr Charlie Malunga was not being held in terms of any emergency legislation.

He is being held in terms of Section 29 of the Internal Security Act.

"We do not comment on, and in fact we are not permitted to release information on, people detained in terms of the Internal Security Act", the spokesman said.

In a statement, Mr Malunga, who is still in the Johannesburg General

Star 12/4/69  
Hospital after being admitted during his first hunger strike, said he was doing this because police had not honoured an undertaking to charge him by March 31.

He had decided to suspend his hunger strike, after being on it for 29 days, to facilitate his charging and subsequent appearance in court.

Sowetan 12/4/89

## Malunga resumes hunger strike

A SECURITY detainee who was on a hunger strike for 29 days, Mr Charles Malunga, yesterday resumed his strike two weeks after police allegedly promised him he would be appearing in court.

Mr Malunga was detained on November 7 last year, following police investigations on the Witbank bomb blast.

A statement read on Mr Malunga's behalf yesterday, said that he was informed by security police on March 23 that he would appear in court soon.

"I then suspended my hunger strike action to facilitate my charging and subsequent appearance in court. Two weeks later I have not been charged and my detention without trial continues," the statement read.



# Govt to expel E Rand detainee

A DAVEYTON man who has worked and lived in South Africa for more than 25 years, and has a pregnant wife and four children — all under 11 years — is to be deported to Mozambique today.

He is Mr Frans Manisi (45), who was actively involved in the struggle for the housing of about 50 squatter families at Erwatwa East in Daveyton. He was reportedly picked up by security police on March 30, after a local councillor complained about his activities.

A police officer at the Benoni security branch referred inquiries on Mr

## SOWETAN REPORTER

Manisi to the Department of Home Affairs.

An immigration officer at the department confirmed that they will be deporting Mr Manisi today at 9am. He said Mr Manisi's case had been referred to Pretoria for investigation and fingerprints proved he was not a South African citizen. The officer said his department departs about 60 to 80 aliens a month.

A shocked Mrs

Johanna Manisi (44), appealed to the Daveyton Advice Centre to

help extend her husband's stay. She also requested in vain that her husband be granted a temporary permit to wind up his businesses.

A spokesman for the advice centre said the family had been refused visits to Mr Manisi until last week. When the wife visited him yesterday she was told her husband will be deported today. She has been asked to bring the children to see their father off for the last time at 8,30am.

The advice centre spokesman said the staff at the centre and the family believed that Mr Manisi was being victimised for demanding decent housing for his and other families.

A distressed Mrs Manisi said her husband has worked in the country for more than 25 years.

between 1900 and 1900, were considered for the award. Sapa.

## Assurances for detainees

SIPHO NGCOBO and RIAAN SMIT

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POLICE again gave assurances yesterday they would not arrest six former detainees for breaking their restriction orders when they sought refuge last month in the British Embassy against those orders. *By 12/4/89*

A British Embassy spokesman in Cape Town said: "Today we got another assurance from the Ministry of Law and Order that the six will not be arrested or charged for any matter relating to the time they spent at the British Embassy."

But the police declined to say whether the six would be arrested for defying restriction orders since leaving the embassy in Pretoria on March 30.

A spokesman for Donsie Khumalo, Sandy Lebese, Grace Dube, Selebogo Mabena, Mike Seloane and Ignatius Jacobs said they would continue breaking their restrictions until government backed down.

Asked about possible redetention in terms of the emergency regulations, the spokesman said they would go on a hunger strike again if they were detained.



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## Politicos get killings plea

*By 12/4/89*  
LEBOWA's Chief Minister Nelson Ramodike has warned candidates in today's election of the territory's 5th Legislative Assembly not to murder each other, as this reflected badly on the image of the state.

During a radio panel show, Ramodike also called on all rural and urban citizens to participate in the poll.

He warned candidates to "refrain from murdering each other during campaigns as this damages the image of the state".

He referred to a shooting incident in which a candidate narrowly escaped death. — Sapa.



## Assurances for detainees

SIPHO NGCOBO and RIAAN SMIT

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Union leaders detained

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JOHANNESBURG. — Three officials of the Building Construction and Allied Workers' Union have been detained by the police.



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## 2 detainees on hunger strike

By Jo-Anne Collinge

Two detainees are on hunger strike in the Johannesburg Hospital while a third patient has broken his fast after being charged with terrorism.

Mr Charles Malunga who fasted earlier this year for 29 days, resumed his hunger strike yesterday because he believes the authorities have not fulfilled an undertaking to charge him before the end of March, said a Human Rights Commission source.

The Vosloorus teacher was detained in November under

section 29 of the Internal Security Act.

Another detainee reportedly on hunger strike in the Johannesburg Hospital, Mr Veli Zwane, is understood to have refused food for the last 20 days.

He is also believed to be held in terms of section 29.

Mr Simon Aubrey Modise (34), also known as Tsepo Morepedi, broke his fast yesterday, on his 19th day without food, his attorney's office said. He appeared in the Johannesburg Regional Court but was not asked to plead to a terrorism charge. The case was postponed to May 8.





ON TRIAL: Veliswa Mhlawuli

### UWC's Clinton Bronn studies in jail

THE University of the Western Cape has called for the release of student Clinton Bronn, the last emergency detainee still in the Western Cape.

The 22-year-old student, continuing his studies in Worcester prison, has been held for more than 115 days.

According to the Repression Monitoring Group (RMG), he has been held in solitary confinement for the duration of his detention.

Detainees in the Western Cape being held under Section 29 of the Internal

Security Act include Buyiswa Jack, Robert Maiti, Gcobani Xhegwana, Christopher Toise, Christina Tyulu, Robert Thwalo, Zamile Leonard Louw, Ngconde Belfour, Mdoda Daki, Vuyo Fetsha.

In the past month four detainees held under Section 29 have been released. They are Veliswa Mhlawuli, Roseberry Sonto, Nomaandia Mfeketho, and Sandile Mkonto.

The community newspaper Grass-

roots and New Era magazine have about one month left before the three-month restriction order in terms of the state of emergency expires.

They can resume publishing on May 17.

The publications were restricted by Stoffel Botha, Minister of Home Affairs, for allegedly publishing "subversive" articles aimed at promoting the esteem of banned organisations such as the ANC and South African Communist Party.

Two weeks ago, Grassroots journalist Veliswa Mhlawuli was released on bail of R2 500 after being held in solitary confinement under Section 29 for five months.

On March 9, Port Elizabeth journalist Brian Sokutu was placed under a heavy restriction order after more than 1 000 days in detention under the state of emergency.

#### RESTRICTED

The following is a list of at least 25 restricted persons in the Western and Southern Cape.

Noel Williams, Dorothy Zihlangu, Roseberry Sonto, Christmas Tinto, Willie Hofmeyr, Mountain Qumbela, Zolli Malindi, Joseph Marks, Joey Marks Jr, William Thomas, Trevor Manual, Mzonke Jacobs, Hilda Ndude, Ebrahim Rasool, Neville van der Rheede, Walter Mputeng, Wilson Sidina, Janet Small, Amy Thornton, Harold Harvey, Nokwanda Pokwana, Reggie Olifant, Derick Jackson, Mbulelo Grootboom, Tommy Mathee.

According to the latest Human Rights Commission fact paper on the banning and restrictions, at least 600 people throughout the country are presenting living under restriction orders in terms of the state of emergency.

The majority of them are detainees, who have been released in the wake of the hunger strike started early in January.



RESTRICTED: Neville van der Rheede

### Former reporter acquitted

A FORMER Saamstaan journalist has been acquitted of allegedly making a subversive statement at a church service in George at which Archbishop Desmond Tutu was the main speaker.

The court found the state had failed to prove that Mbulelo Grootboom, 30, made a subversive statement when he addressed the service at the St Paul's Anglican church in George on September 3 1987.

The magistrate said the remarks made by Grootboom at the service, held for four Bhonguletu residents on death row, were not illegal or subversive.

DESCRIBED as "the father of South African trade unionism", Oscar Mpetha is also the oldest political prisoner in the country.

President of the Cape African National Congress in 1958, Mpetha has been involved with the Food and Canning Workers' Union as general secretary since 1951 — the same year he joined the ANC.

A founder member of the South African Congress of Trade Unions (Sactu), Mpetha was born at Mt Fletcher, Transkei on August 1909.

After coming to Cape Town in the 1930s, Mpetha worked variously as a waiter, dock worker, road labourer, hospital attendant and factory worker for more than a decade, before becoming involved in the trade union movement while working in a fish factory at Laaiplek on the West Coast.

Banned for seven years in the 1950s under the Suppression of Communism Act and the Riotous Assemblies Act, Mpetha was detained for a short period during the first State of Emergency in 1960.

He rejoined the Food and Canning Workers' Union as national organiser

## Calls for release of SA's oldest political prisoner

in 1978.

A founder member of the Nyanga Resident's Association, Mpetha played a leading role in the fight to stop the removal of squatters from Crossroads and the 1980 bus boycott in Cape Town.

In August 1980 he was detained under the General Law Amendment Act. In March 1981 he appeared in the Supreme Court, Cape Town, with 18 others on two charges of murder

and several charges related to terrorism.

In 1983, after a marathon trial which was subject to many delays, he was found not guilty of murder but convicted on a charge of terrorism. He was sentenced to the mandatory five years' imprisonment and released on bail of one rand.

In 1983, before starting his sentence, Mpetha became one of the presidents of the United Democratic

## Sixty on trial in Western Cape

At least 32 political trials involving more than 60 people, are currently taking place in the Western Cape.

April 14: Q Simons and four others; for sentence. Contravening emergency regulations.

April 14: Neville van der Rheede; Wynberg magistrates court. Possession of prohibited material.

April 17: A 17-year-old youth; Parow magistrates court. Public violence.

April 18: Johnny Issel; Goodwood magistrates court. Furthering the aims of the ANC.

April 18: Tony Yengeni and 13 others; Supreme Court, Cape Town. Terrorism.

April 18: Allen Ndomenzi Mamba; Supreme Court, Cape Town. Terrorism and murder.

April 24: Don de la Harpe; Goodwood magistrates court. Furthering the aims of a banned organi-

sation.

April 24: Paul Joemat and a 16-year-old youth; Athlone magistrates court. Furthering the aims of a banned organisation.

April 24: Marjorie Lewis and Terence Lucas; Wynberg regional court. Furthering the aims of a banned organisation.

April 26: Vukile Handula; Cape Town magistrates court. Wearing a prohibited Swapo T-shirt.

April 27: Nomatyala Hangana; Athlone magistrates court. Possession of banned literature.

April 28: Five youths between the ages of 15 and 17; Hopefield magistrates court. Violating media regulations.

May 3: Hilton James, Ivan Avontuur; George magistrates court. Furthering the aims of the ANC.

May 3: Maxwell Moss, Manfred Van Rooyen, Johannes Strass and

Jerome Barend; Cape Town regional court. Public violence.

May 3: Veliswa Mhlawuli; Cape Town regional court. No charges as yet.

May 3: Veliswa Mhlawuli, Cape Town regional court. Out on bail of R250 00.

May 6 and 7: V Helkiso. For possession of ANC documents.

May 12: Michael Nthuping, and Thapelo Sedikelo; Cape Town magistrates court. Furthering the aims of a banned organisation.

May 15: Allie Parker; Cape Town magistrates court. Violating the media regulations.

May 19: Aubrey Mhlakaza, Zodwa Mthandeki, Bukelwa Jeremiah, Kholeka Khombela, Mvuleni Yengeni, Nowhi Yengeni and Shirley Yengeni, Cape Town magistrates court. For contravening the emergency regulations.

May 19: Ethel Loza, 44, Xolile Mini, 30, Maureen Loza, 19, Sindiswa Dlavu, 27, and Khungeke Mali, 30; Cape Town regional court. Harboursing a fugitive.

May 19: Aubrey Mhlakaza, Zodwa Mthandeki, Bukelwa Jeremiah, Kholeka Khombela, Mvuleni Yengeni, Nowhi Yengeni and Shirley Yengeni; Cape Town magistrates court. Contravening the emergency regulations.

May 22: Xolile Jaxa and Mziwoxolo Mfeketho; Cape Town regional court. Furthering the aims of the ANC and terrorism.

May 24: Noel Williams; Vredenburg magistrates court. Breaking his restriction order.

May 24: Jonathan Anthony; Worcester magistrates court. Possession of banned literature.

May 29: G Morgan; Parow regional court. Bomb threat.

SOUTH's Repression Dossier is a monthly focus on political trials, detentions, bannings and restriction - measures used by the State against opponents in South Africa. This dossier has been compiled from information supplied and publications produced by the Repression Monitoring Group, the Human Rights Commission (HRC) and the lawyers and relatives of detainees.



This focus was made possible by the support of the  
**FOUNDATION FOR PEACE AND JUSTICE**



By DOCTORSON  
TSHABALALA  
KHAYELITSHA,  
the sprawling settlement situated in the dry, sandy bush near Swartklip, about 30km outside Cape Town, is beset with problems five years after its birth.

The authorities are still finding it difficult to service the area properly. Many people continue to live in squalid conditions and poverty is widespread.

Health problems are on the increase and power struggles among different factions in the community contribute to an atmosphere of despair.

Mr Amos Kota, secretary for the Khayelitsha Residents Association (KRA), said the poor standard of living in the settlement was bound to continue since Khayelitsha was "nothing more than an urban homeland".

Khayelitsha came into being nearly five years ago when Dr Piet Koonhof's Department of Co-operation and Development decided to uproot nearly 250 000 blacks from three townships near Cape Town and relocate them in the bush many kilometres away.

The authorities gave the new settlement the name Khayelitsha, which means "a new home" in Xhosa and Zulu.

Community leaders argued that the government wanted the townships moved since several white suburbs and a major trunk road were vulnerable in the event of unrest.

The new area is surrounded on three sides by land owned by the military.

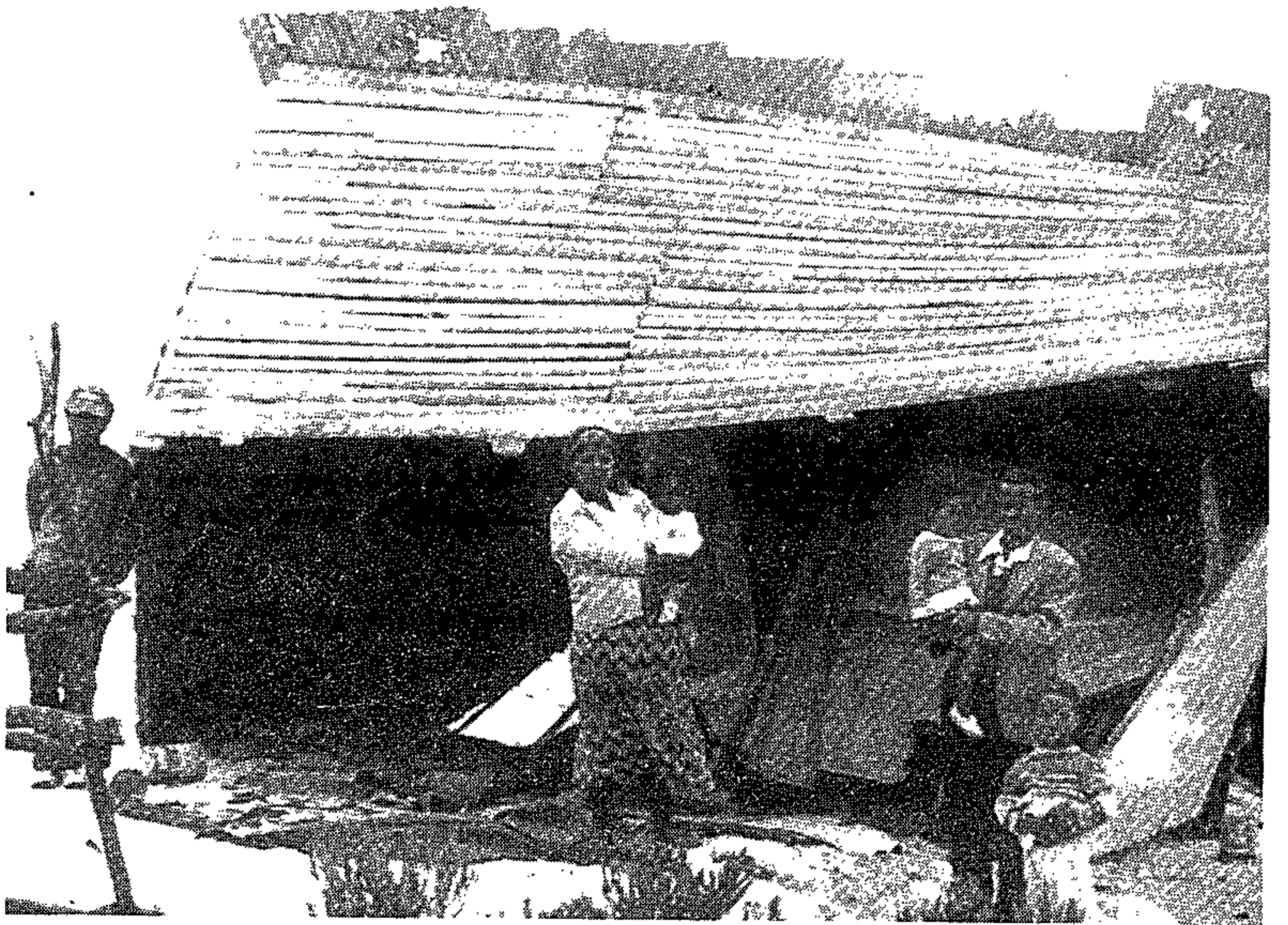
Community leaders pointed out that Khayelitsha had only one access road, which would give the authorities tight control over movement into the area.

The settlement has only two day clinics, with about 110 doctors serving a population estimated at more than 200 000.

A large percentage of children under the age of five are malnourished.

The housing shortage is acute. There are only 1 000 shacks per 50 000 people in Site B and 1 000 to every 40 000 in Site C.

The power struggle in Khayelitsha is being



A Khayelitsha family at their shack "tipped over" by Hoza's men with their belongings inside

waged between two factions — the supporters of mayor Mali Hoza, who are mostly former members of the Committee of Ten, and the Khayelitsha Joint Action Committee (KJAC), led by Hoza's rival Thomas Ngwane.

Concerned civic bodies, trade unions and church groups are reluctant to intervene, according to KRA

chairperson, Lawrence Smouse.

"These organisations prefer to stay out of the conflict because Hoza's men and the kitskonstabels deal ruthlessly with those who dare to oppose Hoza," said Smouse.

A KJAC director, who did not wish to be named, said anyone who chal-

lenged Hoza's leadership was labelled a "trouble-maker".

"The community is continuously being intimidated and nothing is being done about it," he said. "Are we going to fold our arms and watch as a war develops in our community?"

"The authorities refuse to heed our warnings that people are not happy about the way their lives are being run."

His comments were dismissed by Mr Graham Lawrence, chief executive officer of the Lingeletu West Town Council.

"These people talk about a hostility which I cannot see," he said. "People like to make defamatory allegations against my mayor (Hoza)."

"They call him illiterate and primitive, but they never give themselves a chance to get to know him better. They would discover he is a wonderful, kind and understanding man."

Forced removals related to the faction feuds are

still occurring in many parts of Khayelitsha.

Residents from Greenpoint and Site C, who support Prince Gobingca and Sisa Nyandeni, leaders opposed to Hoza, are being resettled in an area known as Town Two.

The KJAC claims the removals are another tactic by Lingeletu West Town Council to strengthen Hoza's constituency.

But Lawrence insisted the families were being moved because they were "squatting".

He pointed out that proper services, including electricity and running water, were available in Town Two, which is not the case in Greenpoint and Site C.

Community worker Ms Noxolo Dyani of the Philani Nutritional Centre, said the situation in Khayelitsha reminded her of Crossroads, where she once lived.

"These so-called leaders of Khayelitsha are using the public in their fight for power. We can do without these leaders," she said.

## YOUNG PEOPLES THEATRE EDUCATIONAL TRUST

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## Journalist held for 'limpet blasts'

A FORMER Cape Town journalist has been arrested by police in connection with four limpet mine explosions since the beginning of the year.

Mohamed "Rafiq" Rohan, 36, news editor of the Post Natal, started his newspaper career 10 years ago with the Cape-based Muslim Views for which he worked for two years.

Rohan, a member of the Media Workers Association of South Africa, was detained under Section 29 of the Internal Security Act last Friday.

According to Minister of Law and Order Adriaan Vlok, eight limpet mines, 11 mini-limpet mines, a Makharov pistol, 35 hand grenades, two AK 47 rifles and eight magazines and explosives were allegedly found during the arrest.

According to a relative his ill mother Margaret Jones, 62, has taken the news of Rohan's arrest "very badly".

Faried Sayed, editor and publisher of Muslim Views, said on Wednesday that Rohan had joined the paper in 1980 and covered conflicts like the Iran/Iraqi war.

Vlok claims Rohan is a trained member of the ANC's armed wing, Umkhonto we Sizwe, and may have been involved in several bomb blasts in the Durban area including the single residences at the provincial police headquarters and a limpet mine explosion at an electrical sub-station in Berea.

Mwasa said in a statement the way Vlok had pre-empted the process of justice by making the announcement about Rohan "is beyond anybody's understanding".

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13-19/4/89



# 111 are held for security

By Jo-Anne Collinge (329)

The number of people detained in terms of the Internal Security Act stood at 111 at the end of March, according to the Police Division of Public Relations in Pretoria.

By far the greatest number — 104 — were being held for purposes of interrogation under section 29 of the Act.

The remaining seven were being held in terms of section 31 of the Act.

The police total does not include anybody held in terms of section 28 of the Act — information which contra-

dicts that supplied by the Department of Justice.

A spokesman for this department stated that Raymond Maele, last resident in Tumahole, had been detained under section 28 since March 15.

Security detainees are not affected by the February talks between lawyers and church leaders and the Minister of Law and Order. While emergency detainees are held in terms of regulations that must be renewed annually, security detainees are jailed in terms of the permanent law of the land.



## Priest is deported

From Page 1

is held responsible for the maintenance of the children. In my case the white man is sending away my man without caring for the support of his children," said a sobbing Mrs Manisi.

"I have no other source of income or support for my children. The rent for the site on which we have built a shack is R50 a month. My husband used to sell meat and other items to provide for the family.

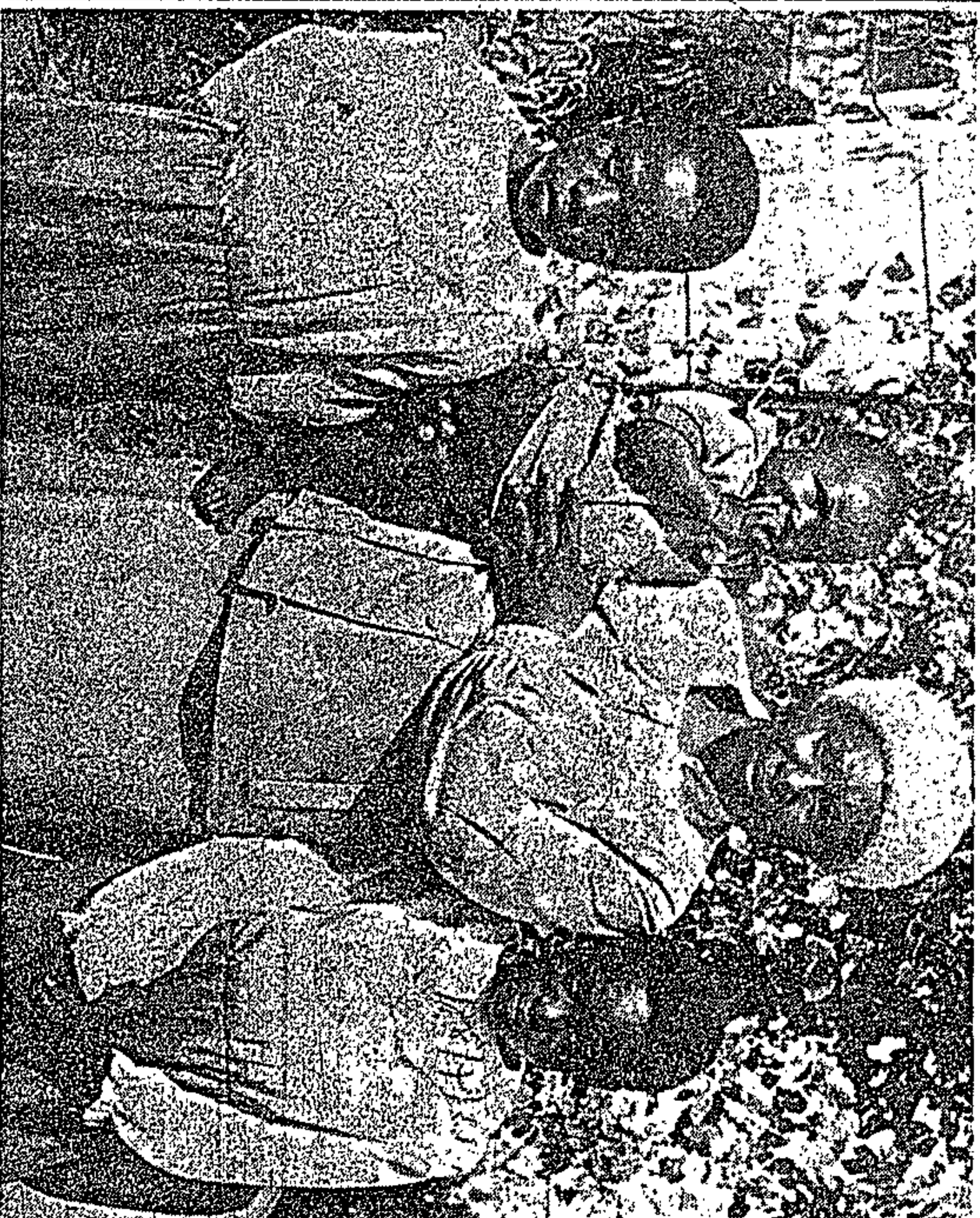
"He was the sole breadwinner and he is gone now. I am left in misery and poverty," Mrs Manisi said.

One of the children, Jane, is attending a pre-school centre in the township. Mrs Manisi said the child may have to leave school because she had no money to keep her there.

Late yesterday Mrs Manisi was waiting for a visit by the leader of the church, Bishop Mbokazi. She said the bishop had promised to appeal to the highest authority to withdraw the order.

THE Rev Manisi's wife, Johanna, with 10-month-old Gideon and twins Melicia (left) and Felicia.

Pic: PAUL TSHABALALA



## Tears as priest is deported after 25 years stay in SA

By MOJALEFA MOSEKI

"GOD is great. He will provide." So said a Daveyton man who was deported to Mozambique yesterday as he parted with his family of five at the Benoni police station. The Reverend Frans Manisi (45), who has lived and worked in this country for more than 25 years, comforted his family before police drove him off to a looming poverty.

which the family has been condemned. She was with her four children: the twins Melicia and Felicia (10), Jane (5) and Gideon (10 months) to see their father one more time before he was deported. "It is the law of the white man that when a man divorces a woman — or when the woman seeks divorce — the man

• To Page 2

FARM FRESH EGGS

Large



# NEWS CHIEF HELD

329

~~8/2/87~~

Sowetan  
13/4/87

## Linked to bomb blasts

**Sexual healer  
sent to jail -  
See Page 2**

THE Minister of Law and Order, Mr Adriaan Vlok, yesterday announced that the news editor of a Durban newspaper has been arrested following several bomb blasts in the city.

Mr Vlok's announcement was made during a medal parade at the Police College in Pretoria.

Ministry of Law and Order spokesman, Lieutenant Peet Bothma,

• To Page 2

SOW

**News**

**chief**

**held**

• From page 1

confirmed on enquiry that Mr Mohammed Rohan, the news editor of the *Natal Post*, was arrested shortly after the explosion at the C R Swart police headquarters at the weekend.

Mr Rohan (35), is allegedly linked to four explosions in Durban since January 25.

Mr Vlok described Mr Rohan as "a trained terrorist".

### Recruited

According to Mr Vlok, Mr Rohan was recruited during "a safari of journalists and clergy to Lusaka", but the South African Police confirmed that Mr Rohan was recruited during October 1988, on a trip with a delegation of the Natal Indian Congress and the Transvaal Indian Congress to Lusaka.

Mr Rohan then allegedly returned to Harare for training by a member of the armed wing of the ANC, Umkhonto We Sizwe.

According to Mr Vlok, a large amount of weapons and a car bomb were found during the arrest of Mr Rohan.





**CACHE . . .** Major Charl Du Toit with the arms cache found in Durban after the arrests of the alleged "C R Swart bombers".

# Two suspects held in Durban police HQ blast

CHM TWP 13/4/89

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Own Correspondent

**DURBAN.** — A second man is being held by police in connection with the bomb blast at police headquarters in Durban on Friday night, in the wake of the announcement that the news editor of Post Natal newspaper had been arrested as a suspect in the attack.

The news editor is Mr Rafiq Rohan, 36, who according to relatives, has not been seen or heard of since Friday.

The Minister of Law and Order, Mr Adriaan Vlok, claimed at a medal parade yesterday that Mr Rohan had been connected to several blasts in Durban, including the C R Swart police headquarters attack.

He described the newspaper man as a "trained terrorist" who had been recruited by the African National Congress while on a visit to Lusaka.

The police were aware of other journalists who were deliberately working for the ANC, Mr Vlok claimed.

Mr Brijlall Ramguthie, the editor of Post Natal, said last night he was disturbed at the allegations made against Mr Rohan and that his attitude was that "he must be presumed innocent until proven otherwise".

The second suspect was arrested after a car chase on Friday night about the time the bomb exploded at police headquarters. Police said they had noticed a blue Ford Sierra circling C R Swart and identified it as similar to a car seen at the scene of at least one other bomb blast in Durban.

A police vehicle followed it and it sped off. During a short chase police fired shots at the car which then collided with a car driven by a woman employed at a nearby hotel.

The occupant of the car fled on foot hotly pursued by the police. About this time the bomb went off.

The chase continued and the fleeing man fell in a hole and broke his leg.

Police detained him and later visited Mr Rohan's flat where they allegedly found a large arms cache which included handgrenades, limpet mines, demolition mines, two rifles and a remote control device.

Mr Rohan was arrested at a home in Durban early on Saturday.

It is understood the second man is being treated in hospital for his broken leg.

STARS 14 JSD 247 JEVU JEMUMENYU





## A banning costs Godfrey R420 a day

IF Godfrey Moekoa is to keep to the terms of his Emergency restriction order, it will cost him about R420 every day.

Moekoa, a 27-year-old teacher, was served with the restriction order last month on his release after 33 months in detention without trial. He lives with his family in Withoek, a village 70km west of Potgietersrus.

However, his restriction order

By JOE MPHAHLELE

obliges him to report twice daily to the Gilead Police Station, some 150km from his home. He has to report between 1pm and 2pm and again between 5pm and 6pm.

The trip can only be made by two taxi rides — one to Mahwelereng and another to Gilead. However, since Gilead is in a remote district, the taxi

service is poor and the only way Moekoa can be certain of getting there on time is to hire a taxi for himself alone.

It would cost him R420 per day.

Moekoa lives with his mother at Withoek and is the sole breadwinner in his family. His mother has been receiving a R200 grant from the Northern Transvaal Council of Churches

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## Pricey banning

●From PAGE 1

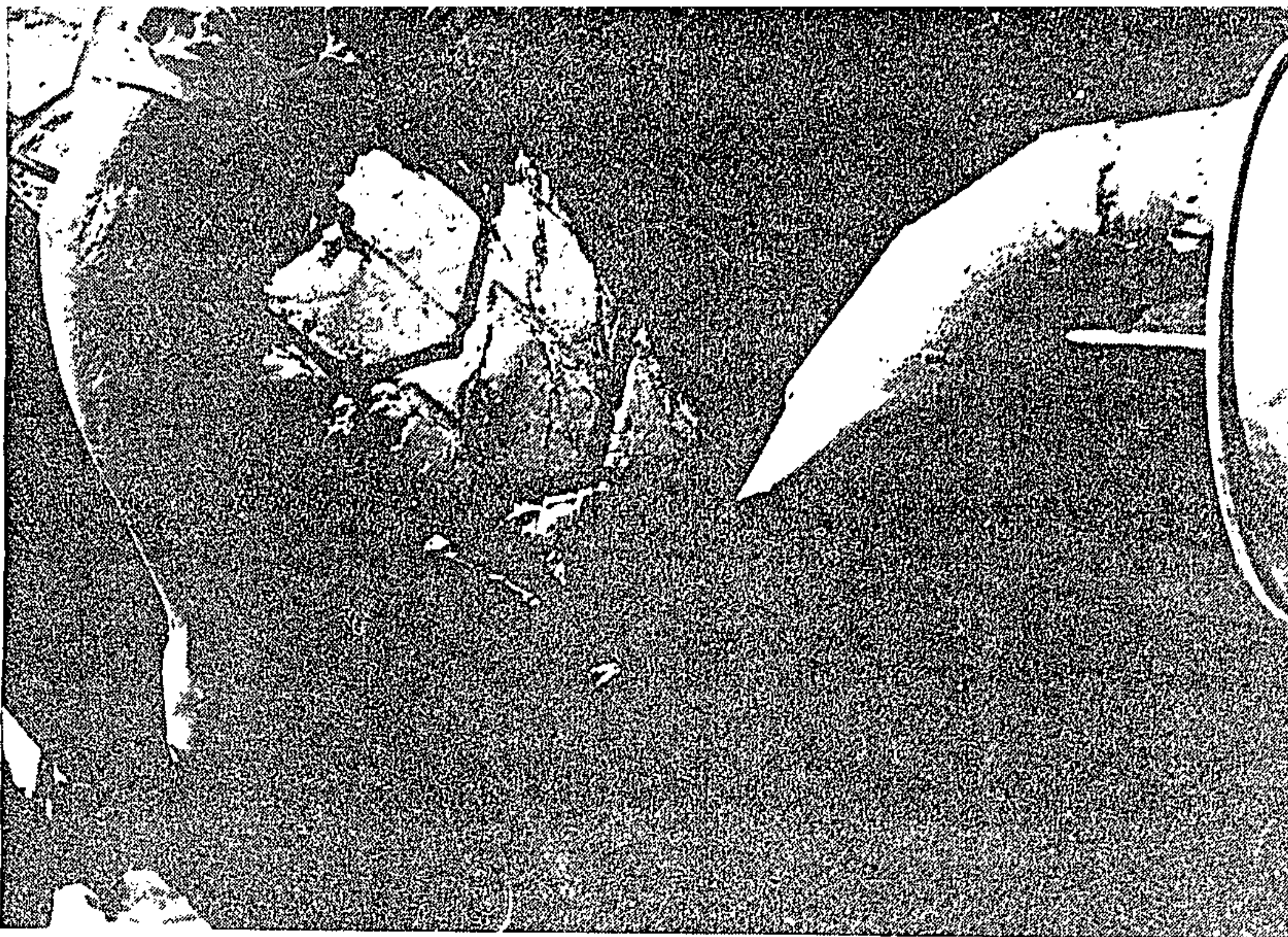
during his detention, and this will continue until he sorts out the problem of his restriction order.

Moekoa has made two applications for his restriction conditions to be eased. On March 7, he applied to be allowed to report to the Tin Mine Police Station, which is close to his home, rather than Gilead.

The police have not replied to that application and lawyers this week made a second, urgent attempt to change the order.

WMAH 14-20/4/87





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WMH 14-20/4/89





# Boesak, Vlok clash again on detainees

By KAREN STANDER  
Religion Reporter

IN a mounting row over the number of detainees released since a widespread hunger strike, Dr Allan Boesak today reacted to stinging criticism of him by the Minister of Law of Order, Mr Adriaan Vlok.

Dr Boesak accused the government of "having lied before" on the issue of detention without trial and the treatment of detainees.

At a medal parade in Pretoria this week, Mr Vlok accused Dr Boesak, president of the World Alliance of Reformed Churches and moderator of the NG Sendingkerk, and "certain other" church leaders of spreading "untruths" about the police.

Dr Boesak, who is in Sweden where he will see top members of the government today, said in a statement released by his Bellville office that he had no intention of getting into a "shouting match" with Mr Vlok.

"It is well-known that the



Dr Allan Boesak

South African government has lied before when it comes to the issue of detention without trial and the treatment of detainees.

## Facts "ignored"

"The record of the government in this regard speaks for itself.

"My challenge to the Minister was direct and simple. There is a disturbing discrepancy between the number of

releases given by Mr Vlok and by the Human Rights Commission.

"In order to remove any doubt and to prove (his) truthfulness, the Minister should publish all the names of those released and the date of their release.

"Until he does this, I, and most of the world with me, will be inclined to believe the Human Rights Commission."

Mr Vlok said at the parade that Dr Boesak ignored "proven" facts if they did not fit his radical thoughts.

He said that more than 600 detainees had been released since February.

On the day Dr Boesak took part in a demonstration with placards claiming that 84 people were still on a hunger strike, there was not one still refusing to eat.

Mr Vlok said he had not published the names of those released at the request of some detainees. He had offered, however, to show proof to church leaders confidentially. They had not taken up this offer.



AT least 60 detainees were freed this week — but a significant number resumed their hunger strike in a bid to secure their release.

The Human Rights Commission reports that 29 detainees at John Vorster Square have resumed their hunger strike and three are in hospital as a result of their fast. Those who have been hospitalised are Simon Modise, Veli Zwane and an unknown youth called Aubrey.

At Diepkloof Prison in Johannesburg, three detainees — Sylvester Ledwaba, Victor Monyela and Victor Rambau — have resumed their fast after they had earlier suspended it. Rambau has been moved to Pelenoni Hospital in Bloemfontein.

According to the HRC, 10 hunger-striking detainees who were held in Krugersdorp have been freed. The fast at the Krugersdorp Prison was suspended on March 31, but two hunger strikers were moved to Pelenoni Hospital in Bloemfontein.

According to the HRC, all detainees at Pretoria Central Prison and most of those at Modderbee Prison on the East Rand have been released.

Ten detainees have also been freed from hospital in Durban.

And indication of the scale of the releases since the start of the national hunger strike is that, according to the HRC, only 41 of the 144 pre-fast detainees in the Eastern Cape are still in jail.

This week, 19 Eastern Cape detainees were freed, 11 of them in Port Elizabeth.

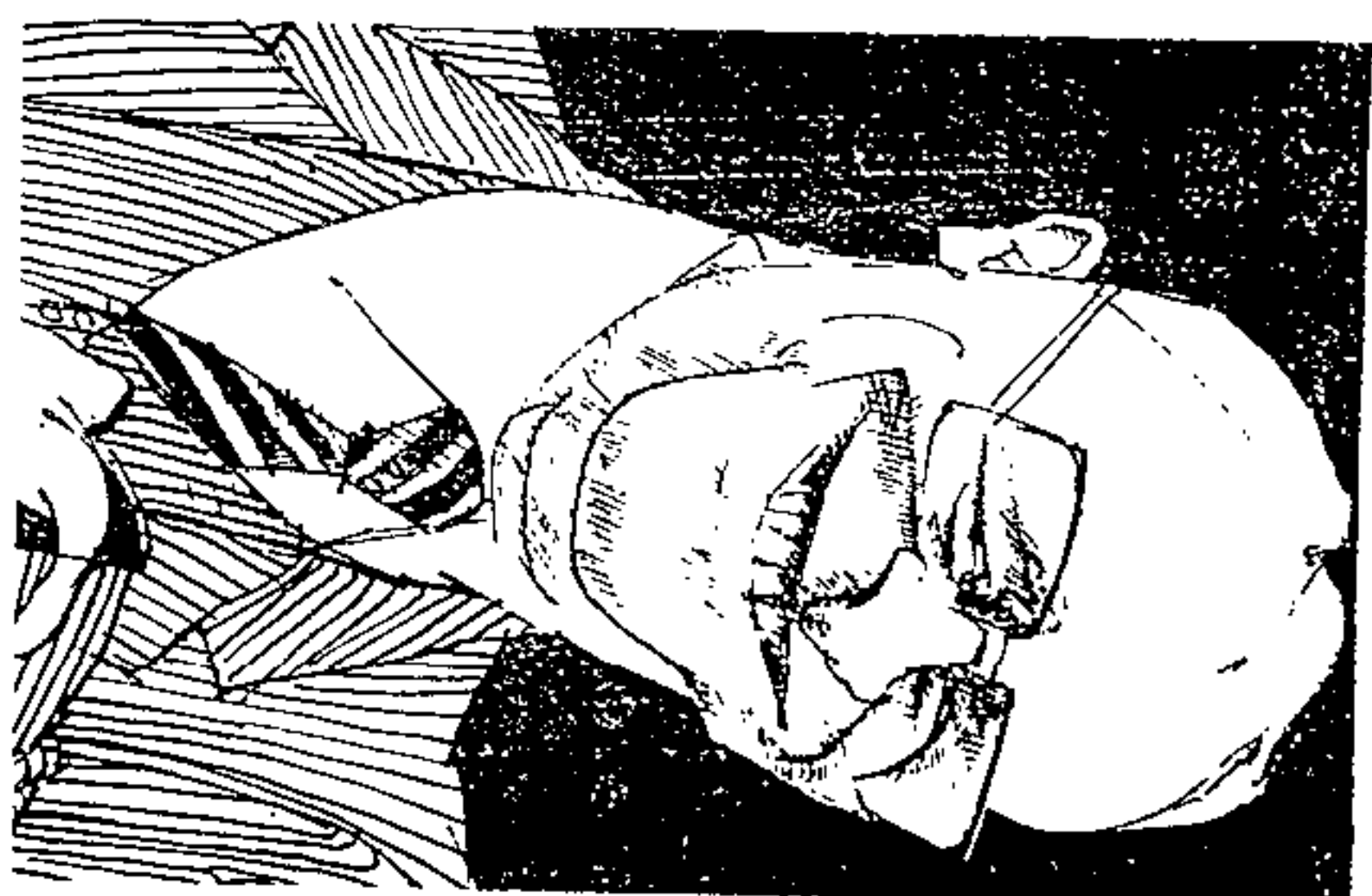
And according to **PE News**, a total of 18 emergency detainees were released in the Western Cape this week.

Last week the Reverend Frank Chikane, general secretary of the South African Council of Churches, met a group of Emergency detainees at St Albans Prison.

According to an SACC statement, Chikane gave the prisoners an account of discussions between the

## 60 more detainees go free, but others join strike

More detainees were released this week, but the hunger strike shows no signs of easing, reports **THANDEKA GOUBULE**



Minister of Law and Order, Adrian Vlok, and a church delegation earlier this month.

The church leaders informed the detainees they had told Vlok that the continued detention of the detainees in the Port Elizabeth area — some of whom have been held for more than two years — could not be justified.

Chikane also expressed concern that the restrictions imposed on ex-

detainees were becoming increasingly harsh, "making it impossible for some of the detainees to earn a living".

It has emerged that a section 29 detainee who this week appeared in court had been on hunger strike for 18 days. Simon Modise appeared in the Johannesburg Regional Court after spending seven months in detention.

On his arrest he was shot in the left elbow. In court, he seemed visibly weakened by the wound and the hunger strike.

Modise said he had embarked on a hunger strike because he wished to be released or charged. He has since suspended his fast.

Although charges against him have not yet been formulated, it appears that he will be charged with terrorism.

At least 264 people have been detained in the Transkei in the past year, according to the Transkei Council of Churches (TCC).

Among those detained are 116 students from the Butterworth Training College and 26 workers from the Umtata Hospital. Twenty-one of the detainees have been charged in several political cases and most are still on trial.

Earlier this week the Transkei military leader, Major-General Bantu Holomisa, said that although there were still detentions in the homeland, the authorities were trying to move away from lengthy detentions.

He said the military rulers had "inherited" a number of detainees from the Matanzimas' rule. They were now trying to ensure that detainees were charged as soon as possible. — **Elnew**

## The harshest bannings: 20 hours indoors

BY **THANDEKA GOUBULE**

quite them not to leave their homes for 20 hours each day — from 2pm to 10am.

During the four remaining hours, they are required to report twice at their local police stations.

Magunda is prohibited from taking part in the activities of the Tembisa Working Committee and the Tembisa Youth Congress. He is not is not per-

mitted to be outside the boundaries of the the magisterial district of Kempton Park at any time.

He is also not permitted to prepare, compile or transmit any matter for publication.

These restrictions come in the wake of attempts by lawyers to challenge restriction orders in court. They also coincide with the creation of committees in various communities to look into ways of dealing with the restrictions.





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## ANC leader Mkwayi shifted to Pollsmoor

By THAMI MKHWANAZI

ANOTHER of the African National Congress leaders jailed in the 1960s has been transferred from Robben Island to Pollsmoor Prison — amid rumours that he may soon be released.

According to family lawyers, Wilton Zimasile Mkwayi, 66, was transferred to Pollsmoor Prison a month ago, after serving 25 years of his life sentence on the island. His daughter-in-law has paid him a visit in the Cape Town prison.

His transfer means that only one of the Rivonia-era ANC leaders now remains in the island's maximum prison — Elias Motsoaledi.

Unlike ANC leader Harry Gwala and the Pan Africanist Congress president Zeph Mothopeng, who were released last November after it became widely known they were terminally ill, Mkwayi has not been known to be in poor health.

However, his transfer coincided with British premier Margaret Thatcher's recent visit to Southern Africa. Thatcher has reportedly said that she may visit South Africa if the government releases Nelson Mandela, and there is speculation that the release of Mkwayi could be a compromise.

Asked for comment, the Prisons Service said: "It is the prerogative of the commissioner of prisons to decide where a prisoner will be incarcerated.

"Furthermore it is the policy of the South African Prisons Service not to comment on the incarceration or speculation about the possible release of individual prisoners."



# UK lawyers campaign for SA prisoners

By NOEL BRUYNS

LAWYERS in Britain have launched a national campaign to save the lives of the more than 60 political prisoners on death row in South Africa.

They are also campaigning for prisoner-of-war status for African National Congress fighters captured in South Africa.

The campaign has the support of the London-based organisation, Southern Africa — The Imprisoned Society (Satis).

Geoffrey Bindman, a human rights lawyer, explained: "We are petitioning the House of Commons because our efforts to persuade the British government to intervene have failed. They have acted over some well-publicised cases, such as the Sharpeville Six, but they have failed to intervene in most cases.

"We want to get the message over to all MPs that Britain must act decisively to stop all apartheid executions. All of our experience confirms that Pretoria will move if the international pressure is sufficiently powerful," he said.

Last week, the issue of ANC fighters captured in South Africa came under the spotlight at a meeting staged by Lawyers against Apartheid on the theme of "The Liberation Struggle and the Law".

The meeting was addressed by international law experts, including South African Kadar Asmal, a senior law lecturer at Trinity College, Dublin. The South African legal profession was represented by Silas Nkanunu, national treasurer of the National Association of Democratic Lawyers.

The lawyers cited Protocol 1 of the 1949 Geneva Conventions, which applied to "armed conflicts in which people are fighting against ... racist regimes in the exercise of their rights to self-determination". In terms of the protocol, ANC guerrillas were entitled to prisoner-of-war status.

W Mail

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476-7625 15/9/81

## Heavy curbs on freed detainee

PORT ELIZABETH — A South African Council of Churches worker allowed out of his home for only four hours a day has to report twice to the police during this time.

This is in terms of restrictions placed on him after his release this week, with 17 other Eastern Cape detainees.

The lawyer of Mr Mso-koli Leleki said his client had been restricted to his home in Fingo Village, Grahamstown, between 2pm and 10am.



# Teacher's charge dropped

OFF. TIMES 5/4/87  
Court Reporter 329

MITCHELLS PLAIN teacher Mr Neville van der Rheede, who was in detention for more than five months, had charges in connection with possessing a banned video withdrawn in Wynberg Regional Court yesterday.

Mr Van der Rheede, 34, was arrested on September 21 last year and was released last month when he appeared in court for the first time in connection with the video.

The state had alleged that on September 21 he possessed a video cassette "Umkhonto we Sizwe" which had been distributed by the ANC.

Mr Van der Rheede had charges of terrorism and furthering the aims of the ANC withdrawn against him in May 1987. In August last year, he had restrictions imposed on him.

Mr A P Kotze was the magistrate. Mr J Diergaard prosecuted. Mr D J Jacobs, instructed by E Moosa and Associates, appeared for Mr Van der Rheede.



# Urgency of liberty stressed

Staff Reporter

A VISIBLY angered Supreme Court judge yesterday repeatedly stressed that a man's liberty was at stake, when questioning an advocate's argument that an application for a detainee's release was not an urgent matter.

Mr Justice Pat Tebbutt, presiding over an urgent application — postponed till April 25 — that the detention of Mr Ngconde Balfour be declared unlawful, told Mr J A le Roux, counsel for the Minister of Law and Order, that "a man's liberty was one of the greatest things he was entitled to".

Mr Balfour, a development offi-

cer at the Anglican Church's Board of Social Responsibility, was detained in terms of the Internal Security Act on February 20 for allegedly assisting a "foreign-trained terrorist".

According to papers before the court, Mr Balfour embarked on a 17-day hunger strike, losing 15kg, while held at Sea Point police station. He was later transferred to Pollsmoor Prison.

Security police alleged in papers before the court that Mr Balfour had been arrested for arranging accommodation and transport for a "foreign-trained terrorist" allegedly responsible

for the blast outside the Supreme Court on February 10.

Mr Le Roux asserted that the application in question was a "semi-urgent" matter.

Replying to this, Mr Justice Tebbutt said: "When you get the question of people's liberty, the question is a matter of urgency. The question of detention is a matter of great urgency."

Postponing the application, brought by Mr Balfour's wife, the judge repeated: "This can't take long; a man's liberty is at stake."

Mr John Whitehead, instructed by N J Yekiso and Associates, appeared for Mrs Balfour. Mr Le Roux, appearing for the Minister of Law and Order and the Officer Commanding of Pollsmoor Prison, was instructed by the state attorney.



# Fate in hands of the police

By STAN MHLONGO

TODAY is D-Day for missing activist Stanza Bopape's girlfriend, Lorraine Mokgotsi — unless the police review her restriction order.

She will no longer have a home for herself and her three-month-old baby.

Mokgotsi's lawyer, Krish Naldoo, confirmed that an application had been made with the security police to change her residential address.

This is the second application she has made to the police.

She has not received any response to an application she made three months ago to be allowed to work so that she could support herself and her child.

A relative said matters came to a head this week when Mokgotsi was told to leave her temporary Sebokeng Zone 7 home, "because the people could no longer stomach the many visits at their home by the police".

Her ejection comes at a time when she is still facing prosecution for breaking her restriction orders three weeks ago by taking sick baby, Amandla, to a traditional healer.

She has been restricted to the Vanderbijlpark magisterial district between 6am and 6pm since her release in November 1988 after spending 205 days in detention.

The prospect of being homeless has compounded the former SA Youth Congress treasurer's troubles — especially in the light of her in-laws' recent fruitless search in Lusaka for Stanza, the father of her child.

Bopape disappeared in June 1988 soon after he was detained.



Missing activist Stanza Bopape's girlfriend, Lorraine Mokgotsi, with their baby Amandla, has asked the police to review her restriction order to enable her to work. A reply is expected today.

Chen

329

329



# DETAINED

## Same time, a different place

329  
16/4/89  
Others



**W**HEN he set off on September 29, 1985, from Be Kpota, the Lome suburb where he had his clinic, to visit friends at Vakpo on the other side of the border, Dr Kofi Kodzi was full of spirits.

He hadn't seen the friends for several months.

At 59, he knew the value of good friendship and he was going to make the most out of this visit - to assure the friends that though an artificial border and two regimes (one radical and the other conservative) divided their countries, their relationship was undivided.

The day was a typical West African September day, full of sunshine and dust.

By noon Dr Kodzi was at Vakpo, walking down the noisy market place and looking at the wares on display.

Suddenly there were three men in front of him holding three frightening AK47 rifles.

They introduced themselves as Ghanaian security men and told him he was under arrest.

Presently a jeering crowd of youths, suspected of being members of the local Peoples Defence Committee, had gathered.

"Your blood will flow today, you anti-revolutionary, you people who embezzle government money, your blood will flow," they shouted and jeered.

Dr Kodzi still had not been told why he had been arrested.

"I thought they were going to kill me the way other people had been killed in the past," he said.

"I remembered the tragedy of Fetish priest Akakpovi (alias Ye-ye Boy) whose badly burned body was found at Adaklu close to the Ho Sports Stadium in the early days of Rawlings' revolution.

"Fear also pushed into my mind the horrible picture of Hanson Boniface Ankrah killed at Agotime Afegame when no questions were asked.

As the hooting continued, I knew my end had come. Sweat started dripping from my bald head onto my shirt."

But Dr Kodzi's captors had a better idea: Though they might have few words

Dr Kofi Kodzi, a caring Togolese doctor who operated a remote clinic near Lome, was visiting friends in Ghana when he was arrested by security agents and accused of having treated Ghanaian political dissidents. He was held in jail without trial for three years, and barely escaped with his life.

Prince EBOW GODWIN tells his chilling story in the latest issue of *NEW AFRICAN MAGAZINE*.

for mercy in their lexicon, they wouldn't deal him instant justice.

They took him to Accra to meet their superiors at the Bureau of National Investigations.

There he was questioned at length about some Ghanaian "dissident" soldiers, including a Major Mahama who had sought treatment from his clinic in Lome.

The doctor did not pretend that he did not know Major Mahama.

He knew him very well and he told his interrogators that he first met Major Mahama and the late Major Sulley when he (Kodzi) was the medical officer in charge of the Keta government hospital in the Volta region of Ghana in 1971.

Both officers were then young captains. Thus it would have been unethical to refuse Major Mahama and the others treatment at his clinic.

Besides, the so-called dissident soldiers were political refugees recognised as such by the United Nations High Commissioner for Refugees officer in Lome.

Medical ethics, he said, forbade doctors to turn away patients because of their political activities and that even on the battlefield, doctors sometimes treat wounded enemies.

That cut no ice with his interrogators who also wanted to know the role he played in Tolimo, the defunct secessionist organisation which had agitated for the succession of the Volta region from Ghana to join Togo in the 1960s.

Dr Kodzi swore that he had not been a member of Tolimo. Still unconvinced, his interrogators thought prison life would soften him up.

They threw him into the Ussher Fort

Prison in Accra, without trial.

He was denied medical attention although the Ghanaian authorities knew he was an acute duodenal ulcer patient.

Neither would the authorities permit him consular visits.

For three more years, Cell 18 would be his home. Cell 18 was meant for five persons in colonial times, but the authorities forced between 20 and 24 prisoners into it at a time.

Conditions were so deplorable in the prison that some prisoners, including one SK Acquaye, former chief manager of the Bank of Ghana and two Afro-Americans died there from exhaustion.

Prisoners were not even allowed a chair and a table. "If South African jails were like this, Nelson Mandela could not have done a degree course in law," Kodzi said.

He asked: "Can you imagine how one unsterilised syringe could be used for 20 prisoners in these days of Aids? Yet it happened at Ussher Fort."

The food was bad, he said. "The whole of my three years at Ussher Fort, we were given meat only three times and no prisoner's share was bigger than half of his thumb.

"We were given fish six times, one herring for four prisoners."

"The main meal was porridge made from corn dough. We nicknamed it Zonyoli, meaning refuse and die.

"The soup was devoid of animal protein, so we nicknamed it 'manpower', meaning God had given man the power to live irrespective of what he eats."

But to survive, Dr Kodzi borrowed money from another prisoner to start an

illegal trade in eiga groundnuts.

"The profit from to buy fish, ginger

Dr Kodzi's flair won him many friends in prison.

Apart from the Ghanaian languages French, Polish, Ger

He received general training in Poland in 1964 and specialised in Germany and Denmark.

The prison authorities in languages when they needed to translate the mass drugs, they would

Soon his plight in the Catholic Church of charitable organisations, individuals, who don't to keep him going.

He is particularly fond of the nuns of the Catholic Church who constantly supply him with other necessities.

But Dr Kodzi realised that he was not in prison if some pressure from influence was not made to be

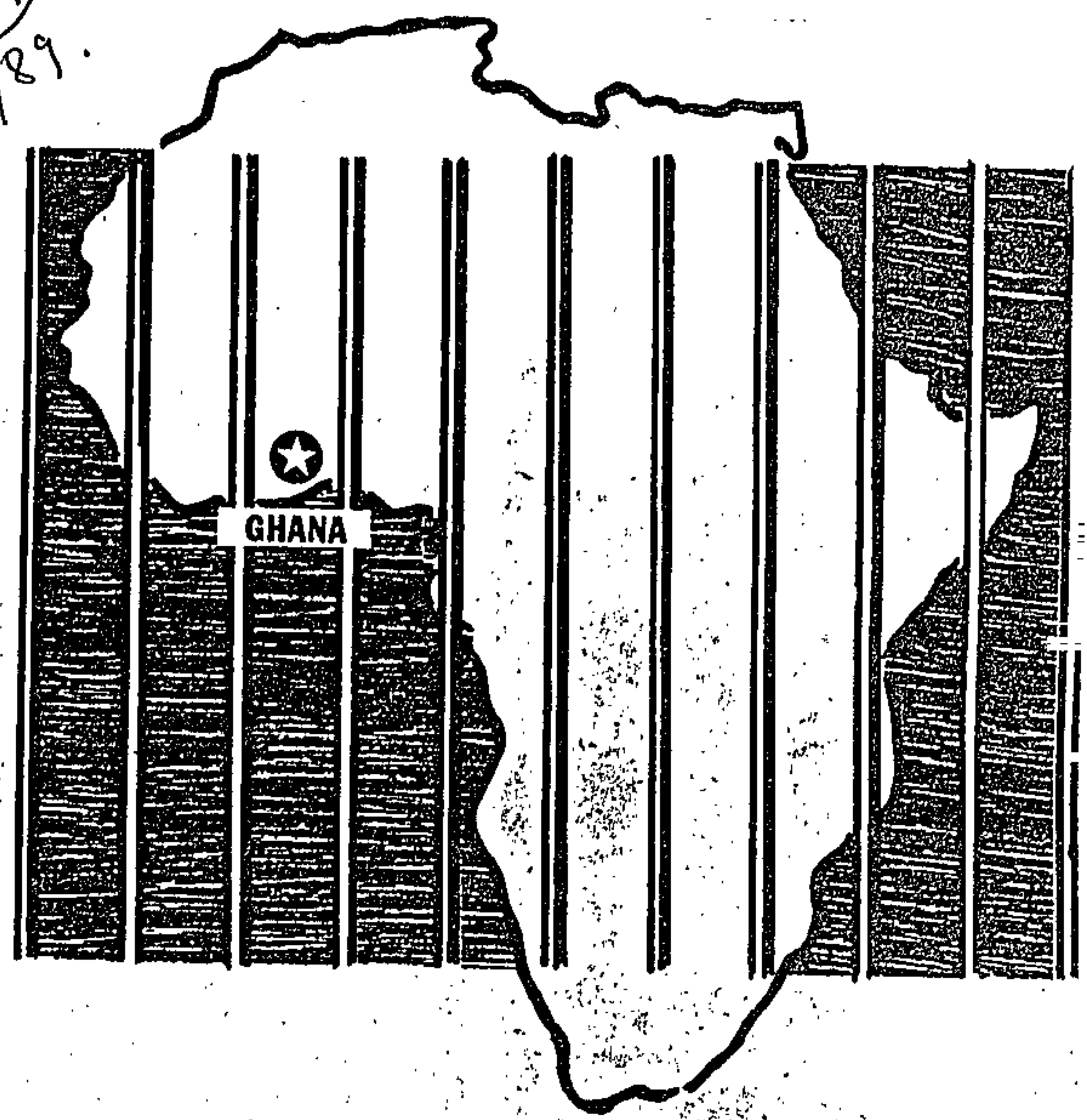
He knew too well that he had worked in the Keta government hospital in Accra.

Later, he broke out of government service



(329) Allen  
16/4/89

# INED ime, a it place



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money from another prisoner to start an

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"The profit from this trade, I used  
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Dr Kodzi's flair for languages also  
won him many friends and goodwill in  
prison.

Apart from the local Togolese and  
Ghanaian languages, he speaks fluent  
French, Polish, German and English.

He received general medical  
training in Poland between 1957 and  
1964 and specialised in surgery in  
Germany and Denmark.

The prison authorities used his  
powers in languages to good effect -  
when they needed somebody to  
translate the mass of instructions for  
drugs, they would call him up to do it.

Soon his plight had reached the  
Catholic Church of Ghana and other  
charitable organisations and  
individuals, who donated food and money  
to keep him going.

He is particularly grateful to two  
nuns of the Catholic Church who kept  
him constantly supplied with food and  
other necessities.

But Dr Kodzi realised that he might  
rot in prison if some sort of diplomatic  
pressure from influential places abroad  
was not made to bear on his case.

He knew too well how the system  
operated in Ghana. From 1971 to 1982  
he had worked in the country, first at  
the Keta government hospital and then in  
Accra.

Later, he broke away from  
government service to operate his own

small clinic at Okaishie, in the heart of  
Accra.

He returned to his native Togo in  
1982 to open the clinic at Be Kpota,  
Lome.

Therefore on April 12 1988 (after  
almost three years in Cell 18), Dr Kodzi  
decided to launch a one-man campaign  
from prison to influence his release.

He smuggled 15 copies of an "SOS"  
letter out of Ussher Fort, (using  
sympathetic couriers) to influential  
magazines, newspapers and organisations  
across the world.

Copies of the letter went to *New  
African, Newsweek, Time, Jeune  
Afrique, West Africa, Le Monde,  
African Concord, South, BBC, Radio  
Deutschewelle, Voice of America,  
Amnesty International, Medicines du  
Monde*, and the Human Rights  
Commissions of the EEC, the UN and  
the OAU.

"On June 5, 1988, I got a reply from  
the UN Centre for Human Rights in  
Geneva, so I was sure my release was  
not far off."

His letter was also published by  
*West Africa* and *New African*. On  
August 1, 1988, freedom finally  
arrived and he was secretly released  
without being charged.

It was not until February 1989 that  
news of his release leaked out.

He went back to Lome to find his  
clinic in tatters. Thieves had broken into  
the place and had made away with all  
the equipment.

"Now I have to start from scratch,"  
he says.



# 400 released detainees 'imprisoned' in their homes

Restriction of individuals under emergency regulations and security laws infringes the Universal Declaration of Human Rights — with its guarantees of freedom to hold opinions, receive and impart information, and right to peaceful assembly and association — says the Human Rights Commission. JO-ANNE COLLINGE reports.

Before she was detained in 1986, the last night Mrs Joyce Mabudathasi spent in her own home was the night it was blasted by a bomb, leaving her bleeding profusely from shrapnel wounds in the head and face.

Since her release from detention a month ago, Mrs Mabudathasi has been forced to spend all after-dark hours in this house that holds terrifying memories.

The restriction order imposed on her by the Minister of Law and Order stipulates she must be at her home between dusk and dawn. She has told lawyers that she frequently hears footsteps in the yard outside and sleeps badly, fearing another attack.

Mrs Mabudathasi lives in Mankweng, a rural village near the University of the North. She is a librarian and the university offers her only real employment opportunity. She is forbidden from entering the campus.

Now her husband has a job at Wits University in Johannesburg and she is confined to Mankweng. They meet only at weekends. If she wanted to live with him, the Minister of Law and Order would have to consent.

These women are just two of more than 400 former detainees who have been issued with restriction orders in terms of emergency regulations in the last two months.

Human rights and political groups say they consider these restrictions in much the same light as detention cells — as releasing people from the cells into a larger jail.

Organisations insist that the imposition of restrictions has seriously undermined the Government's mass release of more than 700 detainees since mid-February, when hunger strikes were in progress in detention cells around the country.

In the first instance, restricted persons are prevented from continuing their public roles within community, political, students and women's organisations. Frequently they are forbidden from attending gatherings convened to criticise any policy or proposed policy of the Government.

Almost always they are restricted to the municipal area in which they live. Occasionally they are restricted to areas other than their home towns — which effectively banishes them from home. For instance, Mr Gugile Nkwintu of Port Alfred is confined to Grahamstown and Ms Janet Cherry of Grahamstown to Cape Town.

Frequently they prohibit people from speaking to the press or writing for publications.

The situation of those restricted to rural areas is particularly hard.

Mr Elick Nchabeleng is the son of the 60-year-old United Democratic

Front leader, Peter Nchabeleng, who was beaten to death by a Lebowa riot squad 1986. Held just a month after his father's death, he spent nearly three years in detention and is now restricted to the Sekhukhune-land village of Apel. It is a tiny settlement in barren surroundings where work prospects are zero.

The most severe house arrest provisions known are those which apply to Sam Semelwe and Octavious Mabunda from Tembisa and Xolela Mdaletwa from Queenstown. They are forced to spend 20 out of every 24 hours in their homes. During the four hours they are allowed beyond domestic bounds each day, they must report twice to the local police station.

There are students among the restricted whose studies have been impeded by the conditions of their release. Prominent Wits University student Tego Mosenke is prohibited from entering campus.

A recent report by the Human Rights Commission points out that emergency regulations are but the most recent authority for the restriction of individuals.

As far back as 1930, banishment was provided for in terms of the Riotous Assemblies Act and various bans were embodied in the Suppression of Communism Act and the General Laws Amendment Act. These were consolidated in the current Internal Security Act.

The Internal Security Act provides for the "banning" of people — confining them to specified areas, prohibiting their involvement in certain organisations or activities, restricting them from mixing freely in society — and for their "listing", which amounts to gagging them by outlawing their being quoted.

There are various grounds on which individuals may be "listed" under the Act — conviction for political or security offences, the opinion of the Minister of Justice that they threaten public safety or that they were "listed" under previous laws.

According to the HRC, there were 417 names on the Consolidated List of unquotable people published by the Minister of Justice in 1988.

"The section which lists a total of 240 people convicted of security offences and treason is by far the longest."

that more in some ways than in others, the police are not always the best people to be in charge of the situation in the townships.

steps have been taken to ensure that the police are not the only ones in charge of the situation in the townships.

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44 225 were repatriated in terms of section 16.

(ii) (aa) <u>WHITES</u>	
United Kingdom	6
Portugal	2
Greece	1
Italy	1
Germany	2
USA	1
Zimbabwe	1
	1
	14
<u>BLACKS</u>	
Lesotho	34
Swaziland	6
Bophuthatswana	4
Botswana	2
Venda	6

(bb)	
Zimbabwe	4
Mozambique	33
Transkei	68
Ciskei	7
Malawi	2
	166
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	3 527
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	1
	248
	44 225

# HOUSE OF ASSEMBLY

## QUESTIONS

†Indicates translated version.

For written reply:

General Affairs:

Internal Security Act: persons detained under section 31(1)

254. Mrs H SUZMAN asked the Minister of Justice:

- (1) How many persons in each race group were detained in terms of section 31(1) of the Internal Security Act, No 74 of 1982, (a) in 1988 and (b) as at 31 December 1988;
- (2) for how long had each such person been detained as at 31 December 1988?

B559E

The MINISTER OF JUSTICE:

- (1) (a) and (b). The information as far as the race groups are concerned, is not readily available.
- (2) Number of persons Period

1	3 days
1	17 days
1	23 days
4	1 month
3	1 month
1	3 months
2	7 months
1	7 months
2	9 months

Own Affairs:

Remedial teachers

44. Mr R R HULLEY asked the Minister of Education and Culture:

- (1) (a) How many qualified remedial teachers were employed at schools falling under the control of his Department, and (b) what was the (i) pupil: remedial teacher

ratio and (ii) school: remedial teacher ratio at such schools, in 1975 and 1988, respectively;

- (2) whether the (a) number and (b) ratio of remedial teachers varies from province to province; if so, (i) what are the differences and (ii) why;
- (3) whether there are any schools falling under the control of his Department which cater specifically for children requiring remedial teaching; if not, why not; if so, (a) which schools and (b) where are they situated;
- (4) whether the training and employment of remedial teachers for schools falling under the control of his Department is regarded as a top priority by his Department; if so, what steps are being taken in this respect; if not, (a) why not and (b) what is regarded as having higher priority?

B515E

The MINISTER OF EDUCATION AND CULTURE:

	1975	1988
(a)		
Cape	19	154
Natal	63	127
OFS	23	109
Transvaal	**	300
(b) (i)		
Cape	7813,7	1 836,2
Natal	790	1 432
OFS	3033	1 684
Transvaal	979,59	1
(ii)		
Cape	40,2	3,9
Natal	3,05	1,5
OFS	9,5	1,8
Transvaal	**	2,36

\* based on primary schools in the main stream and schools which admit pupils with specific learning disabilities; remedial education specialists attached to educational aid services are not included.

- (2) (a) Yes,
- (b) Yes,



## Silence on health of hunger striker

By Jo-Anne Collinge

The Ministry of Law and Order refuses to divulge any information on the state of health of detainee Zelle Zwane who is believed to be on day 25 of his hunger strike.

Mr Zwane, who was admitted to Johannesburg Hospital some time ago, is being held in terms of Section 29 of the Internal Security Act. This provides for indefinite incommunicado detention for purpose of interrogation.

Detainees held under this section have no right of access to lawyers except in the most exceptional circumstances.

Brigadier Leon Mellett would not give information on Mr Zwane. "We've discussed this before. We do not comment on any Section 29 detainee."

He said the Act prohibited such disclosure. When it was pointed out that the Act in fact gave the Minister a discretion to give information on Section 29 detainees, he added that Mr Adriaan Vlok had in fact instructed that no information be disclosed.

### PRESSURISE

Mr Zwane, from Soweto, has been in detention for several months.

His hunger strike is understood to be a bid to pressurise the authorities into charging or releasing him.

Several Section 29 detainees have been on hunger strike in recent months. Because they receive no visitors and because of the official silence surrounding these detainees, little news of their protests has emerged.

It is understood that a group of seven people — most of them from the Vaal area — were charged last week with terrorism. They had embarked on at least two hunger strikes this year in support of the demand that the State bring a case against them or let them go free.

They are due to appear again in the Verceniging Regional Court on April 26.



## **'Guidelines needed for sick detainees'**

The health authorities must act "immediately and urgently" in the drawing up of ethical guidelines regarding the treatment of detainees, Johannesburg pathologist Dr Jonathan Gluckman said yesterday.

Dr Gluckman told an SA Medical and Dental Council (SAMDC) meeting of many "totally unacceptable" practices involving the treatment of detainees admitted to hospital.

"I learnt this week that an instruction had been given by a police captain to nursing staff at a particular hospital not to speak to their detainee patients. They were told they may only administer medicine and food.

"I also learnt that patients transferred to various departments within the hospital had to be handcuffed during the journey. I think this is appalling."

He said it had also been brought to his attention that prisoners could be examined only in the presence of a policeman.

SAMDC president Professor Frans Geldenhuys, said a council delegation had met the Ministers of Health, Justice, and Law and Order to discuss the detainee issue.

After the meeting it appeared the authorities were "doing a lot" to formulate policy on detainees' medical treatment.

Reports by  
Toni Younghusk  
Medical Reporter

8/18/4/89

(324)

## Released detainee murdered

By Jo-Anne Collinge

A former detainee from the Natal township of Ntuzuma was murdered 10 days after his release, his Durban attorney has announced.

Mr Chris Thandazani Ntuli (30), an organiser for the Natal Youth Congress, was killed at the weekend.

He was returning to his home from the Inanda police station where he had to report twice a day in terms of a restriction order imposed on his release.

Mr Ntuli's brother was with him. It appears that Mr Ntuli was chased and cornered in the house of a Mr Khumalo where he was stabbed to death.

His killers have not been identified, the lawyers add.

Human rights groups have warned that restriction orders make activists sitting targets.

A spokesman for the Johannesburg Detainees Aid Centre said recently that many detainees had been in hiding before their detention — not only because they feared being jailed but because of the right-wing vigilante threat.

Their release from detention subject to stringent restrictions could actually endanger their lives, it was said.

Some of Mr Ntuli's daily actions were predictable. He was compelled to call at the Inanda police station between 7 am and 9 am and again between 3 pm and 5 pm.

Mr Ntuli was in detention for six months before being released on April 4.

He was restricted from participating in any youth congress activities, forbidden entry to educational institutions and prevented from speaking to the press.



# Silence over hunger striker

The Argus Correspondent

JOHANNESBURG. — The Ministry of Law and Order refuses to give any information on the health of detainee Mr Zelile Zwane, believed to be on the 25th day of his hunger strike.

Mr Zwane, who has been admitted to Johannesburg Hospital, is being held under Section 29 of the Internal Security Act.

Detainees held under this section may be visited by lawyers only under "exceptional circumstances".

Ministry spokesman Brigadier Leon Mellett refused to give any details about Mr Zwane.

"We've discussed this before. We do not comment on any Section 29 detainee."

When it was pointed out that the Act gave the Minister a discretion to give information on Section 29 detainees, he said the Minister, Mr Adriaan Vlok, had instructed that no information be disclosed.

Mr Zwane, from Soweto, has been in detention for several months. His hunger strike is understood to be an attempt to pressurise the authorities into charging or releasing him.

## CHARGED

Several Section 29 detainees have been on hunger strike in recent months. Because they receive no visitors and because of the official silence surrounding them there has been little news of their protests.

It is understood seven people, most of them from the Vaal area, were last week charged with terrorism.

They have started at least two hunger strikes this year in support of demands that the State bring a case against them or set them free.

They are due to appear in the Vereeniging Regional Court on April 26.

Among the group is Witwatersrand Council of Churches field worker Mr Sol Tsotetsi.

## Police hunt four after killing

The Argus Correspondent

DURBAN. — Police are looking for four men who attacked and stabbed to death a former hunger striker and United Democratic Front supporter, Mr Christy Ntuli, 30, on Friday while he was returning from the Inanda Police Station after complying with his restriction order.

According Ms Dhaya Pillay, who was Mr Ntuli's attorney, from reports received it appeared he had been chased by a group travelling in a minibus who had shouted his name.

Mr Ntuli sought refuge in the home of a Mr Khumalo. The

group, some armed with weapons, arrived and fatally stabbed him.

Mr Ntuli was arrested under emergency regulations and was one of the many detainees who had gone on hunger strike.

He started his hunger strike on February 18 and ended the protest fast shortly before his release on April 4.

A police spokesman said that Mr Ntuli had been stabbed by four men who had been seen travelling in a blue minibus. The motive for the killing was unknown.

Police have opened a murder docket.



Transkei diplomat held 18/4/89

UMTATA. — Transkei's former representative in Austria, Mr Amos Somdaka, has been detained by the Transkei security police. The head of the security police, General L N Tyelela, also confirmed the detention of the former top official of the Ciskei National Development Bank, Mr Cecil Vanda, of Nqamakhwe in Transkei.

## No new names of detainees tabled

17/11/89  
M/DAM Political Staff (329)

CAPE TOWN — For the first time since the state of emergency was imposed on June 12 1986, no new names of detainees have been tabled in Parliament.

For almost three years, Law and Order Minister Adriaan Vlok has tabled the names of detainees who have been held for more than 30 days every two weeks, during sessions of Parliament.

However, his liaison officer Brig Leon Mellet confirmed yesterday there were no new names when the latest list was due to be tabled.

In reply to a question, Mellet said there were "less than a hundred" detainees being held in terms of the emergency regulations.

Since the emergency was reimposed on June 10 last year, the names of 1 858 detainees have been provided in the five lists tabled in Parliament.

Since the nationwide emergency was first imposed in 1986, the names of 19 923 detainees have been tabled.



## No new detainees' names tabled

CAPE TOWN 12/4/89  
Political Staff

329

FOR the first time since the state of emergency was imposed on June 12, 1986, no new names of detainees have been tabled in Parliament.

For almost three years, the Minister of Law and Order, Mr Adriaan Vlok, has tabled the names of detainees who have been held for more than 30 days every two weeks during sessions of Parliament.

However, his liaison officer, Briga-

dier Leon Mellet, confirmed yesterday that there were no new names when the latest list was due to be tabled. In reply to a question, Brigadier Mellet said there were "less than a hundred" detainees currently being held in terms of the emergency regulations.

Since the emergency was reimposed on June 10 last year, the names of 1 858 detainees have been tabled in Parliament. Since the emergency was first imposed in 1986, the names of 19 923 detainees have been tabled.

Star 19/4/89

## SA-born man faces deportation to Malawi

By Montshiwa Moroke

A Tembisa man (30) born in the Transvaal and who has lived here most of his life, has been declared an illegal alien and faces deportation to Malawi.

Mr Denny Hamilton Mhango has been in police custody in Kempton Park since November.

He does not want to go to Malawi and believes he is a South African citizen, but authorities have declared him a Malawian.

Representations made by his attorneys to the Government this week met with a disconcerting response and if there is no change of heart, Mr Mhango may find himself in Malawi at the weekend — cut off from his widowed mother and family.

His mother, Mrs Tryphina Mhango, has been the legally registered tenant of their home in Tembisa since 1971 and lives there with her other children registered on the permit.

She married her husband, a Malawian, Mr John Maynard Mhango in Middelburg, Transvaal in 1951 where their children were born. Mr Mhango's birth was not registered.

All 10 members of the family moved to Tembisa in 1970.

Mr Mhango attended Moriting Lower Primary School in Tembisa, until the end of 1972. His father took him to Malawi to further his education and he received an electronics diploma.

Attorneys for Mr Mhango have informed Home Affairs they traced a school principal who will testify that Mr Mhango attended his school.

While he was in Malawi, a relative of Mr Mhango was issued with identity documents in South Africa in his name, without his consent. The relative, who needed Section 10 rights to stay in the city, is now prepared to testify to this effect.

A Home Affairs spokesman confirmed the arrest and said the initial deadline given to Mr Mhango to prove his citizenship had been extended from April 12 to April 21.



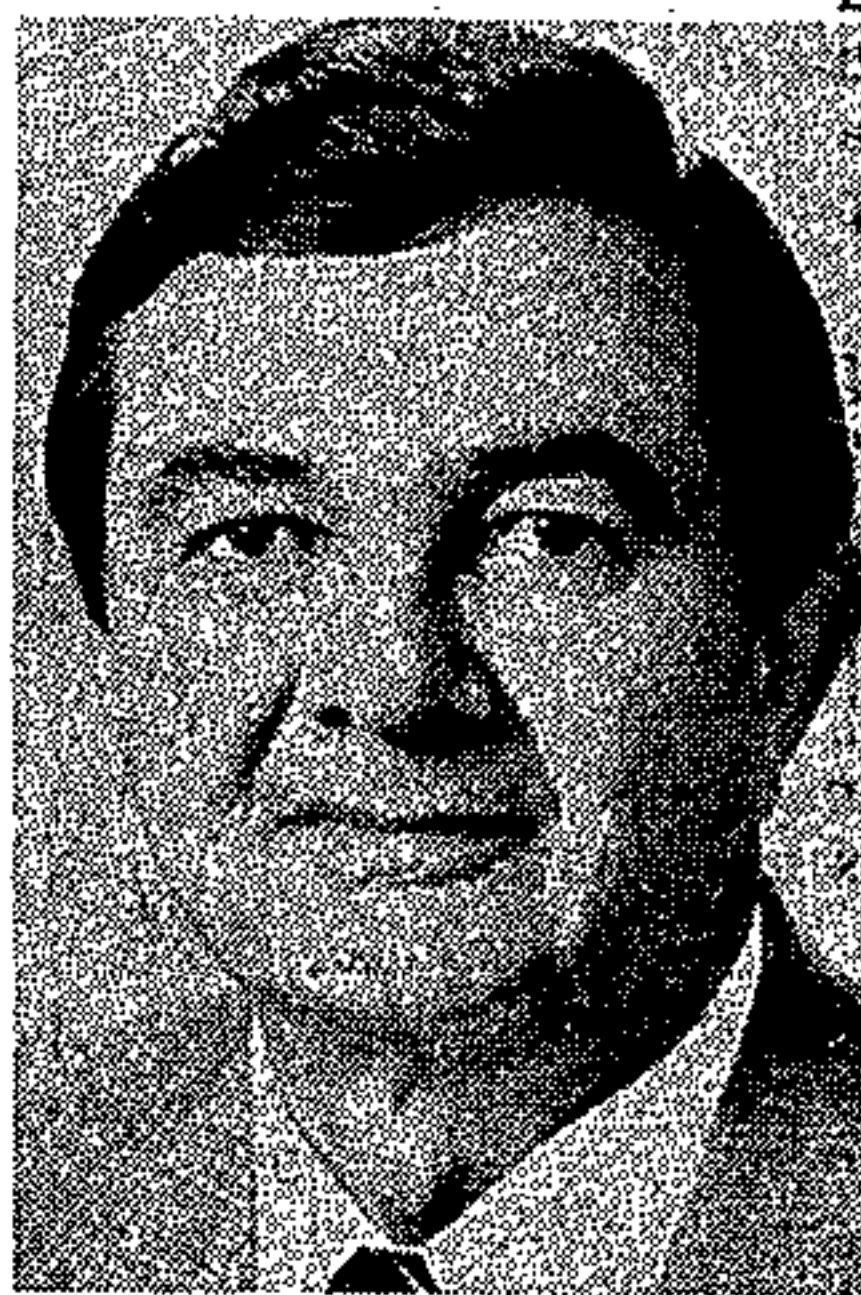
# 810 detainees now released

Star 19/4/89  
329  
Political Correspondent

CAPE TOWN — Fewer than 100 emergency detainees remain in prison while 810 have been set free since Minister of Law and Order Mr. Adriaan Vlok began releasing detainees in large numbers in mid-February.

Of these, 486 have been released under restriction and 324 unconditionally, Government sources said.

They said none of those still in detention was under 17. Four were 17.



Home Affairs Minister, Mr Stofel Botha.

# No info on sick striker

*Sowetan 19/4/89 3261*

THE Ministry of Law and Order refuses to divulge any information on the state of health of detainee Zelile Zwane who is believed to be on day 25 of his hunger strike.

Mr Zwane, who was admitted to Johannesburg Hospital some time ago, is being held in terms of Section 29 of the Internal Security Act. This provides for indefinite incommunicado detention for purpose of interrogation.

Detainees held under this section have no right of access to lawyers and only in the most exceptional circumstances do lawyers get the privilege of a visit to their clients.

Ministry of Law and Order spokesman Briga-

dier Leon Mellett refused to divulge any information on Mr Zwane. "We've discussed this before. We do not comment on any Section 29 detainee".

He said the Act prohibited such disclosure. When it was pointed out that the Act in fact gave the Minister a discretion to give information on Section 29 detainees, he added that Mr Adriaan Vlok had in fact instructed that no information be disclosed.

Mr Zwane, from Soweto, has been in detention for several months. His hunger strike is understood to be a bid to pressurise the authorities into charging or releasing him.



## Threat to deport

A 30-YEAR-OLD Tembisa man who was born in Middelburg, in the Transvaal, and has lived here for most of his life has been declared "an illegal alien" and is facing a threat of being deported to Malawi.

Mr Denny Hamilton Mhango of 562 Moriting Section, has been in police custody in Kempton Park since November and his fate is in the hands of the Department of Home Affairs in Pretoria.

He does not want to go to Malawi as he believes he is a South African citizen but South African authorities have declared him a Malawian.

*Sowetan Correspondent.*

# Prominent detainees freed from PE prison <sup>229</sup>

Argus Bureau *AK64 20/4/89* detained in 1986, was freed.

PORT ELIZABETH. — Several prominent people are among emergency detainees released from St Albans Prison.

Most had been in detention for nearly three years. They were released unconditionally yesterday.

Among them were Mr Ihron Rensburg, a former secretary-general of the National Education Crisis Committee, and Mr Dennis Neer, who was general-secretary of the Motor Assemblers and Component Workers Union of South Africa. He was detained in June 1986.

Mr Rensburg, a Korsten pharmacist, was also detained in June 1986.

Mr Lulu Mlungisi Johnson, 25, a former president of the banned Congress of South African Students, who was also de-

A worker for the Institute for a Democratic Alternative for South Africa, Mr Monde Mthanga, 30, who was detained in 1987, was also released.

A spokesman for the Black Sash said Mr Neer was among the first significant Port Elizabeth leaders to be released from detention in the two months after the Minister of Law and Order, Mr Adriaan Vlok, began a concerted process of reviewing emergency detentions.

The latest releases had given rise to a new mood of optimism, she said.

Mr Vlok said this week that the number of emergency detainees countrywide was under 100, following the release of 810 detainees since mid-February.



# 7 detained leaders released

CALL TIME 20/4/87  
329

## JOHANNESBURG

Seven senior-ranking anti-apartheid leaders who had been detained almost three years without charge were released yesterday from a prison in Port Elizabeth.

All seven were detained in 1986 and several had been held since the beginning of the 34-month state of emergency.

Among those released were the Rev Sipho Gogola of the Interdenominational Ministers' Association of Southern Africa, Mr Lulu Johnson, a former president of the Congress of South African Students, and Mr Denis Neer, a Cosatu official.

All seven have held top positions in anti-apartheid groups in the Port Elizabeth area.

Since detainees began a hunger strike in January, the government says it has freed more than 800 detainees and that fewer than 100 remain imprisoned. — Sapa-AP

Star 20/4/89

## Leading detainees in PE <sup>329</sup> released

By Jo-Anne Collinge

Two months after the Minister of Law and Order began reviewing emergency detentions, the first top-ranking Port Elizabeth leaders emerged from their detention cells this week, said a spokesman for the Black Sash in the city.

Although more than 100 people had been released in the area before this, none was regarded as being a significant leader in the region.

Among those released this week was Congress of South African Trade Unions regional secretary Mr Dennis Neer, who was detained on June 12 1986 — the first day of the state of emergency.

Mr Lulu Johnson, a member of the National Education Crisis Committee, was in the group, as was Mr Irohn Rensburg, also of the NECC.

### OPTIMISM

None of those freed this week had been restricted, the Sash spokesman said. Most of them had been in detention since 1986.

The releases, coming after many had left the cells without any Port Elizabeth leaders among them, had given rise to a new mood of optimism, the Sash spokesman said.

She added that 29 Eastern Cape detainees were still in the cells. They included key United Democratic Front leaders. The Minister of Law and Order said this week the number of emergency detainees countrywide was under 100, following the release of 810 detainees since mid-February.

Among those still detained were Mrs Vuyisiwa Fazzie, wife of UDF leader Mr Henry Fazzie, who is also still being held, and Mrs Ivy Gcina, of the Port Elizabeth Women's Organisation.



# Zwane keeps up his hunger strike

8 Feb 1989  
20/4/89

By Jo-Anne Collinge

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By late yesterday security detainee Mr Zelle Zwane had not been charged and as far as could be ascertained he was still on hunger strike in the Johannesburg Hospital.

Mr Zwane is understood to have maintained his fast for at least 28 days in support of the demand that he be charged or released.

A spokesman for the Human Rights Commission said Mr Zwane's attorney had informed him yesterday that her client had not yet appeared in court.

Mr Zwane is held in terms of section 29 of the Internal Security Act, a provision which prevents his having access to anyone other than his jailers.

Medical staff may not disclose any information about detainees in their care. All official information on detainees of Mr Zwane's type must come from the Minister of Law and Order, whose press officers have repeatedly refused to comment on section 29 detainees.

While emergency detainees outnumbered security detainees at the rate of almost 10 to one early this year, the latest figures indicate that there may now be more security detainees.

At the end of March security detainees numbered 111, according to figures supplied by the police division of public relations.

The Minister of Law and Order, Mr Adriaan Vlok, said this week there were fewer than 100 emergency detainees left after the mass releases since mid-February.

## 7 Cape detainees go home

PORT ELIZABETH — Seven emergency detainees, including several prominent in Port Elizabeth's extra-parliamentary organisations, went home yesterday from St Albans Prison, outside Port Elizabeth.

Most had been in detention for nearly three years. No restrictions have been imposed on them.

One of the detainees, Mr Ihron Rensburg, expressed confidence that

most of the approximately 29 remaining Eastern Cape detainees would be allowed home soon. This includes virtually the entire regional executive of the United Democratic Front.

Those who went home yesterday were: Mr Rensburg, Mr Dennis Neer, Mr "Lulu" Mlungisi Johnson, Mr Monde Mtanga, Mr Sipho Michael Gogela, Mr Themba Mangqase and Mr Silas Mtongana. — Sapa.



11 21 1989

Star 21/4/89

329

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Staff Reporter

Two awaiting-trial prisoners and a security detainee are being kept chained to their beds in the Johannesburg Hospital as they recover from the after-effects of hunger strikes.

## Recuperating hunger strikers kept chained to hospital beds - Nanda

who was previously an Internal Security Act detainee — may well have been charged in a court of law, but he was innocent until proven guilty and should be accorded the rights due an awaiting-trial prisoner.

Mr Modise was unable to sit up in bed and if he wished to get out of bed for any reason he was obliged to call the guard to unlock his chains, he said.

Mr Soman added that Mr Modise had been shot shortly before his arrest and seriously injured. Months later he still required physiotherapy and needed to be mobile in order to recover properly.

unwelcome.

The awaiting-trial prisoners are Mr Aubrey Simon Modise, who was charged two weeks ago after several months in solitary confinement, and Mr Veli Zwane who was charged yesterday after fasting for 29 days in protest at his continued detention without trial.

The third man is Mr Charles Malunga, a Vosloorus school teacher being held in terms of Section 29 of the Internal Security

Act. Mr Malunga, who recently had minor surgery, was admitted to hospital during a hunger strike of some 28 days.

Police have acknowledged that it is their policy to use leg-irons on occasion.

Liaison officer Captain R Bloomberg commented: "When persons have to be detained this is usually done in a safe place such as a cell.

"When, however, this is not possible — for example when a

person is undergoing treatment in a hospital, alternative methods must be used to prevent escape. When circumstances warrant it, shackles are used."

Mr Amichand Soman, the attorney acting for Mr Modise, said wards in which his client and others were being held were guarded at the entrance by two armed policemen. "To chain them to their beds is totally unnecessary."

Mr Soman said his client

The National Medical and Dental Association and lawyers acting for the men have expressed anger at this treatment.

Nanda has urged doctors treating the three to demand that their chains be removed. Describing the shackling as incompatible with medical care, it has advised doctors to ask their patients if they wish to receive treatment while so confined and to refuse to treat them if care is

329

**PRISONERS** recovering from hunger strike are being chained to their beds in the Johannesburg Hospital.

The move is causing an uproar among doctors. The National Medical and Dental Association (Namda) has said the shackling of patients was "incompatible with reasonable medical care".

They have called on doctors to refuse to treat shackled patients.

Medical staff at the hospital were meeting late yesterday to discuss the issue.

Sheena Duncan of the Human Rights Commission told the *Weekly Mail*: "It is beyond speech that this should be happening in hospitals in South Africa."

The *Weekly Mail* visited the hospital yesterday and found at least three patients cuffed by an ankle to the frame of their beds — though they were still weak from the effects of their

THERE was a flurry of activity around prisoners at the Hospital last night, with signs that the police may be removing the shackles. Within hours of the *Weekly Mail* approaching police about the matter, security was lightened and one source said police were removing leg-irons from at least some prisoners.

protracted hunger strike, and though guarded by at least a dozen policemen at all times.

At least one of them is being held without charge.

The prisoners, held under the Internal Security Act or Emergency regulations, are allowed almost no movement. As the leg irons are attached to the bottom of the bed, the patients can sit up, but cannot lean back.

Nor are they able to go for therapy or exercise — the latter being one of the few rights granted to detainees in law.

The three have been in chains since Tuesday. Their only moments of relative freedom are when they ask to relieve themselves. They are then unchained and escorted to the toilet.

The detainees said that once every day, the cuffs are removed — only to be immediately snapped shut again over the other ankle.

**The contents of this newspaper  
have been restricted in terms of the  
Emergency regulations**

329 10/21-27/89.  
from

According to Mark Swilling of the University of the Witwatersrand's Centre for Policy Studies, there are signs that the spate of releases has exacerbated the conflict between two of the central pillars of state power.

**said Swilling.**  
 "If this is the case, the hard-line security strategies of the past may be softened, but the optimists are wrong if they think that EW de Klerk will

dismantle them altogether."

Human rights groups have welcomed the releases, but have warned that the state is finding new ways of restricting the political freedom of its opponents.

According to the Human Rights Commission, most of those released have been issued with restriction orders under the Emergency regulations, with some former detainees being held under virtual house arrest.

About 700 detainees are believed to be subject to restrictions in South Africa, most having to report to police stations daily and having remain in doors for at least 12 hours a day.

"We see what has happened as a great victory for detainees," said HRC representative Audrey Coleman. "Through their united action,

from within their detention cells, they were able to expose the whole system of detention without trial."

But, she warned, the restriction orders not only prevented many former detainees from earning a living, "and in some cases even living with their spouses", but also exposed them to new dangers.

On Wednesday, seven Eastern Cape detainees became the first group of former hunger strikers to be released without restriction orders, report **Karen Evans** and **Sizwe Zondani**.

The released detainees include the former national president of the now-banned Congress of South African Students, **Lulu Johnson**; **Cosatu's** Eastern Cape general secretary, **Dennis Neer**; the general secretary of the restricted National Education Crisis Committee, **Thron Rensburg**; and **Pott Elizabeth** Youth Congress leader and **Idasa** worker **Monde Mlanga**.

Six of the seven had been held for almost the full two years and 10 months of the national State of Emergency.

Six of the seven had been held for almost the full two years and 10 months of the national State of Emergency.



# Striking detainee charged

229  
star 21/4/89

By Jo-Anne Collinge

A Johannesburg hunger striker who is reported to have gone without food for 29 days appeared in the Johannesburg Magistrate's Court yesterday.

Mr Velile Zwane is understood to have been taken to court yesterday from the Johannesburg Hospital, where he has spent the latter part of his hunger strike.

He has been charged with three others on a number of counts, including attempted murder and the unlawful possession of arms and ammunition, according to an attorney representing two of his co-accused.

It is probable that Mr Zwane will now break his hunger strike as his protest was in support of the demand that he be charged or released.

Until being charged yesterday, Mr Zwane was one of a group of more than 100 detainees held in terms of Section 29 of the Internal Security Act.

This provision allows no visits from families or attorneys and detainees are held in isolation for purposes of interrogation.

Still in the Johannesburg Hospital under Section 29 is Mr Charles Malunga, a Vosloorus school teacher. It is believed Mr Malunga is not presently on hunger strike.

It is the policy of the Ministry of Law and Order not to provide any information in relation to Section 29 detainees.

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**5 detained in Namibia**

THERE were five people in detention in Namibia at the end of last year, President P W Botha said yesterday.

**R228m of beef imported**

SOUTH AFRICA imported 67 128 tons of beef from 1986 to October 1988 at a cost of R228 694 073, the Minister of Finance, Mr Barend du Plessis, said yesterday.



BEFORE the month is out, Dutch/Belgian national Helene Passtoors could be a free woman — well, almost.

most.

In keeping with what appears its current policy of restricting former detainees and political prisoners, the government is offering to free Passtoors if she signs an undertaking which would prevent her from travelling anywhere in Southern Africa.

It also wants her to undertake not to participate in any violence against South Africa or neighbouring states.

Passtoors has responded by asking her lawyer, Ismael Ayob, to inquire "in various quarters" what the attitude would be if she took conditional freedom.

Passtoors was sentenced in May

## Passtoors could be free in weeks. If ...

1986 to 10 years in prison for treason

after she had been found guilty of burying an arms cache which had been smuggled into South Africa for the African National Congress.

Her former husband, Klaas de Jonge, who helped her hide the arms, escaped from police custody before coming to trial and spent two years as a refugee in the Dutch embassy in Pretoria. He was released in an elaborate prisoner swap about 18 months ago.

Passtoors' trial and sentence were matters of great controversy in Holland, where her treason charge — brought because she was a permanent

By PAT SIDLEY

resident of South Africa — was considered bizarre.

Although born and brought up in Holland, she married a Belgian and acquired Belgian nationality. Since her arrest she has sought the protection of the Belgians, who have been negotiating for her early release.

Last year, when negotiations broke down, Belgium abruptly expelled three South African diplomats. One of the conditions South Africa has set for her release is that Belgium should re-admit the diplomats.

The reason South Africa gave at

that stage for not freeing Passtoors was that she was required to give evidence in the trial of her friend Ebrahim Ebrahim. In the event, she was not called to testify.

Passtoors has had a particularly difficult time in prison. She has not fully recovered from the effects of her eight-month detention in solitary confinement before her trial, and suffers from epileptic seizures, continuing depression and a lack of concentration. According to sources close to her, she has not had a good relationship with her fellow prisoners.

Last year, she was suddenly removed from Pretoria and sent to the

women's prison at Kroonstad. There, she was caught apparently trying to escape. Subsequent charges linked to the escape bid were eventually dropped.

Without explanation, she was later moved back to Pretoria.

Unlike other prisoners, Passtoors has not had regular visits from outside prison. She has kept her allocation of visits for family from Holland, who can only travel occasionally — her 17-year-old son Fabrice recently visited her for the first time.

But she has had regular visits from representatives of the Belgian embassy and from an imam who has instructed her in the teachings of Islam — a religion to which she has been converted.



BEFORE his seven-month detention, Durban youth leader Chris Ntuli lived on the run, afraid of possible vigilante attacks.

When he was released this month, he was served with a restriction order which kept him at a fixed address in Inanda, making him easy prey for his enemies.

Ten days after his release the enemies he had feared for so long murdered him.

Ntuli's lawyers and family blame his death on the restriction orders imposed by the government when he was released from detention, and there is growing concern that other former detainees could face a similar fate.

Ntuli was held for about seven months under Emergency regula-

## Dead: A man who couldn't flee

By CARMEL RICKARD

tions. During that time, he went on a 22-day hunger strike in protest against his continued detention.

When he was released on April 4, Ntuli was effectively banned from participating in a number of youth organisations, including the Natal Youth Congress, of which he was previously an organiser.

But of greater concern to Ntuli, his family and his lawyers was his restriction to the magisterial district of Inanda, a sprawling informal settlement just outside Durban.

He could not leave his house between dusk and dawn and had to re-

port to the police station twice a day.

Ntuli's restrictions are similar to those imposed on hundreds of other former detainees, many of whom say they have been living under threat from right-wing vigilantes.

Last Friday afternoon, Ntuli reported to the Inanda police station as usual, accompanied by his brother for protection.

When they jumped off the bus on the way back, men in a minibus shouted his name and began to chase him. The two men fled, but while his brother escaped, Ntuli was cornered and stabbed to death in the kitchen of a nearby house, where he tried to hide.

Neither the brother nor the owner of the house can identify the attackers — lawyers say the owner was told not to turn round or look at the assailants or he would also be killed.

Police said the motive for the killing was unknown and that there had been no arrests.

Another released detainee at grave risk is Sandile Thusi, who is restricted to the very house in which his brother was killed in a vigilante attack some time ago.

The National Association of Democratic Lawyers has reacted strongly to Ntuli's death, asking the authorities to lift all restriction orders, and saying it was clear that if Ntuli had not been restricted he would still be alive.

## Massive funds for a Natal peace unit

AS the death rate in the Natal conflict topped 1 300, Inkatha president Mangosuthu Buthelezi this week unveiled a far-reaching peace proposal involving massive international funding, local peace-keeping units and joint monitoring structures.

While sharply criticising aspects of a peace conference plan put forward by the United Democratic Front and the Congress of South African Trade Unions, he has indicated he would be willing to work out a compromise between his plan and that of the UDF/Cosatu.

Buthelezi's plan emerged in a letter to Archbishop Denis Hurley released this week.

It is understood that behind the scenes efforts are continuing to keep the peace initiatives alive. There is growing agreement by all the protagonists that some way must be found to end the violence.

The UDF and Cosatu have indicated they have a mandate for participation in the peace conference they have proposed.

At the same time the African National Congress issued a statement this week giving its support to the plan.

Significantly, jailed ANC leader Nelson Mandela has also made his position clear. In a letter to Buthelezi, he has urged that all should work to end the killings. (See separate story.)

The statistics have seldom looked more grim. In just five days ending on Tuesday at least 14 people died in Pietermaritzburg townships. In the Durban area the death rate for the first three months of the year is almost three times that of the same period last year.

In his letter to Hurley, a member of the committee requested to convene the proposed peace conference, Buthelezi describes his peace suggestions and says there should be a "very large-scale national and international appeal for very substantial funding which those jointly involved can share jointly as they pursue local initiatives."

"We simply must get the total backing for the initiative we are pursuing from every major donor agency throughout the Christian world."

"We must stand together in the pursuit of a common objective, backed

Behind-the-scenes efforts to keep the Natal peace initiatives alive receive a major boost.

By CARMEL RICKARD

by a common fund assured by solid and undivided international Christendom," he wrote.

Buthelezi also proposes that the "people on the ground" must be bombarded with educational material and messages from the "committed leadership" of both sides, working together.

"We must be in a position to buy radio and television broadcasting time, to buy large-scale newspaper advertising space, to do air drops of hundreds of thousands of peace pamphlets, to use loud hailers and pre-recorded messages which can be taken to the people on the back of trucks."

His plan also involves devising channels for communication and "immediate verification mechanisms".

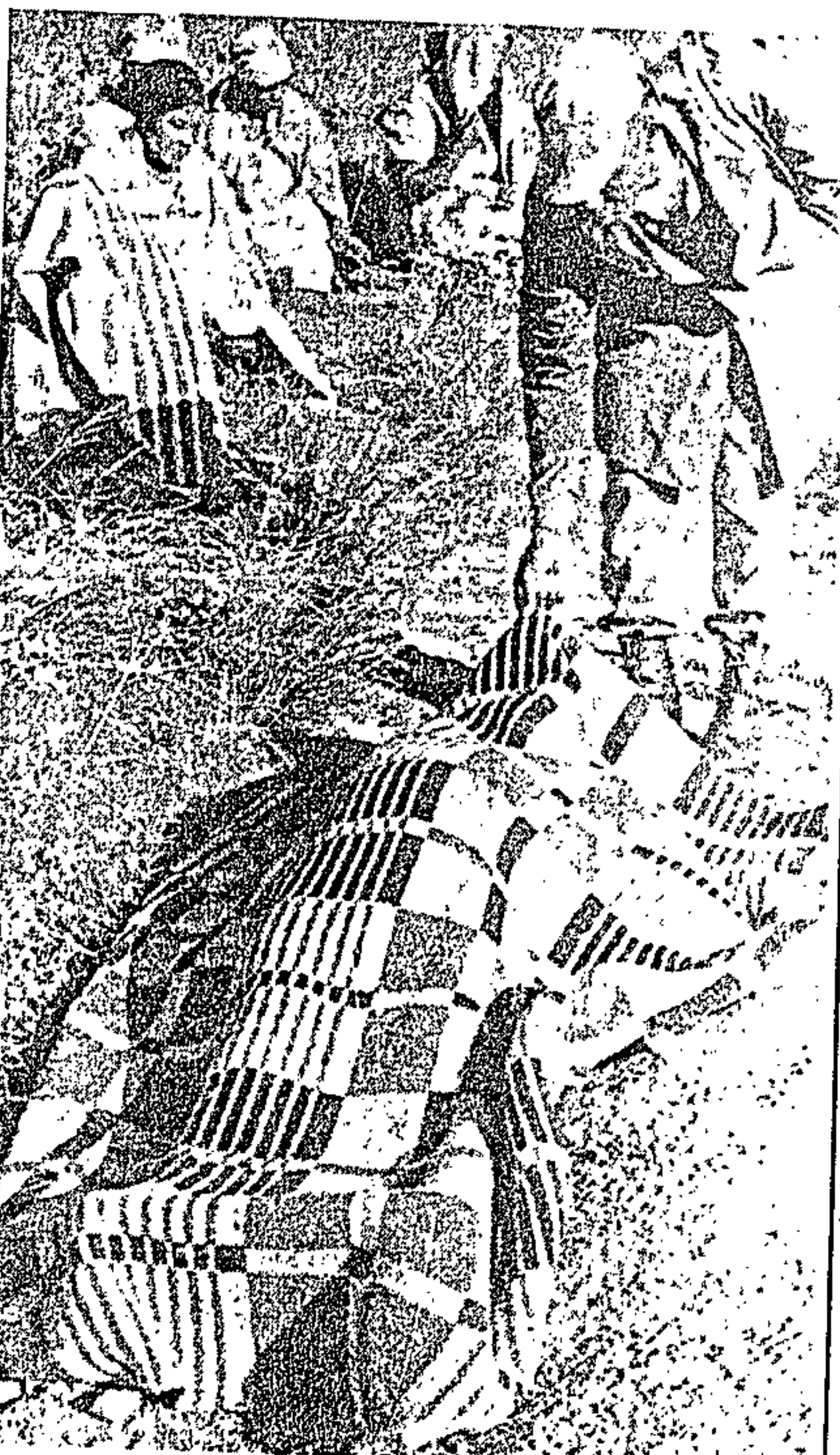
"We need command posts out in the field among the people which all the participating organisations have made safe places by their joint endeavour to establish such command posts and to keep them safe."

Expanding on this proposal, he told the KwaZulu Legislative Assembly that a real peace initiative on the ground would have to be substantially funded and there would have to be "very effective infrastructures set up to cope with the movement of people and goods to back up peace and to curb further outbreaks of violence."

"The peace initiative will have to establish many presences in different localities and will not succeed if it is to be some kind of shoe-string budget."

Buthelezi also calls for a complete moratorium on "public mud-slinging" and for mutual accusations.

"In the kind of violence which has become endemic in many areas, it is very difficult at times to say who is responsible for what. There must be a complete moratorium on blaming others for violence they did not commit. This moratorium, however, should exist within circumstances in which acts of violence are exposed



The body of yet another victim of the Natal violence is covered up

Picture: CLINT ZASMAN, AP

and traced to their proper sources. We need monitoring — effective monitoring."

Buthelezi made it clear that all current peace initiatives would have to be discussed by the Inkatha Central Committee which is meeting next week, but said if he were convinced

that the peace conference initiative was part of a genuine attempt to bring an end to the violence, he would "probably suggest an amalgamation of the kind of things you had in mind and the kind of things I had in mind to form one initiative out of the two separately conceived initiatives."

IN CHIEF: MANDELA'S LETTER TO BUTHELEZI



## Botswana coward acquitted

LOBATSE, Botswana. — The High Court has acquitted a Botswana Defence Force (BDF) officer who was sentenced to 15 years imprisonment last year for failure to engage a raiding South African commando team in Gaborone.

Corporal Joel Kgantlepe was the leader of a BDF patrol in an area of Gaborone where the South African commando killed a South African refugee and three young Botswana women in an early morning raid.

He was convicted and sentenced by a court martial for cowardice.

The High Court said there was no evidence that he expressed any personal fear. — Sapa

## ncel plan Chernobyl

government yesterday cancelled two new reactors at Chernobyl after the expansion of power stations of the kind which caused the disaster.

Decided on the Number Five reactors at Chernobyl after the station exploded on 1 people and spreading a nuclear disaster in the eastern Europe in the clear disaster.

JOHANNESBURG. — At least two detainees have been shackled to their beds in Johannesburg Hospital, according to the National Medical and Dental Association (Namda).

The association said in a statement yesterday that this is incompatible with reasonable medical care.

Police yesterday acknowledged shackles were used "when circumstances warrant it", but did not confirm or deny the allegations made by Namda.

A police spokesman said that in the case where a detainee has to undergo treatment in hospital and is therefore taken out of his cell, alternative methods must be used to prevent escape. "When circumstances warrant it, shackles (leg irons) are used."

The public relations department at Johannesburg Hospital said any information concerning detainees in hospital was a police matter.

Namda said doctors involved with treatment of detainees should consult the patients as to whether they wished to be treated while shackled. "We urge the doctors to demand that the shackles be removed, to refuse to treat patients while shackled and to indicate in writing that the police and district surgeons are responsible for the complications of non-treatment since they are refusing to follow the doctor's orders." — Sapa

## Detainees 'shackled to beds in hospital'

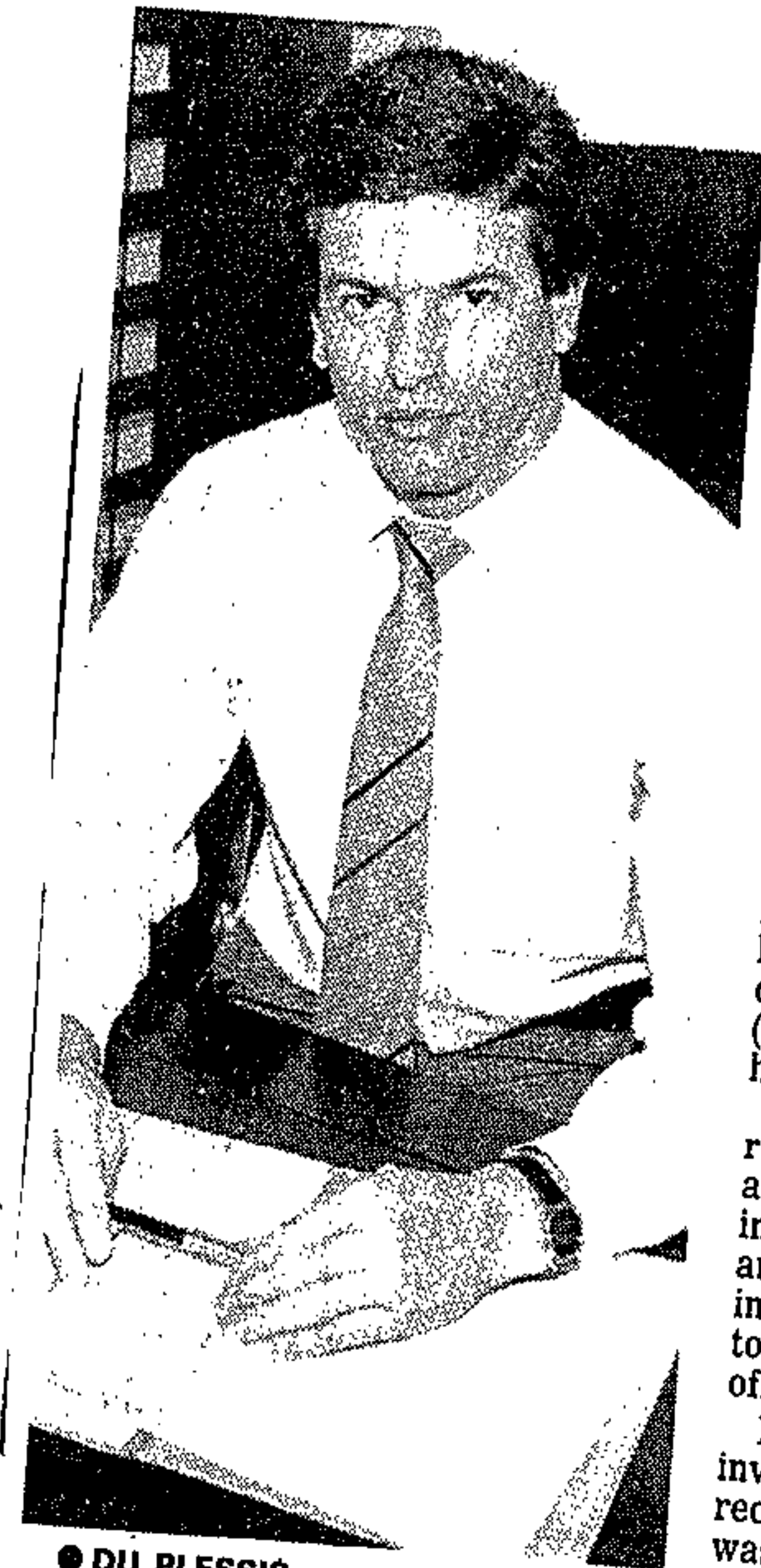
## 2 journalist detainees released

JOHANNESBURG. — For the first time in at least three years, there are no journalists in detention following the release this month of two who have been held for long periods, according to the Anti-Censorship Action Group's (ACAG) March update.

Mr Brian Soku, (32 months in detention) and Mr Beliswa Mhlawuli (six months) were released to a "very circumscribed" freedom.

Two publications, Grassroots and New Era, are still suspended, their emergency restrictions only coming to an end in May.

One other, Al Qalam, received a final warning from the Minister of Home Affairs, Mr Stoffel Botha. — Sapa



● DU PLESSIS... absent for hours

# Abduction denied by private eye

By Alan Fine 329

PRIVATE detective Fred du Plessis yesterday denied abducting Haggie Rand shop steward Moses Mogodi on Monday, saying Mogodi had voluntarily stayed at the agency's city office for most of the day and the early hours of Tuesday.

On Tuesday Mogodi, the key figure in this week's Haggie strike, said he had been taken to the Kine Centre offices of SA Private Detectives (SAPD) and was held there against his will for 25 hours.

He said that after being forced to remain in the offices in Du Plessis's absence for 12 hours, he had been interrogated by SAPD MD Du Plessis and an assistant about his alleged involvement in the shooting last October of then Haggie Rand personnel officer Tom Kekana.

Du Plessis said his client in this investigation was Kekana, who had recovered from serious injuries and was now living and working elsewhere.

He said his assistant, Joseph Nkosi, had received a tip-off from Kekana that three informants had accused Mogodi of organising the shooting attack.

## Police

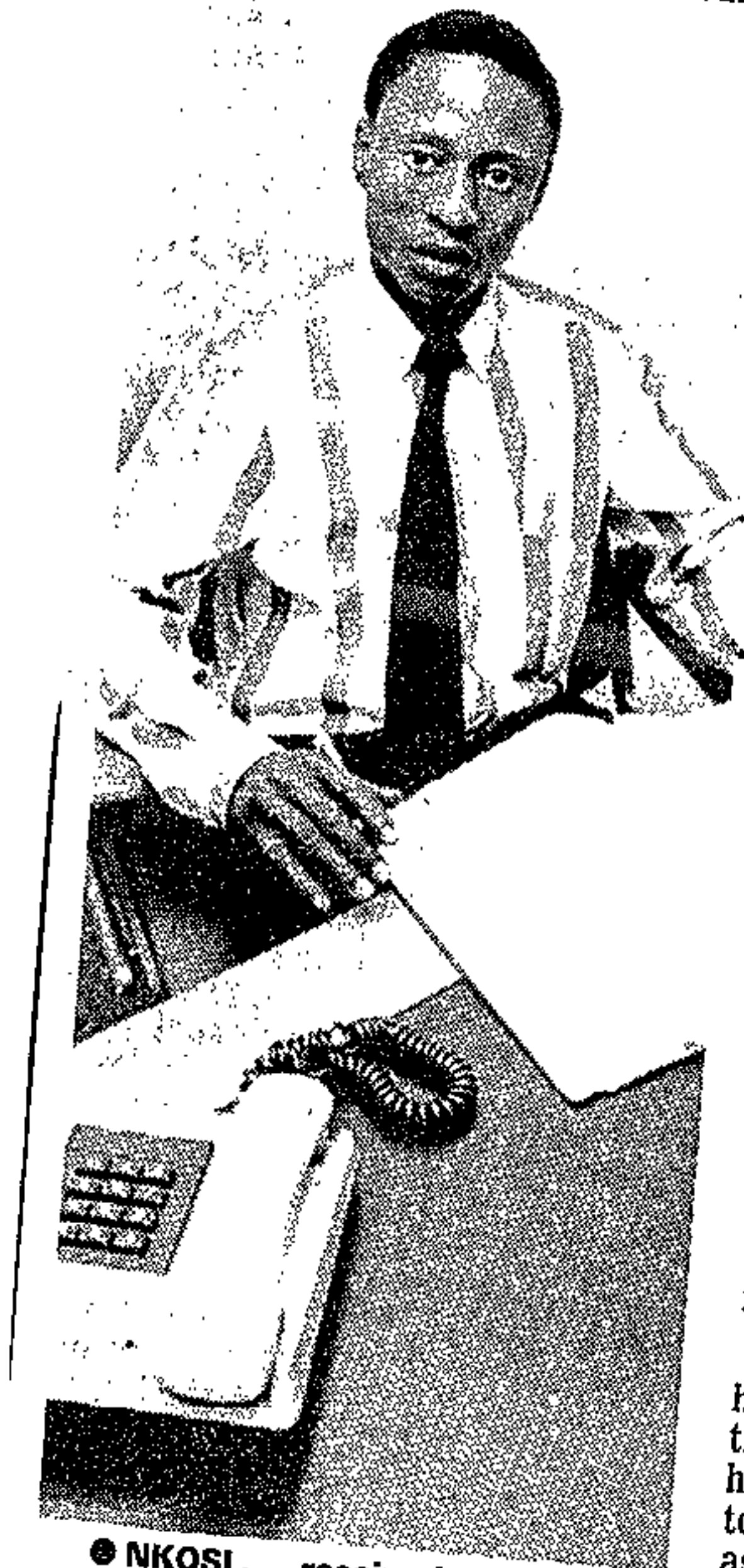
After asking a group of municipal policemen to accompany them "for safety and security reasons", Du Plessis, Nkosi and the police visited Mogodi's home at about 4am.

Mogodi had been unhappy when told of the accusations against him regarding the Kekana shooting, and insisted on accompanying Du Plessis "so the matter could be cleared up".

His approach to Mogodi had been friendly. He said it had been necessary to visit Mogodi early in the morning as timing "depends on the area".

Du Plessis was also unaware why — although he had been told he could come and go as he pleased — Mogodi had chosen to spend 12 hours awaiting his return to the office. He had informed Mogodi early in the day that he would be away from his office for several hours.

Du Plessis denied threatening to harm Mogodi should Mogodi disclose these events. He also denied Mogodi had been blindfolded during the drive to town, and denied allegations of assault. The case was now out of his hands and he expected the SAP to make an arrest soon.



● NKOSI... received tip-off

Pictures: ROBBIE BOTHA



## No journalists in detention this month

For the first time in at least three years, there are no journalists in detention.

This follows the release this month of two who had been held for long periods, according to the Anti-Censorship Action Group's (ACAG) March update.

Brian Sokutu, (32 months in emergency detention) and Beliswa Mhlawuli (six months under the Internal Security Act) were released to a "very circumscribed" freedom.

Sokutu was given an extremely severe restriction order that would make it difficult for him to work as a journalist and Mhlawuli was charged under the Internal Security Act, ACAG said.

Two publications, *Grassroots* and *New Era*, were still suspended, their restrictions only ending in May.

One other, *Al Qalam*, came closer to suspension when it received a final warning from Minister of Home Affairs Mr Stoffel Botha.

### LITTLE PUBLIC ATTENTION

Although the Minister informed a journal, *Work In Progress*, that he was not contemplating action against it at this time, he did not lift the threat against it and he can invoke his powers to suspend the journal at any time, ACAG points out.

"Most of these events are passing without much public attention, but they are signs the government has not relented in its use of the emergency media regulations against newspapers."

A new government weapon against newspapers was highlighted by the launch of a new newspaper in Durban, *The New African*, which was required to pay a R20 000 deposit and was warned of possible action against it even before its first edition was published. — Sapa.

(329)

## Police admit use of shackles in hospital

AT LEAST two detainees have been shackled to their beds in the Johannesburg Hospital, the National Medical and Dental Association said yesterday.

Police liaison officer Capt R Bloomberg said: "When persons have to be detained this is usually done in a secure place such as a cell. (329)

"When, however, this is not possible, for example when such a person is undergoing treatment in a hospital, alternative methods must be used to prevent escape. When circumstances warrant it, shackles (leg irons) are used." —

Sapa.

B/Dea 21/4/89



# Hunger strike finally over

CAP. Tlax 22/12/89 329

Crime Reporter

THE nine-week-long hunger strike by detainees ended on Thursday when Section 29 detainee Mr Zelile Zwane resumed eating after going 29 days without food.

A spokesperson for the Human Rights Commission in Johannesburg said that Mr Zwane started eating when he was informed that he was going to face prosecution in court.

Mr Zwane went on hunger strike after he demanded that he be charged or released. The Weekly Mail reported yesterday that Mr Zwane faces charges of possessing firearms, ammunition and explosives and of attempted murder.

According to the Human Rights Commission, there are no more detainees on hunger strike in the country.

● On Thursday night Mr Clinton Bronn, 22, who had been held under the emergency regulations, was released from prison and placed under heavy restriction, including a dusk-to-dawn curfew.

However, Mr Jakes Adonis, 17-year-old Mitchells Plain student activist, was detained under the emergency regulations on the same day.

ONE TIME 22/1/87  
**Police confirm  
bed shackles** 329

**Own Correspondent**

DURBAN. — At least two detainees in a Johannesburg hospital have been shackled to their beds as an added security measure against their escaping.

This was confirmed by police after the National Medical and Dental Association (Namda) issued a statement condemning the move as being "incompatible with reasonable medical treatment of patients".

A police spokesman said yesterday that the shackling had been considered necessary because of the number of hospitalised detainees who had escaped.

He said they were not shackled to their beds "all the time", and only their feet were shackled.



Star 22/9/89

329

Police order singing crowd to disperse

# Detainees' families tea party disrupted

By Jo-Anne Collinge and Janet Heard

A tea party for families of detainees and former detainees at the St George's Presbyterian Church was disrupted by members of the security police while they were singing the anthem Nkosi Sikelel' iAfrika at the weekend.

The gathering was ordered to disperse within 15 minutes by the officer in charge.

## Guests departed

About 200 guests filed down the stairs into the streets of central Johannesburg.

They left behind the tea cups arranged in straight lines on the table — all unused. They departed before the catering committee had even delivered the piles of sandwiches and cakes prepared.

The event was organised for former detainees and the families of those still in detention so that they could get expert advice in an informal setting and discuss the problems which were common to many of them.

Such tea parties have been a regular event in the lives of detainees' aid groups.

Members of the Detainees Aid Movement (DAM) and Detainees Education and Welfare (DEW) were taking questions from the floor and referring them to a lawyer.

The questions were unusually few and very tentative. They related mostly to problems families were experiencing with the restriction orders imposed on detainees when released from prison.

Somebody from the floor asked why police were at the tea party.

The answer caused some debate about what kind of songs the audience was free to sing and what the difference was between traditional and freedom songs.

Eventually the crowd stood up and began singing Nkosi Sikelel' iAfrika.

This was the event which led to the abrupt ending of the meeting. The crowd filed downstairs with an air of disbelief. One woman asked if the anthem had acquired a new meaning that they knew nothing about.

# Gang is named in murder of former detainee

cut 11/9/85 24/4/85 329

Own Correspondent

DURBAN. — The murder of former detainee Mr Chris Ntuli last Friday has been attributed to a vigilante township gang here known as the "Sinyoras", who have been terrorising young people in KwaMashu, Ntuzuma and Inanda for the past two years.

Mr Roy Ainslie, who is a leading member of the Democratic Party's unrest-monitoring group and who has been doing extensive research into the gang, yesterday said he had been informed that the Sinyoras were responsible for Mr Ntuli's death. Mr Ainslie said the Sinyoras had been monitoring detainees at KwaMashu and Inanda.

Meanwhile, widespread violence in townships here at the weekend, sparked off by the memorial service for Mr Ntuli who was killed on April 14 after reporting to an Inanda police station in terms of his restrictions, has left at least three people dead and many homeless.

However, police said that by yesterday all was quiet in KwaMashu, Ntuzuma and Inanda, where the violence had been most intense.

The driver of a Creamline Dairies delivery truck was killed on Friday and his passenger extensively injured when the truck was petrol-bombed in KwaMashu. The truck caught alight and when the occupants freed themselves from the cab, they were attacked by a mob and the driver was stabbed.

• The Detainees Co-ordinating Committee (DCC) have stated their concern at the vulnerability of restricted former detainees to vigilante attacks.



## Detainee access unacceptable

It was unacceptable that only district surgeons be allowed access to detainees held under the emergency regulations, Dr T R Moodley, president of the Natal inland branch of Masa, has said.

In a recent article in *Hospital Forum*, Dr Moodley said doctors were the custodians of the nation's health.

"After long negotiations with the State, Masa was allowed to appoint a panel of doctors who would have free access to detainees." It appeared this had been by-passed.

In reply, the Department of Health said Dr Moodley's interpretation of the Government Gazette proclamation was incorrect. A detainee may request the district surgeon to refer him at his own expense to an alternative doctor; Section 29 detainees were restricted to the services of the panel of doctors.

# Nyaki released but restricted

## CP Correspondent

AN ex-Robben Island prisoner and prominent Grahamstown activist was released with severe restrictions from Port Elizabeth's St Albans Prison this week.

Phila Nyaki, 33, was released together with five other detainees from the Albany region. They are Mxolisi Landu, 21, George Ngesi, 24, Wandisile Goba, 27, Harrison Mangcangaza, 31, and Phumzile Best, 24.

All five took part in the national hunger strike. They have all been served with restriction orders.

In terms of these restrictions they have to be at home between 6pm and 6am every day and report twice daily at the local police station.

They are further not allowed:

- To be on the premises of any formal educational institution;
- To organise people in strikes, stayaways or boycotts;
- To speak to any journalists, news reporters, news commentators or correspondents;
- To prepare, compile or transmit any matter for publication in any publication or be of assistance in any way;
- To attend any meetings to discuss any matter; nor
- To criticise the South African government or local authorities.

Phila Nyaki was detained 11 days after the 1986 state of emergency was imposed and has been in detention for nearly three years.

At the time of his detention he worked as a SAAWU organiser and was involved in initiating civic and youth structures in Grahamstown.

He was sentenced to three years on Robben Island under the Suppression of Communism Act in 1978. Before his recent detention he was detained under various sections of the security legislation, including Section 6 of the Terrorism Act.

The recent releases have raised hopes that all other detainees still held in St Albans will also be released soon.

However, jubilation at their release was marred by the recent detention of two students, Sidwell Molegothu and Musto Ngeleza. — ANA



## Mother ship home

TOKYO. — The mother ship of Japan's whaling fleet returned home yesterday after a four-month hunt in the Antarctic in which it dodged protesters and killed 241 whales.

## PAC mourner detained

KGALABE. — A man who was on his way to the funeral of the founder member of the Pan Africanist Congress (PAC), Mr Josias Murei Madzunya, was detained by the Venda security police on Saturday.

## PM resigns over riots

AMMAN. — Jordan's King Hussein accepted the resignation of Prime Minister Mr Zeid al-Rifa'i yesterday after price riots in which eight people died last week, a senior Jordanian official said.

## 4 cops on assault charge

ZWELITSHA — Four Ciskei Police elite unit captains charged with two counts of assault appeared briefly in the Magistrate's Court here yesterday. No evidence was led and captains F Zondeka, B Nkohla, F T Katangana and M Mzamo were not asked to plea. They are charged with assaulting Colonel Vuyane who is currently facing a charge of treason.

Reports by Staff Reporter, Own Correspondent, Sapa-Reuter-AP and UPI

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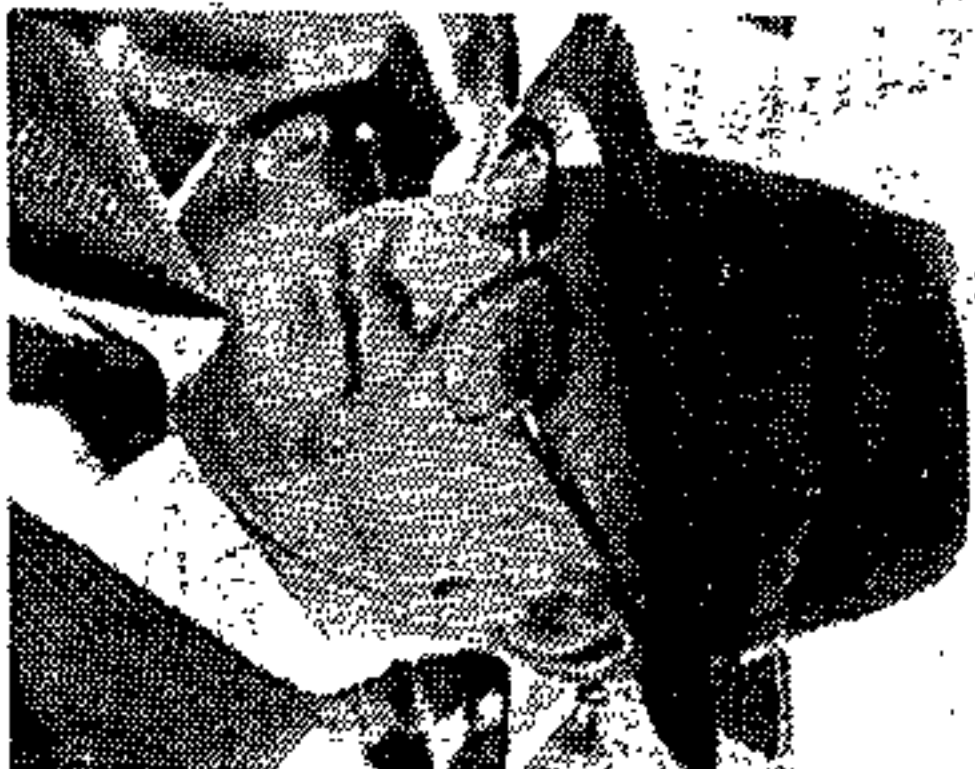
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CAPE TOWN 25/10/88 329

# SA 'needs detention now'

By BARRY STRIICK  
Political Staff



Mr Vlok

SOUTH AFRICA could not do without the system of detention without trial at this stage of its history and detainees were not little angels as was sometimes made out, the Minister of Law and Order, Mr Adriaan Vlok, said yesterday.

He also denied that the hunger strike had pressurised his de-

partment into releasing detainees and said that more detainees were released last year before the hunger strike.

Mr Vlok said it had to be remembered that the detainees were taken out of communities that had been recklessly terrorised.

Mr Vlok said he had a responsibility towards detainees but he had a large responsibility to the

millions of peace-loving South Africans.

Before releasing a detainee it had to be evaluated whether he would continue with the activities for which he had been originally detained and if this is suspected, certain restrictions must be placed on such a person.

Mr Vlok warned that contraventions of the restriction orders were regarded in a serious light.



# Mourners arrested and funeral is postponed

# SWOOP ON NIGHT VIGIL

Southern 25/4/89

329

MORE than 100 mourners

were arrested for trespassing while attending a night vigil at a Zuurbekom plot on Saturday night.

The funeral had to be postponed. The mourners had converged on the servants' quarters at Plot 292

By ALI MPHAKI

for the night vigil of Miss Noniki Cecilia Makeleni (27), who was to be buried on Sunday.



Miss Makeleni was stabbed to death, and customarily the corpse is not supposed to enter the yard the night before burial.

When the hearse carrying the coffin arrived at the plot at 11am

on Sunday, there was no-one to meet the surprised employees from the undertaker. The hearse and the coffin went back.

The mourners, according to Miss Goodness Nankonyana, a cousin of Miss Makeleni, were granted permission to attend the night vigil and funeral at the plot. "We were surprised to see police

• To Page 2



**Pick n Pay**

Southern Transvaal Discount Supermarkets

705 25/4/89



TUESDAY APRIL 25 1989

LATE FINAL

PWV 40c (35c + 5c GST)

OUTSIDE PWV 50c (44c + 6c GST)

# Mourners arrested and funeral is postponed

# SWOP NIGHT VIGIL

Sowetan 25/4/89

329

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were arrested for trespass-  
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By ALLMPHAKI  
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coffin went back.

• To Page 2

Sowetan 25/4/89

## Trespass

• From page 1 329

coming in to arrest us for  
trespass. We have in the  
past buried our people  
without any incidents  
and this is surprising,"  
Miss Nonkonyana said.

She said that the food  
that was prepared for the  
mourners was wasted  
and a sheep that was to  
be slaughtered was never  
fetched from the seller as  
there was no one to do so.

Miss Nonkonyana said  
some of the mourners  
were released on Sunday  
while the others were  
released yesterday. They  
will all appear in court on  
May 23.

"I am still confused  
and do not know when  
we will be able to bury  
my cousin. All the  
expenses I paid for last  
week took all my  
money," she said.

Attempt to obtain a  
comment from the sub  
owner, Mr Piet Haggling  
drew a blank.

A spokesman for the  
West Rand police, Major  
Tianie Halgryn confirm-  
ed that police did arrest  
the mourners after a  
complaint was received  
from the plot owner.

**Pick n Pay**  
Southern Transvaal Discount Supermarkets  
25/4/89



## Passtoors - all quiet

THERE has been no new development in the possible release of treason trialist Helene Passtoors, according to her attorney and the Department of Foreign Affairs.

~~329~~ 329 Soulteng 25/4/59  
Passtoors has been given a document for perusal which, if she signs it, means her release from the balance of her 10 year sentence.

# Escaped detainee was ‘seen at terror site’

CH 7613 26/4/89 (DA) 329

By BARRY STREEK  
Political Staff

MR Stanza Bopape, the “missing” detainee who escaped from custody last year, had been seen after his escape in the area where an act of terror took place in which people were killed, Mr Adriaan Vlok said yesterday.

He had also instructed a special investigation team under the leadership of Major-General Jaap Joubert to once again examine all case dockets about the “so-called disappearance” of activists “to once and for all put paid to any further insinuations”.

Mr Vlok said the most recent case in which the police had been defamed and besmirched involved Mr Bopape.

“On June 12 1988 Mr Bopape escaped from police custody while he was being taken out to indicate to investigating officers certain spots in

connection with acts of terror in which he was allegedly involved.

“These attacks included, among others, the terror attack at Sterland in Pretoria on April 15, 1988.”

He had disclosed these facts and other information on a confidential basis to Mr Bopape’s father.

“An intensive investigation which was conducted in respect of Mr Bopape’s movements after his escape has now resulted in police having tracked down persons who have stated under oath that they have seen Mr Bopape after his escape.

“In one incident he was observed and recognised in the vicinity where an act of terror was perpetrated and in which people were killed.

“These allegations can be tested in an open court if Mr Bopape hands himself over to the police,” Mr Vlok said.



# Shackling prisoners to hospital beds prevents escapes — Mellet

*by Day 20 Feb 89*  
POLICE were shackling prisoners to hospital beds, Law and Order spokesman Brig Leon Mellet said at the weekend.

Referring to two prisoners shackled to their beds in Johannesburg Hospital, Mellet said if doctors refused to treat them, the two men would be removed to prison hospitals.

Mellet said that despite a police guard, the men — said to be weak from protracted hunger strikes — were shackled and would remain so to prevent them escaping.

He said this practice was "happening all over the world".

"Despite a police guard, a hospital is not a prison, and wards are not cells which can be locked up. When a person in custody is taken to hospital, extraordinary measures have to be taken to ensure he does not escape.

The pair shackled to their beds were not security detainees but Internal Security Act prisoners, and would appear

in court shortly on terrorism charges, said Mellet.

At least six emergency detainees having hospital treatment under police guard had escaped to various foreign missions since September last year. All finally gained their freedom.

"In future we will ensure that, if a prisoner is in hospital, his chances of escaping will be minimal," said Mellet, adding that this "could" include future emergency detainee hunger-strikers admitted to hospitals for treatment.

□ Our Cape Town correspondent reports that the nine-week old detainee hunger-strike ended on Thursday when Section 29 detainee Zelile Zwane resumed eating after 29 days without food. A spokesman for the Human Rights Commission said Zwane started eating when told he was going to face prosecution in court. There were now no detainees on hunger-strike in SA.

329  
DANIEL SIMON

# Police defend action in stopping tea party

By Jo-Anne Collinge

Police have denied that the singing of the anthem Nkosi Sikelel'iAfrika at a weekend tea party for former detainees and families of detainees was the reason for the gathering being terminated.

The tea party, organised by the Detainees Aid Movement and Detainees Education and Welfare, took place in St George's Presbyterian Church in Johannesburg on Saturday.

It had been advertised and took the form of a talk by a lawyer followed by a question-and-answer session on the problems of former detainees and families of detainees.

The gathering was brought to an abrupt end by police order after the singing of a few lines of Nkosi Sikelel'iAfrika.

A statement released yesterday by the police division of public relations reads: "As the organiser of the meeting was informed, the officer concerned

stopped the meeting in terms of regulation 2 of the emergency regulations.

"Whilst we do not as a rule comment on action taken under the emergency regulations, we are sure that the officer who issued the instructions did so after assessing the situation existing at the time."

Reporters from The Star pointed out that the meeting was orderly and peaceful. They asked the police why many similar tea parties had been allowed to proceed.

The answer of the police spokesman was: "It is difficult to compare this meeting to other similar gatherings which may have been held in the past, as each such gathering is assessed on the climate existing at the time."

"However, to say that the singing of Nkosi Sikelel'iAfrika was the reason for the termination of the meeting would be totally incorrect."



# Call for release

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*Sowetan 24/4/84*  
THE Government must

release all political detainees, unban the African National Congress and Pan Africanist Congress, lift the state of emergency and remove all discriminatory laws before it could call for a National State Council.

This was said by Mr Tom Boya, former mayor of Daveyton and president of United Municipalities of South Africa when he officially opened the branch of Umsa in Bloemfontein at the weekend.

4663  
26/4/89  
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## Detainees' leg irons to be removed

The Argus Correspondent  
JOHANNESBURG. — Police have agreed to remove leg irons shackling detainees to their hospital beds during medical examinations, a spokesman for the Johannesburg Hospital has said.

He said this was agreed after doctors refused to examine patients who were chained to their beds.

Two awaiting-trial prisoners and a security detainee, Mr Charles Malunga, are reported to be held by shackles.

Police began shackling detainees to their beds after several escaped from hospitals.

The practice, which was made public last week, caused an uproar in medical circles which resulted in the National Medical and Dental Association's call on doctors to refuse to treat shackled patients.



## Outside judge for Balfour case

AN URGENT application in the Supreme Court, Cape Town, for the release of Section 29 detainee Ngconde Balfour was this week postponed to allow a judge from outside the Cape to hear the case.

The basis for the application is that there is no reason for Balfour to continue to be detained. He has been held since February 20 this year.

Balfour's legal representative said his client was only questioned for

three days, and since Section 29 was for the purpose of interrogation, there seemed no point to his client still being held.

In replying papers, the police said they had reason to believe that Balfour was implicated in the placing of a bomb outside the Supreme Court at the end of last year.

The court felt it would be prejudicial to Balfour for a Cape Town judge to hear the application.

Smith  
27/4-3/5/89.

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**South NEWS**

## 'Banned' from campus

A STUDENT at the University of the Western Cape released from detention last week has been served with severe restriction orders which prevent him from attending classes.

Clinton Bronn, 22, was detained under the emergency regulations in December last year.

He was the last remaining emergency detainee in the Western Cape.

Bronn's restriction order prevents him from leaving the magisterial district of Robertson. He has to report to the police station twice a day and cannot leave home between 6pm and 6am.

He may also not take part in any activities of the United Democratic

Front, be present at a gathering where the government is criticised or call on people to commemorate any incident of past unrest or protest.

He is also not allowed to address a crowd on civil disobedience, defiance of a local authority, work stay-aways or strike action, municipal elections and education or consumer boycotts.

He is not allowed to speak to the press.

Bronn's legal adviser said the restrictions were "very severe".

He said Bronn intended to apply for the order to be amended so he could attend classes at UWC, where he is studying social work.



Clinton Bronn



By CHIARA CARTER  
METAL industry employers were asked to take a public stand on detention without trial at the industry's latest round of wage talks this Tuesday.

The Electrical and Allied Workers' Trade Union (Eawtu) presented employer body Seifsa with a demand that employers agree to guarantee pay for employees in detention.

Eawtu also demanded that Seifsa publicly call for an end to the system of imprisonment without trial.

While several unions including Eawtu have won agreement at plant level for detention pay, it is the first time in South Africa that the issue has arisen as part of a wage proposal package at industrial council level.

Eawtu acting general secretary Brian Williams said the demand signalled the beginning of a national campaign in the metal industry over detention without trial.

At this week's talks Seifsa agreed in principle to a National Union of Metalworkers of South Africa (Numsa) demand that the pension fund be changed to a provident fund that allows for flexible benefits and a lump sum payment upon withdrawal.

This is conditional on

# Detention focus in wage talks

satisfactory negotiations regarding wages.

Seifsa wants fewer restrictions on management. Its demands include the removal of all limits on overtime and a proposal that small businesses be exempt from the provisions of the industrial council agreement on the grounds that these businesses would not be able to survive if they were forced to adhere to the wages and conditions of employment set out in the agreement.

Seifsa also argued that unless small businesses were exempted, they would not become party to the council. This would affect the representativity of the council since the Department of Manpower is trying to block extension of the agreement to non-parties.

Numsa agreed to discuss this proposal with its membership but a Numsa spokesperson said the union rejected Seifsa's argument that deregulation would stimulate employment as "fallacious".

Eawtu's Williams said the proposal contained "serious contradictions".

"We cannot agree to the

introduction of wage competition in the industry as a way of protecting business owners who have poor managerial skills.

"Why should workers be the victims of management's inadequacies?"

Numsa rejected Seifsa's wage proposals and said any concession on this was dependent on concessions on other proposals, especially job security, and an overtime ban.

Numsa agreed to swop

June 16, Mayday and Sharpeville Day for other public holidays and that the main agreement be extended beyond its expiry date on the understanding that this would not block unions from taking action.

## 'Unholy alliance' in unique case

A COMPLICATED legal battle between a small electronics company and the Electrical and Allied Workers' Trade Union (Eawtu) could have far-reaching implications for the metal sector, South Africa's second-largest industry.

The lawsuit, which has been waged for more than a year, resulted in a Supreme Court hearing last week.

The company, Photocircuit, argued that the Supreme Court should overrule an industrial court finding last year, because it fell outside the jurisdiction of the industrial council and court.

Opposing Photocircuit was an "unholy alliance" of the industrial court, the industrial council and Eawtu.

The case, unprecedented in the industry, stems from Eawtu's first legal strike in the Western Cape last year.

At the time, 11 Photocircuit employees went on strike after an industrial council hearing failed to resolve a dispute over the company's refusal to allow Eawtu stoporder facilities.

The strikers were fired following

Supreme Court writ for the company's assets to be attached to cover the workers' pay and benefits.

In court this week, Photocircuit argued that the strike was illegal, because the industrial council agreement contains a clause which states that non-parties to the agreement cannot make trade union deductions.

Consequently, it would be unlawful for the company to agree to provide stoporder facilities.

Eawtu argued that this clause was unlawful since it contradicted the Basic Conditions of Employment Act and the main agreement of the industrial council, both of which state that trade unions' deductions may be made upon presentation of the written authorisation of an employee.

The company also argued that the dispute should have been referred to the industrial court by the industrial council and not Eawtu, which is a party to the dispute.

# Detainee calls off hunger strike

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ARGUS 27/4/87

The Argus Correspondent

JOHANNESBURG. — Johannesburg detainee Mr Charles Malunga yesterday called off a "hunger strike to the death" after police served charges of terrorism on him.

According to his lawyer he will appear in the Johannesburg Magistrate's Court today.

He is charged under section 54.1 of the Internal Security Act.

Mr Malunga, a Vosloosrus schoolteacher, announced his intention to fast "the Bobby Sand's way" and embarked on his third hunger strike on Sunday after police failed to charge him.

He has fasted for a total of 32 days and has been in the Johannesburg Hospital since February. He had been shackled to his hospital bed with leg irons for more than a week.

He was detained late last year.

● Another detainee, Ms Thandi Shongwe, was charged separately yesterday under the Internal Security Act. Details of the charge are not known, her lawyer said.

Ms Shongwe, who is also from Vosloosrus, has been held in detention since November.



SOWETAN Wednesday April 26 1989

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# 'Fast to death' by detainee

A DETAINEE held in the Johannesburg Hospital, Mr Charles Malunga, began a "fast to the death" on Sunday because police have not yet charged him.

Mr Malunga has been shackled to his bed by leg irons for one week, according to his lawyer Ms Crystal Cambanis.

Mr Malunga has twice called off his hunger strike, once after assurances that he would be charged and once when he had to undergo an operation.

Ms Cambanis said she had received an assur-

ance from the security police that Mr Malunga would be charged within two weeks — but he would refuse to eat until this happened.

A spokesman for the Ministry of Law and Order declined comment in view of the fact that the detainee was being held under Section 29 of the Internal Security Act. Ms Cambanis said her

client — who has fasted for a total of 32 days — was in a weakened state and objected strongly to the use of leg irons 24 hours a day which made it difficult for him to go to the toilet. He has been

in hospital for about two months. He was demanding to be charged in a court of law or released, and further, that detention without trial be abolished.

The Law and Order spokesman said shackles had been introduced after the spate of detainees escaped from hospital. This security measure would be maintained while detain-

ees remained in hospital. "But to say they are being chained to their beds is a bit strong — they have ankle shackles which allows them plenty of movement."

**Vlok names alleged  
ANC terrorist**

Political Staff

CAPE TOWN — Law and Order Minister Adriaan Vlok said yesterday 35-year-old Ronald Bezuidenhout, purportedly a trained ANC terrorist, was arrested in last week.

He added during the Law and Order vote that Bezuidenhout indicated he had associated with Hein Grosskopf while outside SA.

Police said Bezuidenhout left SA in 1986 when sought for criminal offences and by the military authorities for allegedly deserting.

It is understood that during 1987 Bezuidenhout was trained at Pango Camp in Angola and then received specialist training in East Germany.

Vlok said Grosskopf must know the grief of his parents.

"If he is innocent why does he not do something about the matter?"

Vlok said Grosskopf should give himself up and put police evidence concerning car-bombings to the test in court. — Sapa.





Mr Adriaan Vlok  
*Cape Times 26/4/89*  
**Number of  
security detainees  
declines**

Political Staff

**THE** number of Internal Security Act detainees has, like the number of emergency detainees, dropped significantly over the past two months.

Yesterday Mr Adriaan Vlok, Minister of Law and Order, said there were 82 people being held in terms of Section 29 of the Internal Security Act.

On February 21, he told the Democratic Party's Mrs Helen Suzman that there were 316 Section 29 detainees.

With fewer than 100 people detained under the emergency regulations, the present number of detainees is at the lowest level for at least the past three years.

Mr Vlok said those in detention under the Internal Security Act were being held in connection with particular crimes.

Despite the decline in the number of detainees, Mr Vlok defended detention without trial.

"We regard it as absolutely necessary in terms of the circumstances. It is not possible to do without it and we will continue to use this system on a reasonable basis," he said.

ONTARIO 26/4/67  
**Covering of  
heads not  
'standard'** 329

Political Staff

IT was not standard practice for members of the SAP to cover the heads of suspects during interrogation, Mr Adriaan Vlok said yesterday.

He also said no action had been taken against any policemen as a result of their doing this.

He made these statements in reply to a question by Mrs Helen Suzman (DP, Houghton).

Mrs Suzman then asked Mr Vlok whether he was aware of a recent judgment in which it was found that covering of the heads of suspects was common practice. He replied affirmatively and said this was why he had replied in this way.



# Vlok: <sup>CPT</sup> White <sup>26/8/89</sup> ANC <sup>201</sup> guerilla <sup>222</sup> arrested <sup>329</sup>

## Political Staff

A 35-YEAR-OLD white man, reported to be a trained ANC guerilla, was arrested by police in Port Elizabeth last week, the Minister of Law and Order, Mr Adriaan Vlok, said yesterday.

It is understood that the man is Mr Ronald Bezuidenhout who, according to a police spokesman, left South Africa in 1986 when he was being sought on a number of criminal offences, and by military authorities for desertion.

It is alleged that during 1987 Mr Bezuidenhout was trained at Pango Camp in Angola and then in East Germany.

He reportedly returned to South Africa this year, assigned the task of blowing up strategic installations.

Mr Bezuidenhout, who is divorced, was formerly employed as a conductor on the railways.

Speaking during the debate on the Law and Order Vote, Mr Vlok said Mr Bezuidenhout had indicated while being questioned, that he had associated with Mr Hein Grosskopf while he was outside SA.

He said it followed that Mr Grosskopf must therefore know about the grief and concern of his parents.

"If he is innocent, why does he not do something about the matter," he asked.

Mr Vlok said he felt sorry for Mr Grosskopf's family, adding that it was a pity Mrs Grosskopf had seen fit to make public the correspondence between them.



# White ANC suspect held

By Peter Fabricius,  
Political Correspondent

CAPE TOWN — Police have arrested an alleged white African National Congress saboteur whom, they claim, moved overseas in the company of alleged ANC bomber Mr Hein Grosskopf.

Minister of Law and Order Mr Adriaan Vlok referred to the man yesterday in Parliament while discussing his current row with Mr Grosskopf's mother. She claims he "publicly condemned" her son without a trial.

Mr Vlok said there was one infallible method of resolving the matter: for Mr Grosskopf to hand himself over to the police so all their information could be tested in court.

Mr Vlok did not name the arrested man but it is understood from official sources that he is Mr Ronald Bezuidenhout (35), a divorcee from Port Elizabeth.

He allegedly returned to the country — after receiving training in Angola and East Germany — to blow up strategic installations in South Africa.

He was arrested with his aunt and uncle at a Port Elizabeth camping site and is being held under section 29 of the Internal Security Act.

Mr Vlok's spokesman, Brigadier Leon Mellet, has confirmed that Mr Bezuidenhout fled South Africa in 1986 while being sought for alleged desertion of national service.

Police believe he was trained in Angola in 1987 at the ANC's Pango Camp and received advanced training in East Germany, returning to South Africa last month.

Mr Vlok told Parliament the person arrested had indicated he had recently moved in the company of Mr Grosskopf overseas.

Referring to the correspondence between himself and Mrs Grosskopf, Mr Vlok said he was very sorry for her, but the police had highly reliable information pointing to Mr Grosskopf's involvement in the car bomb explosion at Witwatersrand Command, Johannesburg. There were indications he could have been involved in the similar attack in Krugersdorp.

In such a serious crime, in which the lives of innocent members of the public were involved, he and the police had a duty to bring their information to court as soon as possible.

This was the sole object in giving information about Mr Grosskopf. Help given by the media and the public had been crucial.

"If we had concealed the information because we were scared of hurting the feelings of innocent people and children, and other members of the public died as a result of our silence, what would then be said?"

## Free Settlement areas probed

To eliminate "uncertainty", Free Settlement Board chairman Mr Hein Kruger yesterday stipulated the areas which will be advertised and investigated.

Mr Kruger said while part of Mayfair would be investigated, this did not include Homestead Park, Mayfair West and Pageview.

Other areas to be probed form part of Windmill Park and Warwick Avenue Triangle. — Sapa.

## Restrictions

The Star is being produced under the severe restrictions of the emergency regulations.

## Rumours of SA links with loyalists for years — MP

The Star Bureau

LONDON — An Ulster MP claims there have been persistent rumours in Northern Ireland for the past 12 years about a "South African dimension" to the province's loyalist problem.

For that reason, said Mr Semus Mallin of the Social Democratic Labour Party, he had not been surprised at the news that three Ulster loyalists had been arrested in Paris for allegedly trying to sell parts of a Blowpipe missile to a South African diplomat.

Mr Mallin said the government should bring sanctions against the South African government so that it understands "the north of Ireland has enough problems and suffering without having the blood-spattered fingers of the South African government involved in it."

The Star's Foreign News Service reports from Paris that Mr Tom King, Secretary of State for Northern Ireland, yesterday told the French government he had no evidence South Africa had supplied arms to Ulster loyalists. His statement has surprised the French, who have been told by British Intelligence they had discovered South African arms in two hiding places in Northern Ireland.

It has been disclosed that one of the three men arrested in Paris is a warrant officer in Britain's Territorial Army.

The man, Samuel Quinn, belongs to unit in County Down, where his work involves instruction in the use of missiles.



(6) — their school, Saheti in a and the whole of Africa, Picture by Etienne Rothbart.



329 wmmc  
21-27/4/89.

# Uproar over leg-iron patients

"Twelve hours one leg, twelve hours on the other," Charlie Malungu said. "It's hell in here."

"I've been in here for six weeks already. Why should I suddenly want to run away now?"

With Malungu was Simon Modise and Veli Zwane, the last hunger striker who only ended his fast at 11am yesterday after 27 days without food. (See separate story)

They all looked weak and frail. Zwane was seen shuffling painfully, presumably on his way to the toilet. It was difficult to imagine that this man needed leg-irons to keep him from escaping.

For all the precautions the police are taking, however, security was slack yesterday. *Weekly Mail* reporters were able to saunter through the corridors, nodding to the heavy police contingent in passing.

Two guards, playing cards at the doorway, barely glanced up from their game as the reporters struck up a conversation with a detainee in his hospital bed. It was only when a senior officer came in on a round of inspection that the reporters were hustled outside.

SA Prisons Services declined to

●From PAGE 1

comment, saying the prisoners were in police custody while in hospital.

An SA Police representative said: "When persons have to be detained, this is usually done in a secure place, such as a cell. When, however, this is not possible, for example when such a person is undergoing hospital treatment, alternative methods must be used to prevent escapes."

"Where circumstances warrant it, leg-irons are used."

Amichas Soman, a Johannesburg lawyer representing Modise, said he was "deeply concerned".

"Mr Modise was shot shortly before his arrest," he explained. "He needs exercise and physiotherapy if he is to recover from his wounds. Now that he is shackled to the bed, my client is prevented from getting any exercise or therapy at all."

Sheena Duncan added that Minister of Law and Order Adriaan Vlok was "perhaps apprehensive about another exodus to consulates and embassies."

"But he simply cannot allow treatment of this kind to be meted out to people while they are his responsibility."

Duncan also issued a challenge to the Medical Association of South Africa to do something about the situation.

Namda said doctors treating detainees should consult them as to whether they would consent to be treated while shackled.

"We urge the doctors to demand that the shackles be removed, to refuse to treat patients while shackled, and to indicate in writing that the police and district surgeons are responsible," the statement said.

Further it called on doctors to: "indicate in writing that the police and district surgeon are to be held responsible for the complications of non-treatment."

Namda also challenged the district surgeon to state publicly what his attitude was towards the shackling of detainees.

The district surgeon refused to comment, saying he would only discuss the matter with his department.

Charlie Malungu, a 27-year-old from Vosloorus, was detained on November 7 last year and is being held under Section 29 of the Internal Security Act in connection with a Witbank bomb blast.

Star 27/4/89

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## Malunga calls off 'Bobby Sands' strike

By Dawn Barkhuizen

Johannesburg detainee, Charles Malunga, yesterday called off a "hunger strike to the death" after police served charges of terrorism on him.

According to his lawyer he will appear in the Johannesburg Magistrate's Court today.

He is charged under Section 54,1 of the Internal Security Act.

Mr Malunga, a Vosloosrus school teacher, announced his intention to fast "the Bobby Sands way" and embarked on his third hunger strike on Sunday.

He has fasted for a total of 32 days and has been in the Johannesburg Hospital since February. He had been shackled to his hospital bed with leg irons for more than one week.

He was detained late last year.

● Detainee Ms Thandi Shongwe was charged separately yesterday under the Internal Security Act. Details of the charge were not known, her lawyer said.

### SEVEN IN COURT

Ms Shongwe, who is from Vosloosrus, has been held in detention since November 1988. She has been imprisoned in Germiston.

● In another development yesterday, seven former detainees appeared for the second time in the Vereeniging Magistrate's Court charged with terrorism and membership of the African National Congress.

They appeared for the first time two weeks ago, their lawyer said. They have not been asked to plead.

Among those awaiting trial is Ms E N Madzikane (34), who has her 11-month-old baby in detention with her. Others are: Mr P J Litlhakanyane (19), Mr L T Selekoe (19), Mr T J Batyi (23), Mr E R Motubatsi (29), Mr S A Tsotetsi (35) and Mrs K A Mogotsi (44).

They will appear again in the Potchefstroom Regional Court on July 3.



Grosskopf's mother angry at run around

# Vlok accused of throwing 'a red herring'

BIDEN  
2/14/89  
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THE MOTHER of alleged ANC terrorist Hein Grosskopf, Santie Grosskopf, yesterday accused Law and Order Minister Adriaan Vlok of throwing a red herring by linking her son to Ronald Bezuidenhout, who Vlok also accused of being an ANC activist.

Grosskopf said yesterday Vlok's speech in Parliament this week was designed to divert attention from the series of letters she recently wrote to the minister. She said: "You could also call it a smoke-screen."

Vlok said police had arrested Bezuidenhout near Port Elizabeth. He described Bezuidenhout as a trained ANC terrorist and said he had travelled overseas with Hein Grosskopf.

In letters to Vlok this year, Grosskopf accused the minister of convicting her son of terrorism without a fair trial.

She said: "While I accept the police's duty to warn the public and ask the public's help in apprehending suspects, Vlok should realise it is not his duty to declare people

PETER DELMAR

guilty of crimes and thus to usurp the role of the independent judiciary.

"He has done this and he should make amends for the offence he has given."

Grosskopf said it would be a service to the country if one of Vlok's colleagues would point out to him that the right to a fair trial was a "fundamental principle".

She also denied she had disclosed any confidential information in the letters, published this week in an Afrikaans magazine, *Insig*.

By associating Bezuidenhout and her son, Vlok was trying to divert attention from her questions.

"So, they travelled together overseas more than a year ago, what does that prove?" She said she had never heard of Bezuidenhout before.

"Vlok's grief and concern would have been more credible if he expressed it of his own free volition and not (got) the President to reply to my first letter after so many months."

## UDF man one of three more detainees freed

*Cape Times* 27/6/89 Own Correspondent 329

PORT ELIZABETH. — Three more emergency detainees, including a regional executive member of the United Democratic Front, Mr Themba Duze, were released from St Albans Prison outside Port Elizabeth this week.

Their release without restrictions follows the release of seven other emergency detainees, including prominent trade unionist and UDF personalities, last week. However, two others have been detained in the past few weeks.

Mr Duze, 52, was detained on June 11, 1986. The two others released were Mr Africa Maqolo, 35, and Mr Bonginkosi Diliza, 26.



# Unshackled

POLICE have agreed to remove leg irons shackling detainees to their hospital beds during medical examinations, a spokesman for the Johannesburg Hospital said.

He said this was after

doctors refused to examine patients who were chained to their beds.

Two awaiting trial prisoners and a security detainee, Mr Charles Malunga, are reported as being held in this manner. Police began shackling detainees to their beds after a spate of escapes from hospitals in recent weeks.

The practice, which was made public last week, caused an uproar in medical circles and resulted in the National Medical and Dental Association (Namda) call on doctors to refuse to treat shackled patients.

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Own Correspondent

JOHANNESBURG. — Neville and Miriam Ferreira, the uncle and aunt of ANC suspect Mr Ronald Bezuidenhout, were

still in police custody yesterday — almost a week after being arrested at a Port Elizabeth caravan park.

Police yesterday declined to furnish further details about the Ferreiras.

Law and Order Mr Adriaan Vlok has alleged Mr Bezuidenhout had links with alleged ANC bomber Mr Hein Grosskopf.

Security sources said Mr Bezuidenhout, 35, had lived in Port Elizabeth, left school after Std 8 and worked as a conductor on the railways.

It is also believed that Mr Bezuiden-

## Relatives of ANC suspect still held

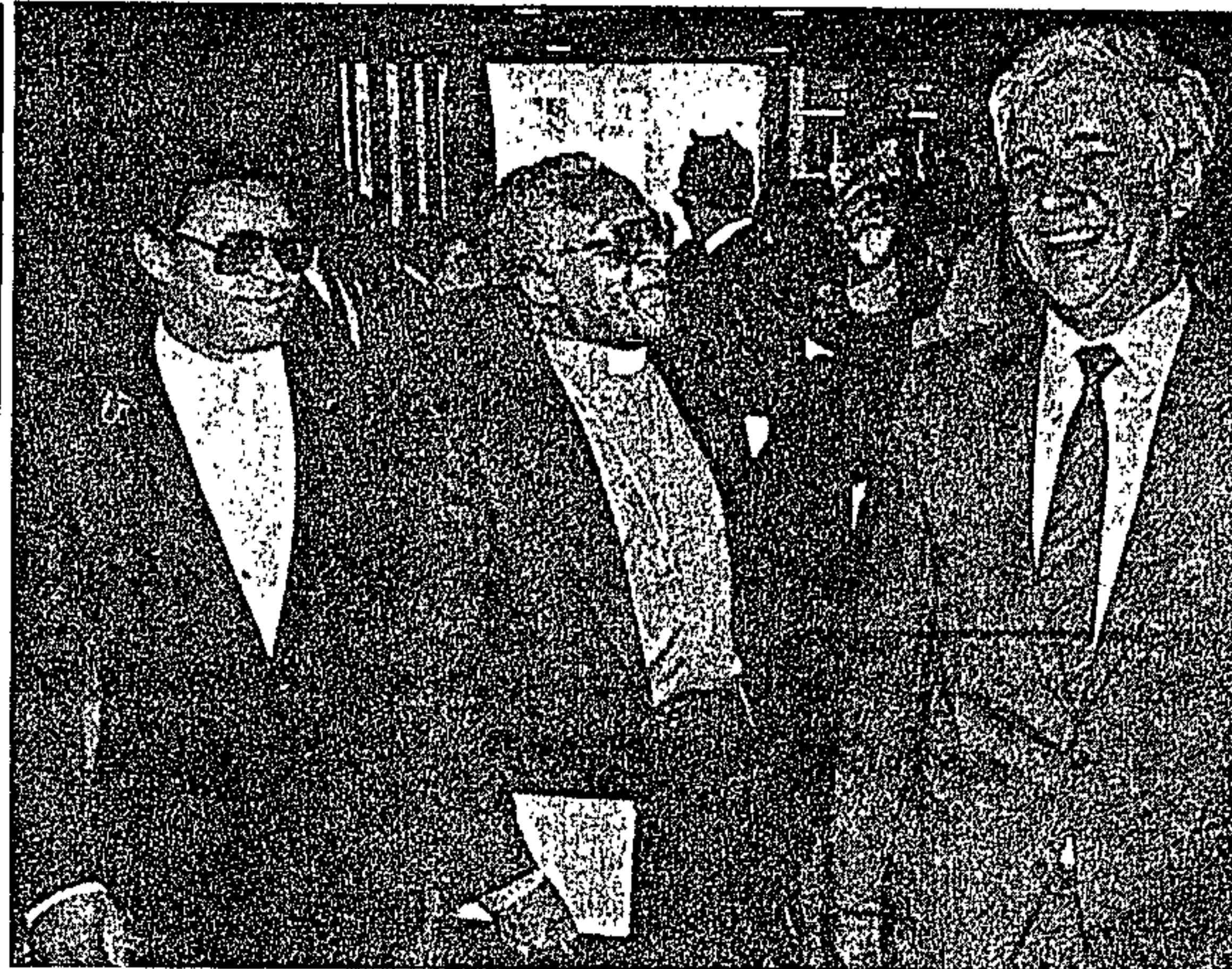
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hout's ex-wife is living in Welkom with their son.

The sources said Mr Bezuidenhout was being sought on a number of minor criminal charges at the time he left South Africa in 1986. He also allegedly did not complete his military commitments and was being sought on a charge of desertion.

He allegedly underwent training at the ANC's Pango camp in Angola and in East Germany where he apparently came into contact with Mr Grosskopf.





Public concern at the strike: Dr Allan Boesak and Archbishop Desmond Tutu arrive for an emergency meeting with minister Adriaan Vlok at the height of the crisis, and are greeted by Brigadier Leon Mellet

Picture: REUTER

## An inside view of the jail strike

● From PAGE 9

When it came my turn, I found I had lost 1,3kg and my urine had changed from "pure" to "impure" (from white to yellow).

We watched two videos that night — *The Last Dragon* and *Crossroads* — but you did not hear the usual film criticism and laughter.

We were suffering from insomnia, headaches, palpitations, backache and dizziness.

Some "comrades" were visited by lawyers and we heard of 20 prisoners in the Transvaal who were on hunger strike. We heard that parents of hunger strikers were addressing a press conference and they may meet Vlok.

All of this motivated us. However, Steyn, the deputy head of the prison, hinted to our delegation that he may stop visits or split us up by transferring detainees to different police stations.

Andile Sindela, a Cradock activist, was suddenly transferred to another prison. We saw this as a divisive strategy, and resolved that we would "hold" our strike even if we were dispersed to police stations.

Steyn even tried to tempt Quma with a chocolate — but it was refused.

Fikile Kobese got a visitor who brought him a new pair of jeans and, despite his loss of strength, he did what we called a "ngoko-nangoko" (wear it at the same time). This was a tradition whenever someone received new clothes — he would parade them before others in his cell and everyone would clap.

We tried to cheer Kobese up, but there was none of the usual pomp at this ceremony.

Day four was what we called "a day of PB Cargo" — visitors from the PB area.

I saw my mother and it was business as usual. Some visitors told us encouraging news about the support our strike was getting from outside. It was being raised in parliament and a mass church service was planned for the weekend. Embassies were threatening to reduce its staff if anybody should die in detention.

After hearing this, our morale was high.

On day five, three detainees — Rex Quma, Mbulelo Williams and Vumile Ngetu — became seriously ill and we had to call the warders in the middle of the night. Fellow detainees helped them to the hospital.

They were tested, but no doctor turned up to see them so they were brought back to their cells.

On this day, some of us started seeing a bit of blood in our urine.

### Prisons comment

THE SA Prisons Service is satisfied that the physical care and medical treatment of all people entrusted to its care are of a very high standard and in accordance with internationally accepted norms.

The medical practitioner is assisted by qualified nursing staff of the SA Prisons Service and see to the general health of prisoners and detainees. Any prescriptions, referrals to external hospitals and/or specialists and instructions of medical practitioners or specialists, are carried out meticulously. Any allegation to the contrary is therefore rejected.

The SA Prisons Service personnel is trained to deal with their task in a professional and humane manner and has an excellent record in this regard.

### Comment from the Dept of National Health

STRICT instructions were given by the Minister of National Health and Population Development, Mr WA van Niekerk, regarding the medical care of the hunger strikers within the framework of the Tokyo Declaration.

It is not possible for the Department to comment on allegations made in your publication at short notice and without further investigation of the matter.

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We expected the nurse to be sympathetic this time as Williams was looking like a corpse. She simply said: "Die dokter het gese dat as julle nie eet nie julle sal dood gaan." (The doctor said you would die if you did not eat.)

I felt hopeless and weak; my stomach was burning. My "comrades" were being humiliated and there was nothing I could do.

The first response from the authorities came on Sunday, the seventh day of the strike, when we heard that a "delegation from Vlok" had come to see us. We were watching a Brian Mitchell fight on television and were feeling drowsy — but the news perked us up.

They called 10 detainees, one by one, to try to persuade them to eat. One of them, Tango Lamani managed to shout to us from a window: "It is the security police. They say the minister is engaged in negotiations and I should say whether I am going to eat or not."

"I said no, and Captain Niewoudt said I was jeopardising my chances of being released."

"Viva comrade," was the shouted response. We all gave Captain Niewoudt the same answer.

They left us, but they came back a second time and asked to see our delegation. They told the delegation that about 43 detainees were to be freed in two weeks time — but first we had to call off the hunger strike.

We still refused, until we read about developments in the rest of the country, including meetings between Vlok and church leaders.

On the 11th day of the hunger strike, we decided to take water with sugar and called a broad forum of all detainees to review the hunger strike. We met in a cell and debated the issue. At the end, we decided to suspend the strike because we felt we had won a strategic victory. We cited:

● The mass support we received from people in South Africa and abroad;

● The change in Vlok's position. He originally was not going to be told by anyone what to do; now he said he would consider the case of each detainee and had raised the possibility of release.

We had to remind ourselves that the hunger strike was a means to an end, and not an end in itself. Suspending it would show national unity, because it would coincide with what was happening in Johannesburg.

So we decided to suspend it.

The first day of eating was difficult. They gave us soft food, like soup and milk, and the prison diet was better than usual. But we found it difficult to digest our food; our throats were sore and we had to eat slowly.

I was released shortly after this. It came as a relief, but only on the surface. In reality I was still a prisoner, though in a larger prison.

I was served with a restriction order. I may not attend gatherings organised by Pebco or any gathering where the state is criticised. I must be inside my home from 6pm to 5am and may not leave the magisterial district of Port Elizabeth without written permission. I also have to report daily to the KwaZakhele Police Station.

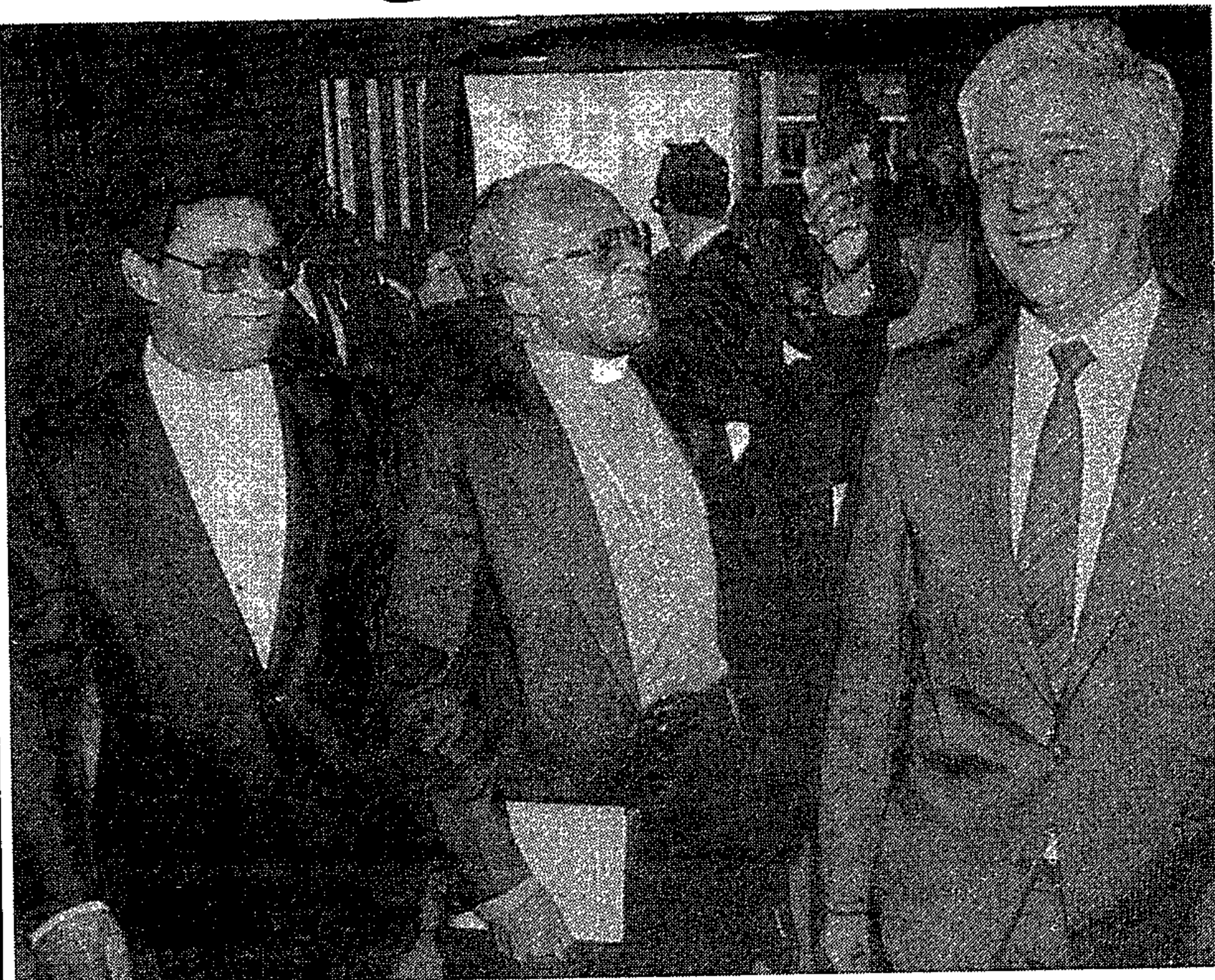
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It was even harder for 37 of my comrades who were left behind in prison, facing a bleak future.

Without them, it's hard to celebrate.



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Public concern at the strike: Dr Allan Boesak and Archbishop Desmond Tutu arrive for an emergency meeting with minister Adriaan Vlok at the height of the crisis, and are greeted by Brigadier Leon Mellet

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28/4-4/5/89

**THE** shackled hospital patient, Charles Malunga, showed his chains to journalists this week.

Malunga was still on his "fast to the death" when this photograph was hurriedly snapped as he was marched down the corridor in the Johannesburg Hospital.

For over a week, Malunga was chained to his bed and cuffed whenever he needed to leave the room for therapy.

Malunga, the last of the hunger strikers who had resumed his fast just this week, was yesterday charged in the Johannesburg Magistrate's Court and released on bail. He then re-

**BY THANDEKA GOUBULE**

sumed eating, though he is still in hospital for treatment.

Outraged doctors refused to treat him while he remained chained to his bed or to take responsibility for any complications that could develop from non-treatment. He, too, refused to take medication and issued a statement saying he supported the doctors' stand. The only person who still saw, but did not treat, Malunga was a psychiatrist.

Headaches, stomach cramps, de-

● TO PAGE 3

## Bail for South Africa's last hunger striker

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● From PAGE 1

pression and delirium plagued Malunga as he continued to refuse medication. He said he had resisted giving in to his illness and depression.

"I thought I was losing my head. My mind wondered. But my mind maintained a grip on one thing; the need to fast till I was charged or released."

Malunga is charged with assisting terrorists in terms of section 54 of the Internal Security Act.

Lawyers acting for Malunga said yesterday they believed the publication of the conditions under which he was held at the hospital and pressure from the British government encouraged the police to lay charges.

He is still weak and will remain in hos-

pital to recover from his fast. But this time it will be as an ordinary patient. He will no longer have policemen watching him as he eats, sleeps or goes to the toilet.

The shackling of the section 29 detainees, Malunga, Veli Zwane and Simon Modise, and the round-the-clock police guard created a major uproar after it was revealed in the *Weekly Mail* last Friday. The National Medical and Dental Association condemned this treatment of patients, saying it was "incompatible with reasonable medical care".

This week, Malunga was the last of these prisoners still kept in shackles.

Malunga has fasted four times, a total of 32 days, and has undergone an operation. He began his first fast on December 2 and declared it over on December 15. He ended his second fast 10 days after it began on February 18, after assurances that he would be charged. This did not happen.

Malunga began another fast on April 17 but this was shortlived as he had to undergo an operation on April 20. His final fast began on April 24.

His jubilant mother, Kohlisiwe Malunga, said she was very happy her son had been released. The detention of her son had been "a very painful experience" for her and that she too could not eat while he was on hunger strike.



**Tax** (320)

**A new**  
*Howe 28/4/89*

## **move afoot?**

BANK and building society account numbers supplied by taxpayers on their buff forms could be used in the confiscation of assets if they had failed to pay their taxes.

This news is contained in an announcement made recently by the receivers of revenue in Cape Town and Bellville.

The announcement urged taxpayers to fill in their bank or building society numbers to enable the Department of Inland Revenue to deposit rebates directly.

It also said the information would not be used to confiscate the taxpayer's assets without ample warning.

However, such action would be considered when other methods of collection had failed.

The announcement said it was in the taxpayers' interest to furnish the information, as it eliminated the risk of a cheque which may be lost or stolen.

Thousands of rands were lost to taxpayers for six to eight months at the end of last year because their rebate cheques were stolen.

Neither of the receivers could be contacted for comment. — Sapa.



# Taxman probes taximen

A TEAM of experts has been appointed by the Receiver of Revenue to investigate the Black taxi industry — which is collecting cash revenues totalling about R1,8 billion or more without paying income tax.

The appointment of the team has been confirmed by the Commissioner of Inland Revenue, Mr Clive Kingon, who said his department was aware of the problem and that it was receiving immediate attention.

It is estimated that revenue totalling R500 million is lost every year as a result of non-payment of income tax by the black-taxi industry.

Estimates of the



Ngcoya . . . call for subsidy.

taxable revenue-generating taxis is not accurately known and the South African Black Taxi Association, (Sabta), which controls 50 percent of the country's black taxi fleet, has declined to disclose any statistics.

The number of taxis affiliated to Sabta is

estimated at 30 000. The same speculative statistics also apply to the second largest black taxi association, the South African Long Distance Transport Association, (Saldta).

Transport consultants, Nesta Morris, of Pretoria, recently completed a study on Sabta and estimates an active taxi population of 55 000.

## Soaring

Estimates of net revenue also vary widely. According to a transport consultant, who did not want to be named, many taxi owners were making about R3 000 a month after expenses.

The president of Sabta, Mr James

Ngcoya, said that his association was aware of moves by the receiver of revenue to tax the industry.

He said Sabta was only making "an average profit" because the association was not subsidised. The president said in the light of soaring prices, a new mini-bus cost about R50 000.

Mr Ngcoya said it would be better if the taxi industry were subsidised, and added if his organisation could succeed with its representation to the Government for more time to study the implications of income tax, Sabta would be able

From Page 2

# Taxman

From Page 1

to "educate" the pirate taxis which are mushrooming in certain areas.

He said the Government was unable to control the pirate taxis.

The chairman of Saldta, Mr Peter Rabale, this week condemned the appointment of the investigating team set by the receiver of revenue and described its assignment as "unfair."

He said the black taxi industry was not making a profit though gradually moving towards professionalism.

Mr Rabale said he saw no point in taxing the industry because, already, his association was being "killed" by government regulations.

He urged the Government should rather address itself to deregulation rather than taxing the taximen, and added Saldta would make representations to the Government to deregulate.

NEVILLE and Miriam Ferreira, the uncle and aunt of ANC suspect, Ronald Bezuidenhout, were still in po-

## ANC suspect's aunt and uncle still held

lice custody yesterday — almost a week after being arrested at a Port Elizabeth caravan park, a police spokesman confirmed.

Police yesterday declined to furnish further details about the Ferreras or Bezuidenhout, whom Law and Order Minister Adriaan Vlok linked with alleged ANC bomber Hein Grosskopf.

Further details about Bezuidenhout emerged yesterday. Security sources said Bezuidenhout, 35, had lived in Port Elizabeth, left school after Standard Eight and worked as a railway conductor. Bezuidenhout's ex-wife was believed to be living in Welkom with their son.

Sources said Bezuidenhout was sought on a number of minor crimi-

PETER DELMAR

nal charges when he left SA in 1986, and had allegedly not completed his military commitments.

He allegedly trained at the ANC's Pango camp in Angola, and in East Germany, where he apparently came into contact with Grosskopf.

### Background

The sources claimed Bezuidenhout returned to SA this year as a member of the ANC's Special Operations squad. He did not possess arms at the time of his arrest, but had been instructed to identify technical installations with a view to possible acts of sabotage.



28/4/89  
Sunder

## 3 more are held

329

THREE more men have been arrested in connection with the killing of former hunger striker and detainee, Mr Chris Ntuli, bringing the number held to four.

Mr Ntuli was stabbed after getting off a bus shortly after reporting to the Inanda police station, as required by restrictions placed on him.

Art Times 29/4/89

## Red Cross suspends its visits to SA prisoners

Political Staff

THE Red Cross has suspended its visits to South African prisons, following a dispute with the government over its request to extend the scope of their visits.

This was confirmed by Justice Minister Mr Kobie Coetsee yesterday.

However, he said alternatives had been presented to the Red Cross and he hoped they would be acceptable.

The Red Cross has been visiting security prisoners on a regular basis for a number of years.

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# Emergency detainees resume hunger strike

Star  
29/4/89

PAT DEVEREAUX

329

SEVENTEEN Emergency detainees held at Johannesburg's Diepkloof Prison last night announced their intention to resume their hunger strike — even if it means their lives.

The detainees, including the president of the Steel-poort Youth Congress, Mr Norman Muzano Mashabane, an executive member of the Soweto Civic Association, Mr Nat Ramakgopa, and South African Youth Congress executive leader Mr Rapu Molekane, have threatened to fast to the death unless they are unconditionally released by the Minister of Law and Order, Mr Adriaan Vlok.

"If you are unable to release us while alive you will have to release corpses," said the group of detainees in a letter to Mr Vlok which was released to the press by the Human Rights Commission last night.

"We have shown you in the past that we have committed no crime and that our continued incarceration is, according to us, illegal. Your failure to bring charges against us is testimony to this. Some of us have been in detention for over a year and on average most of us have been in prison for six months," the detainees said in the letter.

Reacting to the news of the hunger strike, a police spokesman, Brigadier Leon Mellet, said last night: "This morning we had no knowledge of detainees resuming a hunger strike so we cannot comment on that. However, if detainees do go on hunger strike they will be sent to Bloemfontein's Grootvlei Prison."

Nov 29/4/87  
**Two more  
detainees  
released** 329

TWO Maritzburg emergency detainees who were transferred to Grootvlei Prison in Bloemfontein after embarking on a hunger strike were released this week, a spokesman for the Detainees Aid Committee (Dacom) said.

They are Mr Themba Chonco and Mr Jerico Zondi.

A third detainee, Mr Johannes Hadebe, who was also transferred to Bloemfontein, has returned to New Prison in Maritzburg. Five Maritzburg emergency detainees remain in prison.



# Diepkloof detainees vow to starve <sup>Top UDF</sup> <sup>2/5/89</sup> <sup>official</sup> <sup>freed in PE</sup> **17 resume their** **hunger strike** <sup>329</sup>

SEVENTEEN political detainees have resumed a hunger strike in Johannesburg's Diepkloof Prison, vowing not to eat or drink until they are freed, human rights activists said at the weekend.

The Human Rights Commission said the 17, mostly student and community leaders held from six months to more than a year, began their fast on Thursday.

"Life in your prison is unbearable, is meaningless and useless," the hunger strikers said in a letter to the Minister of Law and Order, Mr Adriaan Vlok, last week.

"We have committed no crime... we do not belong here, our places are in the communities. If you are unable to release us while alive, you will have to release corpses," they said.

A spokesman for the department of law and order said he was not aware of the hunger strike and reiterated the government's new policy of moving all hunger strikers to a prison near Bloemfontein.

The conservative area has no anti-apartheid movements or civil rights groups.

The renewed hunger strike came after the release over the past two months of more than 700 political detainees after the nation-wide hunger strike.

Mr Vlok freed them after the strike led to talks with lawyers and churchmen, including Archbishop Desmond Tutu.

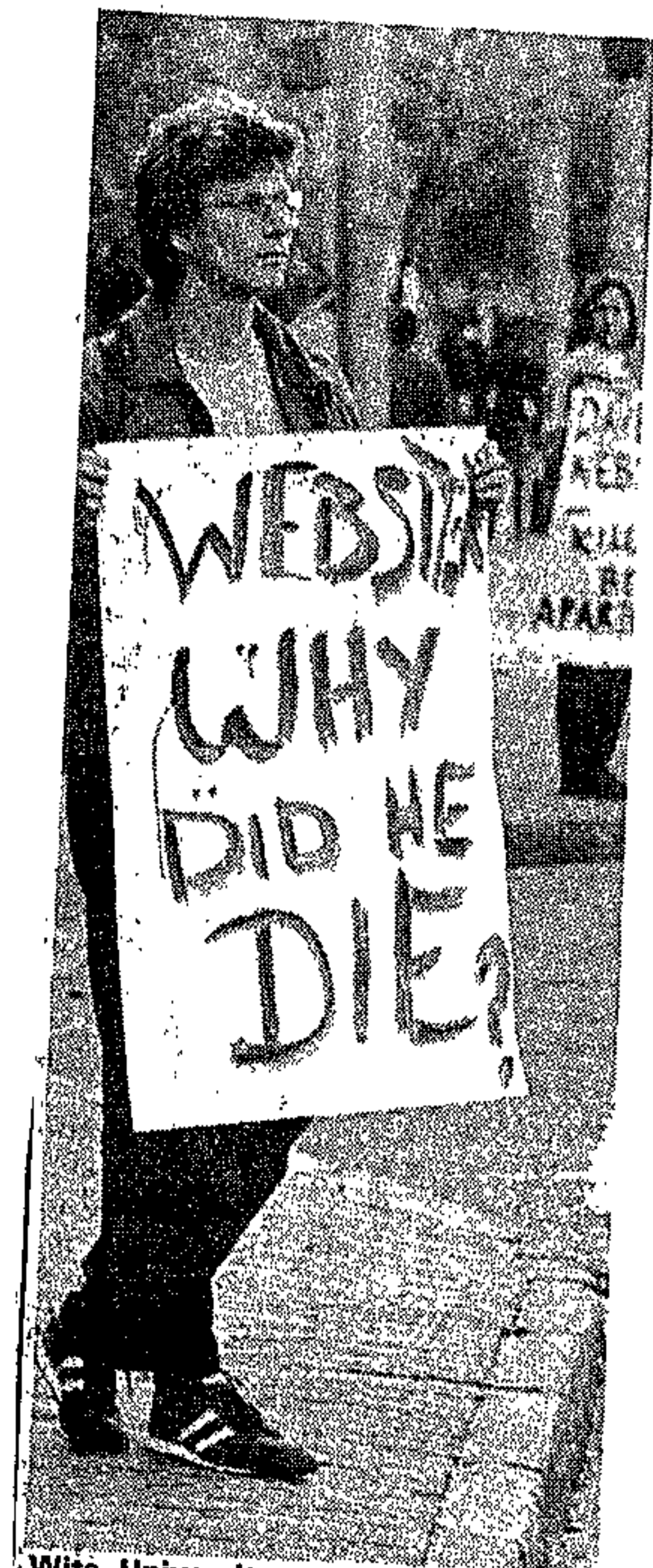
The government says fewer than 100 people are now held without charge, compared with more than 20 000 two years ago. — Sapa-Reuter

Own Correspondent  
JOHANNESBURG. — United Democratic Front president for the Eastern Cape Mr Edgar Ngoyi was among five emergency detainees released in Port Elizabeth at the weekend.

Also released was Mr Sidwell Mokgothu, the Rhodes University theology student who was detained on April 14.

Lawyers for the detainees confirmed yesterday that Mr Ngoyi, Mr Mokgothu, Mr Colin Mbi-kanye, Mr Sipho Gadani and Mr Siseko Lutywantsi were released on Friday night.

Lawyers said heavy restrictions had been imposed on Mr Ngoyi, but the other four had been released without curbs.



Wits University students holding a placard demonstration near the university yesterday in reaction to David Webster's murder. Picture: ROBERT BOTHA

8/Dec 3/5789

## Webster 'gave UN evidence on repression'

329

ADELE BALETA

ANTI-APARTHEID campaigner David Webster, who was murdered on Monday, testified before the UN Human Rights Commission on repression in SA on behalf of the now-restricted DPSC in 1984 and 1985.

DPSC member Max Coleman said yesterday that Webster had been a member of the organisation since its inception in 1981.

His dedication to supporting detainees and fighting against apartheid continued until his death, Coleman said.

He gave oral evidence on repression to the UN and was later commissioned by the HSRC to submit a report which was handed to the UN in October last year.

"It is ironic that he became an expert on informal and extra-legal repression, namely that perpetrated by the shadowy agents of the apartheid system," Coleman said.

Five Freedoms Forum representative Gael Neke said Webster was active in the development of the organisation since its launch in 1987, and became vice-chairman of the executive committee until February this year.

Part of his portfolio was to bring the white and black communities into contact with each other and to inform whites about what was happening in SA.



Handwards

959

WEDNESDAY, 3 MAY 1989

960

HOUSE OF ASSEMBLY

National Health and Population Development:

QUESTIONS

+ Indicates translated version.

For written reply:

General Affairs:

Causes of infant mortality

276. Dr M S BARNARD asked the Minister of

The MINISTER OF NATIONAL HEALTH AND POPULATION DEVELOPMENT:  
(a) What were the major causes of infant mortality for (i) Whites, (ii) Coloureds, (iii) Indians and (iv) Blacks and (b) what was the percentage of deaths from each of these causes in respect of each race group in 1988? B596E  
Data in respect of 1988 have not yet been released.  
The latest complete data set refers to 1986 figures.

Cause  
(a) and (b)

	(i) Whites	(ii) Coloureds	(iii) Indians	(iv) Blacks
Perinatal causes	49,4	36,1	58,7	36,1
Congenital defects	16,7	—	10,9	—
Ill-defined conditions	8,6	—	—	13,2
Intestinal infection	—	26,3	9,0	24,3
Respiratory diseases	—	16,6	—	—
Viral diseases	—	—	—	—

329  
Detainees examined by State doctors

322. Mrs H SUZMAN asked the Minister of National Health and Population Development:

The MINISTER OF NATIONAL HEALTH AND POPULATION DEVELOPMENT:

(1) Whether any visits were made by State doctors in 1988 for the purposes of examining persons detained in terms of security legislation; if not, why not; if so,

(1) Yes,

TPA	: 470
CPA	: 1 979
PAO	: 286
NPA	: 271
Total	: 3 006

(2) whether records were kept of these visits; if not, why not; if so, what total number of visits were made in 1988;

(2) yes,

TPA	: 470
CPA	: 1 979
PAO	: 286
NPA	: 271
Total	: 3 006

(3) whether any reports on such visits were submitted by State doctors to his Department in 1988; if so, how many;

(4) whether any action was taken by his Department as a result of such reports; if not, why not; if so, (a) on how many occasions was action taken and (b) what were the circumstances in respect of each of these cases?

B665E

HOUSE OF ASSEMBLY

961

WEDNESDAY, 3 MAY 1989

962

NP: announcement of retirement of leader

BROADCASTING SERVICES AND THE FILM INDUSTRY:

340. Mr C B SCHOEMAN asked the Minister of Information, Broadcasting Services and the Film Industry:

(1) No.  
(a) and (b) Fall away.

(1) Whether he or any official in his Department released the announcement of the retirement of the leader of the National Party in South Africa; if so, (a) on whose authority and (b) why;

(2) whether he or his Department arranged a press conference to be addressed by the new leader of the National Party; if so, (a) on whose authority, (b) why and (c) at what cost? B695E

The MINISTER OF INFORMATION,

(a) This was done on the authority of the Minister of Information, Broadcasting Services and the Film Industry;  
(b) In the light of the national and international interest in the event;  
(c) None.

HOUSE OF ASSEMBLY

Case 77-413 4/5/87 329

## Appeal Court reserves judgment on SAP case

**BLOEMFONTEIN.** — The Appeal Court has reserved its judgment in an appeal by the Minister of Law and Order, the commissioner of the SAP and the officer commanding John Vorster Square, against the judgment that found that the arrest and detention of Mr Michael Roussos was wrongful and unlawful.

Mr Roussos — national organiser, educational secretary and member of a co-ordinating committee of the SA Railways and Harbours Workers' Union (Sarhwu) — was detained in Johannesburg on May 7, 1987, under the 1986 emergency regulations.

On July 13, 1987, Mr Justice G Leveson granted an application by Mr Roussos's wife, Ms Maria Pavlicevic. The judge ordered that Mr Roussos be immediately released from detention. The minister, commissioner and officer commanding were ordered to pay the costs of the application. — Sapa



# Ex-detainee in dire straits after 'traumatic' detention

By ANDREA WEISS  
Staff Reporter

FORMER detainee Mr Abul Aziz Kader and his family stand to lose all their household goods and their car if they cannot find R11 000 to pay the Minister of Law and Order costs for an unsuccessful court application.

The Kader family's furniture and car have been attached pending payment of the costs of the application brought by Mrs Juwayer Kader three years ago for the release of her husband.

According to court affidavits Mr Kader was "psychiatrically crippled" by his detention.

He was first detained in June, 1986, for his alleged complicity in a conspiracy between Qibla, a Muslim organisation in the Western Cape, and the Pan Africanist Congress.

A year after Mr Kader's detention his mother and aunt died in a car smash at Wolmaransstad. They were on their way home after visiting him in Pretoria.

In July, 1988, Mr Kader was called as a State witness in a trial against

seven alleged members of Qibla and the PAC. He refused to testify and was sentenced to two years imprisonment for contempt of court.

His conviction and sentence were overturned on appeal eight months later but as Mr Kader drove out of Pollsmoor prison with his attorney in February this year he was rearrested and held as an awaiting-trial prisoner.

A month later his attorney secured his release on the grounds that he had been "unlawfully arrested".

Affidavits handed in to the court in March said 28-year-old Mr Kader had been "psychiatrically crippled" by his period in detention and was suffering from "post traumatic stress syndrome".

The money Mrs Kader owes the Minister of Law and Order arises from an application she brought for her husband's release after visiting him in Groote Schuur hospital where he was receiving psychiatric treatment in 1986.

He had just spent two months in solitary confinement and "we felt he was very sick", Mrs Kader said on the application.

station at certain times of each day.

The result was that their whereabouts and movements were exposed and they were left vulnerable to attack and possible death.

"This is highlighted by the murder on April 14 of Christy Ntuli of Inanda who was killed as he was returning from reporting to the police."

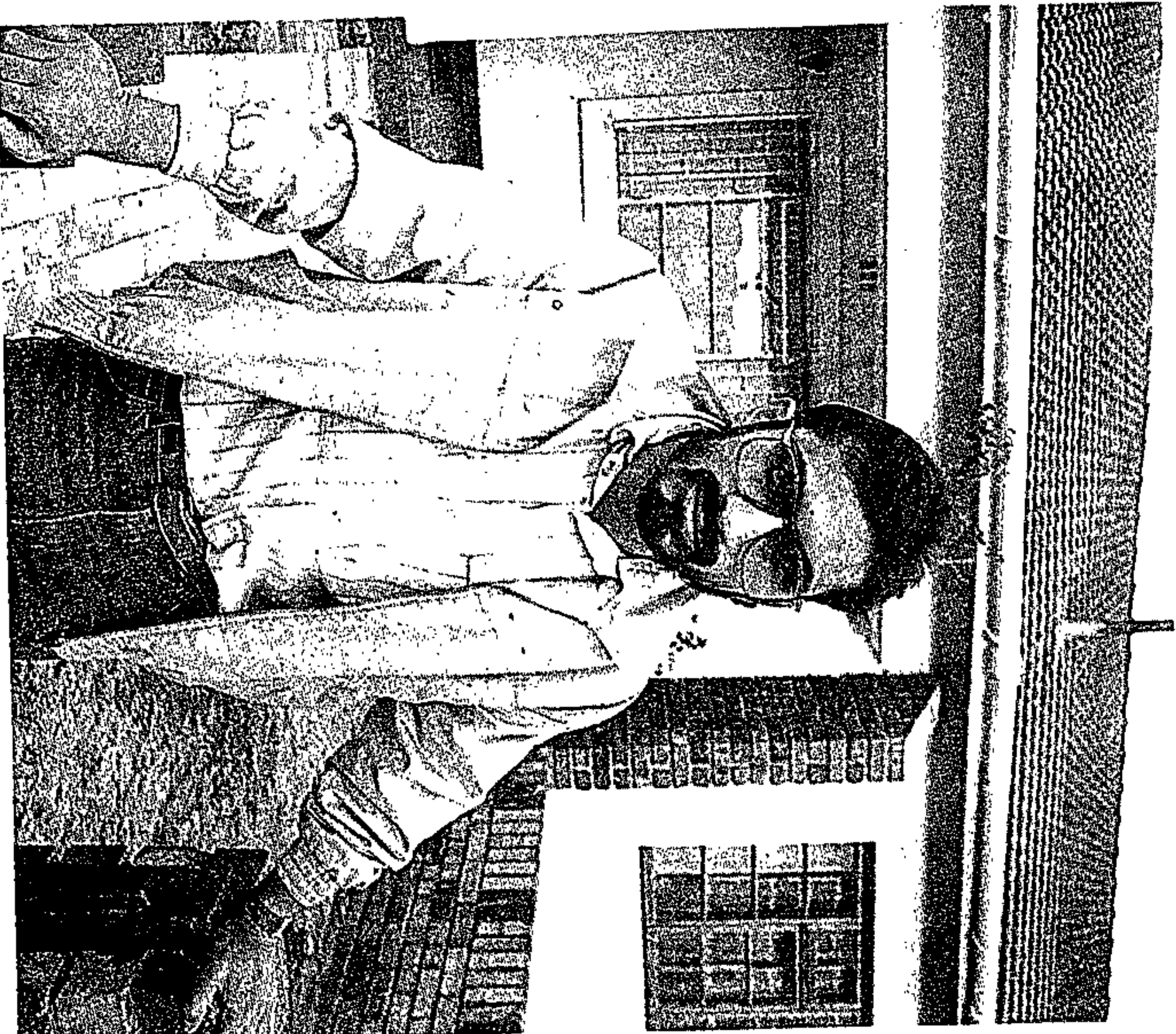
The letter is signed by local leaders of six churches.

## Ex-detainees at risk, Vlok told

The Argus Correspondent

DURBAN. — Leading Natal churchmen have told the Minister of Law and Order Mr Adrian Vlok that restrictions placed on many ex-detainees are endangering their lives.

The churchmen, in a letter to the Minister, said many released detainees had to be present at a fixed address for periods of up to 20 hours a day and to report at a specified police



Picture: DION TROMP, The Argus.

**AT HOME:** Former detainee Mr Abdul Aziz Kader stands outside his Athlone home, which may soon be empty of furniture if the family is unable to raise R11 000 for the costs of a failed court application.



# He has to pay Minister R11 000 or lose ever

## EX-DETAINEE IS HIT HARD

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Minister Vlok... owed costs.

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5 1989

Page 9

### Everything he has



## Outrage over detainee curbs

CRITICISM of restrictions imposed on former detainees intensified this week with the threat of additional supreme court action if police continue to prevent restricted people from consulting their doctors and lawyers.

This ultimatum follows the launch last week of a legal test to the validity of the restrictions. The case has been brought on behalf of a youth leader restricted to his house for 20 hours a day; it will be heard next month in the Durban Supreme Court.

The threat of further court action came from Durban lawyer Dhaya Pillay, who is acting for a number of restricted clients unable to leave specified townships.

In a letter to the law and order minister, Adriaan Vlok, this week she criticised the security police for their "callous and insensitive" handling of applications for her clients to come to the city for medical treatment.

She asked Vlok to spell out whether he intended that restricted people be refused access to medical and legal help, and warned he would be held responsible if her clients suffered damage through being unable to consult with their doctors.

She said her firm applied for the relaxation of restrictions on former detainee Sandile Thusi, so that he could come to the city centre and consult a doctor.

Pillay noted that although they applied well in advance, the date for the doctor's appointment had passed, and there had still not been any word from the police.

Care Times 6/5/89

# Balfour<sup>329</sup> judgment reserved

Supreme Court Reporter

JUDGMENT was yesterday reserved in a Supreme Court application for the release from detention, in terms of Section 29 of the Internal Security Act, of Anglican Church worker Mr Ngconde Balfour.

Mr Balfour, a development officer at the Anglican Church's Board of Social Responsibility, was detained on February 20 for allegedly assisting a "foreign trained terrorist".

In an affidavit Mr Balfour said he had been informed that a young man known as Gcini Khaya had been arrested and that arms had been found.

Mr Justice W Booysen presided. Mr D A Gordon, SC, assisted by Mr John Whitehead, instructed by N J Yokison and Associates, appeared for Mr Balfour. Mr J A le Roux, instructed by the state attorney, appeared for the Minister of Law and Order and the officer commanding, Pollsmoor Prison.



## Terror accused to attend initiation

CHETANKS 6/5/89 Court Reporter 329

A LANGA teenager who was detained for eight months and faces terrorism charges had a bail condition that he report to the police deleted as he has to "go the bush" for a traditional initiation, the Cape Town Regional Court heard yesterday.

Mr Phumzile Simelela, 19, was released on R2 000 bail at a previous hearing on condition that he report to the Langa police each day and that he not interfere with state witnesses.

Mr Simelela's attorney, Mr E Mohammed, asked that the condition concerning his reports to the police be deleted. The application was granted when the state made no objection. Mr Simelela has to "go to the bush" for a month.

He was not asked to plead, but the state alleges that he was recruited as a member of the ANC by Kenneth Moyake (also known as Solly) in May last year and that he received training in the use of a hand grenade and a Makarov pistol.

The hearing was adjourned to June 19.

# Natal detentions continue

CP Correspondent

## Former prisoners suffer under restrictions

DETENTION is not over in Natal. Not for nearly 100 restricted former detainees, nor for 14 people whose continued detention has been confirmed by lawyers and monitors in Maritzburg and Durban.

The detentions continue. On April 28 police detained Sipho Mngomezulu, Mabizha Khumalo, Vusi and Khawulane Gwala, Sipho Zuma and Mazwene Dlamini, said lawyer M Cajee.

Nor is detention over for at least 21 unknown detainees without legal representation or languishing in isolated police stations.

The hunger strike also continues to flare sporadically. Sipho Bethwell Zuma, Dumisani Jericho Zondi, Emmanuel Nkosi-athii Mabaso and Nkolisi Brian Ngubane returned to Maritzburg on Friday after being removed to Bloemfontein's Grootvlei Prison 48 hours after they started fasting on April 23.

About 324 activists have been released without restriction since the hunger strike, according to the Detainees' Crisis Committee (DCC) and the Maritzburg Agency, for Christian Social Awareness.

However, the releases have been overshadowed by restrictions on more

than 30 of those freed.

The restrictions prevent many former detainees from holding down jobs, and attending school or church.

Sixty organisations in Durban alone have been stripped of their leadership, according to the DCC monitors.

Three cases show the arbitrary nature of restrictions.

**SIMON NTOMBELA:** The 28-year-old publicity secretary of the now-banned South African Youth Congress escaped from hospital after 16 days of hunger strike in March. Two days after entering the Johannesburg American Consulate, he walked out a free man.

**CHRISTIAN GCA-BASHE:** A 20-year-old from KwaMashu was detained on August 26, 1988 but released without restrictions on March 28, 1989 after a 19 day hunger strike.

**CHRIS NTULI:** Held from September 28, 1988 to April 4, 1989, he was not so fortunate. The Natal Youth Congress executive member was stabbed to death on April 14 after reporting to the Inanda police. Four men, including a 17-year-old, have been arrested in connection with the hunger

striker's death while revenge fighting has claimed over 30 lives.

Durban has one Section 29 detainee, alleged ANC member Vukani Welcome Mhlongo of Chesterville.

Here are brief profiles of some of Durban's restricted former detainees. Their ages range from 19 to 75 but virtually every person on the list is barred from speaking to the Press. All have limits on the size and type of gathering they can attend.

Exact details of house arrest and police reporting times have been withheld because of the danger of vigilante attacks in Natal.

**ABIN BADAL:** The 27-year-old University of Durban-Westville SRC treasurer became Natal's

first restricted ex-detainee this year after seven months' detention. A temporary relaxation order from local police allowed Badal to resume his 3rd-year law lectures two weeks ago.

**BABA DLAMINI:** The Natal Youth Congress education officer last month began a Durban Supreme Court challenge against his restrictions. The Minister of Law and Order's response is expected in June.

**ARCHIE GUMEDE:** The 75-year-old UDF co-president is on his second restriction order, due to expire on June 16. He is barred from seeing UDF and Release Mandela Committee members.

**NIGEL GUMEDE:** The 33-year-old father of four and Chesterville

Residents' Association member lost his job after being detained on August 2, 1988. He was released on March 14.

**SIPHO GUMEDE:** He applied for a relaxation of restrictions so he could work, but the police response was to ask the Umlazi building contractor for his contracts and suppliers.

**NDABA GWABAZA:** A Kwaarwater teacher and university student, he was detained during the first state of emergency and released in mid-1988 with restrictions. He still needs medical help.

**BLESSING MGOBOZI and MAWENZA MSANE:** From Umbumbulu, they have had their order temporarily altered because they had to leave

the district to reach the police station.

**IAN MKHIZE:** The 48-year-old Diakonia education programme organiser and chairman of the Joint Rent Action Committee, is barred from school premises and organisations.

**M MNCWANE:** A 24-year-old from Dassenhoek, he was late for medical studies at the University of Cape Town when he was detained for the second time on January 27. He went on two 24-day fasts. Released on April 4, he has been barred from education establishments.

**SIPHO MOLEFE:** A Sid 10 pupil at Khabazele High School in Hillcrest, he was held from September 26, 1988 to April 4 after an earlier six-month detention.

**KHUMBULANI ZIBUSE MSOMI:** A 19-year-old KwaNdengezi Youth League chairman and Sid 8 pupil, he is on sleeping tablets and under threat from vigilantes.

**KOVIN NAIDOO:** The 23-year-old University of Durban-Westville SRC president and a Bachelor of Optometry student was detained from June 25, 1988 to February 24 this year.

**DENNIS NKOSI:** This

25-year-old University of Durban-Westville SRC vice-president has been restricted to Volksrust in the Transvaal.

**ELIAS NTULI:** At 54, he was employed at Document Exchange before his detention between October 19, 1988 and March 15 this year.

**ISAAC NZUZA:** From Clermont, he was discharged from hospital last Monday after psychiatric treatment caused by his restrictions, according to his doctor.

**SANDILE THUSI:** A 38-day hunger striker, he spends R4 a day on police visits and can only sleep three hours a night. Police want his doctor's name, home address and ID before considering a medical visit.

**MOLEKA SESOKO ZACHARIYA:** He was detained while in Durban looking for a job and has been restricted to Potchefstroom.

**BHEKISISA NGUBANE:** A 19-year-old from Ntuzuma, he was detained from October 7, 1988 to March 23.

**XOLANI GONWE:** A 22-year-old from Lamontville, he was moved to Bloemfontein on March 29, the day after fasting began.

**CLIFFORD PIEN-AAR:** Has been released and restricted. - DNews

## Sixty Durban bodies stripped of leadership as detentions continue and hunger strikes flare from time to time



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**BLESSING MGOBOZI and MAWENZA MSANE:** From Umbumbulu, they have had their order temporarily altered because they had to leave

the district to reach the police station.

**IAN MKHIZE:** The 48-year-old Diakonia education programme organiser and chairman of the Joint Rent Action Committee, is barred from school premises and organisations.

**M MNCWANE:** A 24-year-old from Dassenhoek, he was late for medical studies at the University of Cape Town when he was detained for the second time on January 27. He went on two 24-day fasts. Released on April 4, he has been barred from education establishments.

**SIPHO MOLEFE:** A Sid 10 pupil at Khabazele High School in Hillcrest, he was held from September 26, 1988 to April 4 after an earlier six-month detention.

**KHUMBULANI ZIBUSE MSOMI:** A 19-year-old KwaNdengezi Youth League chairman and Sid 8 pupil, he is on sleeping tablets and under threat from vigilantes.

**KOVIN NAIDOO:** The 23-year-old University of Durban-Westville SRC president and a Bachelor of Optometry student was detained from June 25, 1988 to February 24 this year.

**DENNIS NKOSI:** This

25-year-old University of Durban-Westville SRC vice-president has been restricted to Volksrust in the Transvaal.

**ELIAS NTULI:** At 54, he was employed at Document Exchange before his detention between October 19, 1988 and March 15 this year.

**ISAAC NZUZA:** From Clermont, he was discharged from hospital last Monday after psychiatric treatment caused by his restrictions, according to his doctor.

**SANDILE THUSI:** A 38-day hunger striker, he spends R4 a day on police visits and can only sleep three hours a night. Police want his doctor's name, home address and ID before considering a medical visit.

**MOLEKA SESOKO ZACHARYA:** He was detained while in Durban looking for a job and has been restricted to Potchefstroom.

**BHEKISISA NGUBANE:** A 19-year-old from Ntuzuma, he was detained from October 7, 1988 to March 23.

**XOLANI GONWE:** A 22-year-old from Lamontville, he was moved to Bloemfontein on March 29, the day after fasting began.

**CLIFFORD PIEN-AAR:** Has been released and restricted. - DNews

## Sixty Durban bodies stripped of leadership as detentions continue and hunger strikes flare from time to time



# Sisulu gets ovation at US Press banquet

The Argus Foreign Service

CAMBRIDGE (Massachusetts). — Zwelakhe Sisulu, the South African journalist who was recently released without being charged after nearly two years in detention, was given a standing ovation when he attended the 50th anniversary of the Nieman Fellows at Harvard University.

The Nieman Fellowship for Journalists was established at Harvard University 50 years ago and at the weekend nearly 400 Nieman Fellows, including 14 South Africans, gathered with their wives for the celebrations.

Mr Sisulu, who is editor of the New Nation, Johannesburg, and a Nieman Fellow, had earlier declined to accept a passport granted with certain conditions.

When the conditions were withdrawn, he decided to attend the reunion.

He made a late entrance at the dinner on Saturday night, and the people, among them many of the most distinguished names in American journalism, rose to their feet and applauded him.

Mr Sisulu was one of several speakers. He wore a yellow golf shirt as he had just arrived by air from Johannesburg.

## Seven drown in bay

Argus Africa News Service

MAPUTO. — Seven people drowned when their small boat hit a rock close to the mouth of the Maputo River in Maputo



1987. 1st 2/8/88  
329  
**Judgment reserved on Visagie appeal**

**BLOEMFONTEIN.** — The Appeal Court has reserved its judgment in the appeal by the Rev Abraham Johannes Visagie against the dismissal of his application against the State President, Minister of Law and Order and the Commissioner of the SAP for the conditions under which he was freed from detention to be declared invalid.

Mr J J Gauntlett, for Mr Visagie, said the conditions were ultra vires as they were to apply until June 11, 1987, and not — as with other released detainees — for as long as the emergency regulations continued. — Sapa

1003

TUESDAY, 9 MAY 1989

## The MINISTER OF LAW AND ORDER:

(1) and (2)

I do not consider it to be in the public interest nor in the interest of the country to furnish this information. However, I am prepared to make available this information to the honourable member on a confidential basis.

Certain person: special constable in Mamelodi

223. Mrs H SUZMAN asked the Minister of Law and Order:

- (1) Whether a certain person, whose name has been furnished to the South African Police for the purpose of the Minister's reply, was employed as a special constable in or around Mamelodi in 1988; if so, (a) what is his name, (b) when was he so employed and (c) what training was he given;
- (2) whether this person has a history of mental instability; if so,
- (3) whether this was known at the time of his employment; if not, why not; if so, why was he (a) employed as a special constable and (b) permitted to carry a firearm;
- (4) whether this person has ever been charged with committing a criminal offence; if so, (a) when and (b) with what offence;
- (5) whether this person is still employed as a special constable; if so, (a) why and (b) where; if not, why not?

B508E

## The MINISTER OF LAW AND ORDER:

- (1) No, but from 7 May 1987 until 18 November 1987
- (a) to (c) Fall away.
- (2) No.
- (3) (a) and (b) Fall away.
- (4) Yes
- (a) 15 November 1987
- (b) Housebreaking with the intent to steal and theft.
- (5) No, the person was dismissed after he had been charged with housebreaking with the intent to steal and theft.
- (a) and (b) Fall away.

THE HOUSE OF ASSEMBLY

1004

## SAP: toll paid

232. Mr D S PIENNAAR asked the Minister of Law and Order:

What amount was paid in toll at toll-gates by members of the South African Police Force during the latest specified period of 12 months for which figures are available in the exercise of their powers or the performance of their duties functions?

B519E

## The MINISTER OF LAW AND ORDER:

Generally, on completion of the prescribed form, vehicles of the South African Police are exempt from toll fees in terms of section 28 of the Police Act, 1958 (Act 7 of 1958).

However, under certain circumstances, especially when it is urgent, it does occur that members of the Force pay the toll fees themselves. In such instances a claim for the expenditure is submitted. During 1988 R340,00 was paid back to members of the Force in this way.

## Internal Security Act: detainees

270. Mrs H SUZMAN asked the Minister of Law and Order:

Whether any persons detained in terms of section 50 of the Internal Security Act, No 74 of 1982, were subsequently detained in terms of section 29(1) of the said Act; if so, (a) how many and (b) in respect of what period is this information furnished?

B589E

## The MINISTER OF LAW AND ORDER:

No

(a) and (b) Fall away.

## Internal Security Act: detainees

271. Mrs H SUZMAN asked the Minister of Law and Order:

Whether any persons were detained in terms of sections (a) 50 and (b) 50A of the Internal Security Act, No 74 of 1982, in 1988; if so, (i) how many and (ii) for what period was each detained before being released, in each case?

B590E

## The MINISTER OF LAW AND ORDER:

(a) and (b) None

(i) and (ii) Fall away.

1005

TUESDAY, 9 MAY 1989

## Unemployment Insurance Fund

287. Mr P G SOAL asked the Minister of Manpower:

- (a) What was the total amount (i) paid into the Unemployment Insurance Fund in 1988 and (ii) paid out in benefits by the Fund in that year and (b) (i) to how many applicants were benefits paid and (ii) what actual or estimated number of such applicants was (aa) White, (bb) Coloured, (cc) Indian and (dd) Black?

B609E

## The ACTING MINISTER OF MANPOWER:

- (a) (i) R739 906 984
- (ii) R440 428 042
- (b) (i) 406 106
- (ii) The Unemployment Insurance Act, 1966, makes no distinction between the various population groups and consequently separate figures are not readily available.

NOTE: The abovementioned figures are provisional and subject to audit.

## Unemployment Insurance Fund

288. Mr P G SOAL asked the Minister of Manpower:

- (1) What was the balance of the Unemployment Insurance Fund at the end of 1988;
- (2) (a) what was the total amount (i) paid into the Fund by State employers and employees and (ii) paid out in benefits in that year and (b) to how many applicants were benefits paid;
- (3) (a) what is the present average rate of interest received by the Fund and (b) what amount was paid from the Fund in 1988 in respect of administration costs;
- (4) (a) what total amount in unclaimed money is held in the Fund and (b) how many persons are involved in this amount;
- (5) how many employers were registered with the Unemployment Insurance Fund as at 31 December 1988?

B610E

## The ACTING MINISTER OF MANPOWER:

- (1) R544 149 105
- (2) (a) (i) R46 982 375

1006

(ii) and (b) Separate figures for the amount paid out as well as the number of contributors who applied for benefits in respect of State employees only are not available. A total amount of R440 428 042 was paid out to 406 106 contributors (State employees and employees in the private sector).

(3) (a) For moneys invested in 1989: 15-16,2 per cent

(b) R27 771 571

(4) (a) Particulars are not available.

(b) Figures are not available.

(5) 150 622

NOTE: All of the abovementioned figures are provisional and subject to audit.

## Unemployment in inspectorate areas

319 Mr P G SOAL asked the Minister of Manpower:

How many Whites, Coloureds and Indians, respectively, were registered as unemployed in each inspectorate area as at 31 December 1988?

B662E

## The ACTING MINISTER OF MANPOWER:

	Whites	Coloureds	Indians
Bloemfontein	1 588	572	—
Cape Town	5 022	5 525	27
Durban	4 333	2 714	9 193
East-London	207	83	1
George	412	1 517	—
Johannesburg	9 112	2 909	668
Kimberley	254	1 061	5
Port Elizabeth	779	600	7
Pretoria	1 916	158	36
Total	23 623	15 139	9 937

## Blacks registered as work-seekers

321. Mr P G SOAL asked the Minister of Manpower:

How many Black males and females, respectively, were registered as work-seekers in the White areas of the Republic in each month of 1988?

B664E

THE HOUSE OF ASSEMBLY



# 9 resume hunger strike

Sowetan 10/5/89

329

NINE more detainees have resumed their hunger strike at the Diepkloof Prison in Johannesburg.

The nine, who include civic leader, Robert

Ramokgopa and youth leaders, began fasting to the death "after long and bitter debates", according to a statement signed by the detainees.

Eighteen other detain-

ees at the prison resumed their hunger strike late last month and the Government immediately said it would move them to a hospital in Bloemfontein.

# 9 detainees 'on hunger strike in Diepkloof'

By Jo-Anne Collinge

A group of nine detainees at Johannesburg's Diepkloof Prison apparently began a hunger strike on Monday, vowing: "Vlok will have to release us alive or as corpses, but he will have to release us."

The information comes from a press release received by The Star and apparently issued by the detainees.

It bears the names and signatures of the nine detainees, their prison numbers and their dates of detention.

With the press release is a letter to the Minister of Law and Order, Mr Adriaan Vlok, in which the detainees state: "We have shown you in the past that we have

committed no crime and that our continued incarceration is, according to us, illegal. Your failure to create charges against us is testimony to this.

"Life in your prison is unbearable, is meaningless and useless. We know that you do not care for us or our future but we want you to know that we do not belong here. Our place is in our community."

Ministry of Law and Order spokesman Lieutenant Peet Bothma was not able to confirm the hunger strike or the report that one of the nine participants had been moved to Bloemfontein.

The detainee who is said to have been transferred is Mr Robert Mngomezulu of the Soweto Students' Congress.

Nov 16/57/57

329



CHIC Times 10/5/89 329

## 9 Diepkloof detainees resume fast

JOHANNESBURG. — Nine more detainees have resumed their hunger strike at Diepkloof Prison here.

The nine, who include civic leader Mr Robert Ramokgopa and other youth leaders, resumed their fast on Monday "after long and bitter debates", according to a statement signed by the detainees.

Eighteen other detainees at the prison resumed their hunger strike late last month and the government immediately said it would move them to a hospital in Bloemfontein.

The nine, who have been in detention for periods of up to one year, said they would refuse all solid foods and liquids as well as medication while in prison.

They also sent a letter to the Minister of Law and Order, Mr Adriaan Vlok, demanding their immediate and unconditional release.

The nine are Mr Ramokgopa, Mr Aldo Mogano, Mr Christopher Halale, Mr Joel Letswela, Mr Robert Mngomezulu, Mr Norman Mashabane, Mr Sydney Molekane, Mr Cyril Monyela and Mr Victor Rambau.

"Vlok will have to release us either alive or as corpses," they said.

The government has released hundreds of detainees in the past two months following nation-wide hunger strikes.

Dramatic escapes of hospitalised hunger strikers to diplomatic missions prompted the government to announce it would move strikers to Bloemfontein. — Sapa

# Supreme Court Reporter

Captain William Rudolph Liebenberg, head of the terrorist detection unit, also denied that a colleague had stepped on the injured leg of captured ANC guerilla Mr Bongani Jonas or that Mr Yengeni's shot and injured co-accused Mr Mtheteteli Tl-tana's injured leg had been twisted several times to gain information.

There was a "considerable swelling" on the right-hand side of Mr Yengen's face, a bruising under his right eye and a swollen lower lip, Mr De Villiers said.

Asked about a wet mark on Mr Yengeni's trousers, Captain Liebenberg said the trousers had been wet and when he saw this during the raid on Ms Schreiner's flat, he thought Mr Yengeni had wet his pants.

## Facial bruises

Captain Liebenberg denied this and added that Mr Yengeni had never been threatened by a W/O Nel that "ugly things" would happen to him if he refused to co-operate.

Mr De Villiers further put it to Captain Liebenberg that during questioning W/OO Jeff Benzien had threatened to fetch his "stuff", that the interrogation had lasted for four hours and that police had only visited Searle Street after midnight.

He further denied that after the raid on Ms Schreiner's flat W/O Benzien had arrived with his "stuff", taken Mr Yengeni to

Capt Tinkles 11/5/09

329  
Court hears  
of beatings,

rubber bag

He also denied that W/O Benzien had made Mr Yengeni lie on his stomach and that he had tightened the rubber bag and caused Mr Yengeni to lose consciousness.

Mr De Villiers further put it to him that Mr Yengeni had been unwilling to give police information and that he had been coerced to do so. This Captain Liebenberg denied.

He did not do anything about Mr. Jonas' wound and when he had asked him about it Mr. Jonas had said the bleeding had stopped and that there was no feeling in the area surrounding the wound.

Asked if he had not thought it wise to get Mr Jonas medical attention, Captain Liebenberg said he did not at the time.

Captain Liebenberg replied it had not been done in his presence. He was however aware that Mr Jonas had been operated on the next day and a metal pin inserted to mend a fracture.

**Asked what he would say if evidence was**

Told by Mr De Villiers that had Mr Jonas been arrested in terms of the Criminal Procedures Act he would have been entitled to his own doctor and attorney, Captain Liebenberg agreed.

In response to questions Captain Lieberberg — who had testified that Mr Titiannaberg was also wounded during his arrest at Heideveid station — denied that he had been present.

While pointing out places to police Mar Tirana had not been bleeding and neither was this the case when they returned to Culumborg.

## Extreme pain

Mr De Villiers put it to Captain Liebenberg that his colleague W/O Nel had "grabbed Mr Tiana's injured leg and swung it around like an old car's startle-sling, imitating the noise of a starting car".

He further denied that later at Culemborg W/O Nel had told Mr Tjitana that worsts could happen to him and that because of the pain Mr Tjitana had agreed to point out places to police.

**The hearing continues today.**

The scoured are: Mr Yangu, Ms Schneider, Ms Lumka Nyanza, Mr Meimutlu Lumbembo, Mr Mluxu Ndiku, Mr Mongoneli Nkwanda, Mr Tiana, Mr Gary Kusai, Mr Christopher Giffard, Mr Sileabacha Mahiale, Mr Alpheus Ndude, Ms Gertrude Fester, Ms Zurtysh Abess and Ms Colleen Lombardi.



# 'Not deterred' by Webster killing

From MONO BADELA

JOHANNESBURG. - The assassination of Dr David Webster would not deter other anti-apartheid activists from their work, Dr Max Coleman said this week.

Coleman, the guiding force behind the restricted Detainees' Parents Support Committee (DPSC) and a friend of Webster, said he would continue to campaign against apartheid.

Coleman said he and his family would not take special measures to protect themselves.

"If the purpose behind the cold-blooded killing of David Webster was to send out a message of intimi-

dation to all those, who, like David, are committed to ending the obscene system of apartheid, then it will have failed miserably," said Coleman.

He said Webster's assassination would only serve to strengthen the resolve of those who struggled to realise the ideal for which he died.

"I have a mission to carry out and I won't be intimidated into shirking my responsibility," said Coleman.

"All that will be achieved by the perpetrators will be to take their place in history beside the gas-chamber butchers of Nazi Germany."

Webster, 44, was assassinated outside his home in Troyeville, Johannesburg, by unknown gunmen on

Mayday. He was an active and dedicated member of DPSC since its early days in 1981.

Like Webster, Coleman is committed to fighting detention without trial and to working towards the dismantling of apartheid.

As chairperson of DPSC, he has often challenged the authorities over the issue of detention without trial.

In June last year, he was involved in a head-on confrontation with Law and Order Minister Adriaan Vlok over child detainees being held at Diepkloof prison.

Coleman said analysts of state repression, including David Webster,

had observed in recent months a shift away from the use of normal state repression based on the security laws to a reliance on "informal and often extra-legal forms of repression".

He said South Africa could expect "a continuation in the trend of backing away from heavy-handed formal state actions, and simultaneously a greater reliance on informal repression for which the state can disclaim responsibility".

Another member of the DPSC to have been assassinated was Soweto youth student leader, Godfrey Sice-lo, who was killed by unknown gunmen in 1988.

11-17/5/89.

## I'll never return, says Passtoors



CAPE TOWN — As a condition of her release, jailed ANC courier Mrs Helene Passtoors had to sign an undertaking that she would never involve herself in violence and never again enter South Africa or its neighbouring countries.

The full text of her undertaking was released by Minister of Foreign Affairs Mr Pik Botha last night. It reads:

"I, Helene Passtoors, hereby solemnly declare that I will not in future, either alone or together with others, participate in the encouragement, planning or execution of any violent activities, or acts in support of such activities, directed against the Republic of South Africa or any other state in the southern African region or against any person or persons in the Republic of South Africa or in any of these states.

"I undertake not to enter the Republic of South Africa or any of its neighbouring states at any stage whatsoever.

"I hereby solemnly declare that I understand the contents of the above declaration."

(Signed) Helene Passtoors.



# Police deny 'cranking' shot-shattered leg

By LINDA GALLOWAY  
Supreme Court Reporter

McU-5  
11/5/87

A MAN who was shot four times in the leg when he was arrested had his leg "cranked like the starting-handle of a vintage motor car" and was denied access to medical attention for several hours, it was alleged in the Supreme Court, Cape Town.

Mr D P de Villiers, QC, was yesterday cross-examining security policeman Captain William Rudolf Liebenberg during the trial of 14 people charged with terrorism, and said two of the accused, Mr Tony Yengeni and Mr Mtheteli Titana, and Mr Bongani

Jenas, who has refused to be a State witness, had all been assaulted by security police.

Captain Liebenberg denied that assaults or torture had taken place in his presence.

The trialists are Mr Tony Sitembiso Yengeni, Ms Jennifer Ann Schreiner, Ms Lumka Elizabeth Nyamza, Mr Michael Mzimkhulu Lumbamsbo, Mr Mbutu Richmond Nduku, Mr Wellington Mongameli Nkwandla, Mr Mtheteli Titana, Mr Gary Kruser, Mr Christopher John Giffard, Mr Siliabocha Charles Mahlale, Mr Alpheus

Nkwana Ndude, Ms Gertrude Magda-leen Neethania Fester, Ms Zurayah Abass and Ms Colleen Lombard.

Mr de Villiers said Mr Titana would say that Captain Liebenberg was present when he was shot four times in the thigh at Heideveld station in September 1987. He had identified the policeman by his reddish beard.

He would say that a Sergeant Nel, who was with Captain Liebenberg, had taken his shattered leg by the ankle and "cranked it like the starting-handle of a vintage car, making noises like a car starting". He had done this twice.

Mr Titana had pleaded with Captain Liebenberg and Sergeant Nel to take him to hospital, but Captain Liebenberg had replied, "Not before you tell us what we want to know."

Captain Liebenberg said he had not been present at the arrest of Mr Titana.

Captain Liebenberg denied that when he and Sergeant Nel returned to Mr Titana they both "cranked" his wounded leg.

He said he could not remember Sergeant Nel being present that night. The hearing continues.



House

House

1039 THURSDAY, 11 MAY 1989

1040

HOUSE OF ASSEMBLY

QUESTIONS

† Indicates translated version.

For written reply:

General Affairs:

Publications warned/suspended

168. Mr D J DALLING asked the Minister of Home Affairs:

- (1) With reference to Proclamation No R99/1988, how many publications had been (a) warned in writing, (b) warned in the Government Gazette, and (c) suspended for (i) less than three months and (ii) three months, as at the latest specified date for which information is available;

- (2) whether any of the publications concerned submitted representations to his Department under regulation 7(5)(b) of the said proclamation; if so, (a) which publications and (b) what was (i) the purport of and (ii) his response to each such representation?

B403E

The MINISTER OF HOME AFFAIRS:

- (1) (a), (b) and (c)

Twelve periodicals were initially notified that I examined a particular series of issues of their publications in terms of media emergency regulation 7. Eleven of those publications were eventually warned in the Government Gazette. Up to 17 April 1989 two publications were suspended for less than three months and three publications for three months.

- (2) Yes

(a) *Al Qalam*, *Die Stem*, *Grassroots*, *New Era*, *Out of Step*, *South*, *Sowetan*, *The New Nation*, *The Weekly Mail* and *Work in Progress*.

- (b) (i) Representations are regarded as confidential communications between the publishers and my-

self. The purport differed from publisher to publisher.

- (ii) After considering the representations received I have decided to take appropriate steps against eight publications. The publishers involved were advised of the action which was decided upon in each case. In the case of *Sowetan* and *Work in Progress* it was decided not to take steps and the publishers concerned were informed accordingly.

Natal: people killed in unrest

196. Mr R M BURROWS asked the Minister of Law and Order:

How many persons have been killed in Natal as a result of unrest since 1 January 1989 up to the latest specified date for which figures are available?

B465E

The MINISTER OF LAW AND ORDER:

I refer the hon member to my speech during the debate on the Vote of the South African Police on 24 April 1989 of which a copy is attached.

Detainees on hunger strike (329)

224. Mrs H SUZMAN asked the Minister of Law and Order:

- (1) (a) How many detainees have gone on hunger strike in each specified prison in the Republic since 1 January 1989 and (b) how many of them were (i) hospitalized, (ii) released and (iii) relocated;

- (2) (a) how many detainees who were on hunger strike are still in detention and (b) how many of them are in (i) hospital, (ii) prison and (iii) police cells;

- (3) whether any detainees are currently on hunger strike; if so, how many in each specified prison or police station;

- (4) in respect of what date is this information furnished?

B509E

The MINISTER OF LAW AND ORDER:

- (1) (a) 644 persons

1041

THURSDAY, 11 MAY 1989

1042

- (b) (i) 134 persons

- (ii) 620 persons

- (iii) 129 persons

- (2) (a) 24 persons

- (b) (i) none

- (ii) 24 persons

- (iii) none

- (3) No

- (4) Up until 30 April 1989.

Infant mortality rate

275. Dr M S BARNARD asked the Minister of Home Affairs:

What was the infant mortality rate for (a) Blacks, (b) Coloureds, (c) Whites and (d) Indians in the Republic in 1988?

B595E

The MINISTER OF HOME AFFAIRS:

As many late registrations of births and deaths in respect of 1988 are still being received, the 1988 data have not yet been processed. However, the relevant information in respect of 1987 is as follows

- (a) 80\* (estimate — registrations incomplete)

- (b) 46,3\*

- (c) 11,9\*

- (d) 19,0\*

\* Infant mortality rate = number of infant deaths (i.e. deaths of children under the age of one year) per one thousand live births.

Marasmus kwashiorkor

277. Dr M S BARNARD asked the Minister of National Health and Population Development:

How many (a) cases of (i) marasmus and (ii) kwashiorkor were reported, and (b) children were treated in clinics for each of these diseases, in 1988?

B597E

The MINISTER OF NATIONAL HEALTH AND POPULATION DEVELOPMENT:

- (a) (i) and (ii)

Marasmus and kwashiorkor are not notifiable diseases. Exact figures on the inci-

dence of these diseases in 1988 are therefore not available.

- (b) the Department of National Health and Population Development subsidise the provision of skimmed milk powder and a protein-vitamin-mineral powder (PVM) to clinics for the treatment of marasmus and kwashiorkor in children in the age group of 1 to 6 years.

During 1988, 2 242 cases of marasmus and 7 470 cases of kwashiorkor received treatment through this scheme. As only about 12% of clinics throughout South Africa participate in the scheme, it is clear that the incidence of these diseases are probably substantially higher than the above-mentioned figures.

Milk-powder: export and import

281. Mr R J LORIMER asked the Minister of Finance:

What (a) total quantity of milk-powder was (i) exported and (ii) imported in 1988 and (b) was the value of the milk-powder (i) exported and (ii) imported in that year?

B601E

The MINISTER OF FINANCE:

- (a) (i) 1 346 113 kg

- (ii) 6 536 137 kg

- (b) (i) R7 381 863

- (ii) R16 213 358

Secondary schools in Western Cape: teachers employed

295. Mr K M ANDREW asked the Minister of Education and Development Aid:

- (1) Whether two teachers, whose names have been furnished to the Minister's Department for the purpose of his reply, were employed in secondary schools in the Western Cape in 1988; if so, (a) at which schools, (b) in what capacities, (c) on what basis and (d) what are their names;

- (2) whether these teachers are currently employed by his Department in the Western Cape; if so, (a) at which schools, (b) in what capacities and (c) on what basis; if not, (i) why not and (ii) who made the decision not to employ them?

B635E



Thursday

Thursday

1039 THURSDAY, 11 MAY 1989 1040

HOUSE OF ASSEMBLY

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- (1) (a) How many detainees have gone on hunger strike in each specified prison in the Republic since 1 January 1989 and (b) how many of them were (i) hospitalized, (ii) released and (iii) relocated;

- (2) (a) how many detainees who were on hunger strike are still in detention and (b) how many of them are in (i) hospital, (ii) prison and (iii) police cells;

- (3) whether any detainees are currently on hunger strike; if so, how many in each specified prison or police station;

- (4) in respect of what date is this information furnished?

B509E

The MINISTER OF LAW AND ORDER:

- (1) (a) 644 persons

1041 THURSDAY, 11 MAY 1989 1042

- (b) (i) 134 persons

- (ii) 620 persons

- (iii) 129 persons

- (2) (a) 24 persons

- (b) (i) none

- (ii) 24 persons

- (iii) none

- (3) No

- (4) Up until 30 April 1989.

Infant mortality rate

275. Dr M S BARNARD asked the Minister of Home Affairs:

What was the infant mortality rate for (a) Blacks, (b) Coloureds, (c) Whites and (d) Indians in the Republic in 1988?

B595E

The MINISTER OF HOME AFFAIRS:

As many late registrations of births and deaths in respect of 1988 are still being received, the 1988 data have not yet been processed. However, the relevant information in respect of 1987 is as follows

- (a) 80\* (estimate — registrations incomplete)

- (b) 46,3\*

- (c) 11,9\*

- (d) 19,0\*

\* Infant mortality rate = number of infant deaths (i.e. deaths of children under the age of one year) per one thousand live births.

Marasmus/kwashiorkor

277. Dr M S BARNARD asked the Minister of National Health and Population Development:

How many (a) cases of (i) marasmus and (ii) kwashiorkor were reported, and (b) children were treated in clinics for each of these diseases, in 1988?

B597E

The MINISTER OF NATIONAL HEALTH AND POPULATION DEVELOPMENT:

- (a) (i) and (ii)

Marasmus and kwashiorkor are not notifiable diseases. Exact figures on the incidence of these diseases in 1988 are therefore not available.

dence of these diseases in 1988 are therefore not available.

- (b) the Department of National Health and Population Development subsidise the provision of skimmed milk powder and a protein-vitamin-mineral powder (PVM) to clinics for the treatment of marasmus and kwashiorkor in children in the age group of 1 to 6 years.

During 1988, 2 242 cases of marasmus and 7 470 cases of kwashiorkor received treatment through this scheme. As only about 12% of clinics throughout South Africa participate in the scheme, it is clear that the incidence of these diseases are probably substantially higher than the above-mentioned figures.

Milk-powder: export and import

281. Mr R J LORIMER asked the Minister of Finance:

What (a) total quantity of milk-powder was (i) exported and (ii) imported in 1988 and (b) was the value of the milk-powder (i) exported and (ii) imported in that year?

B601E

The MINISTER OF FINANCE:

- (a) (i) 1 346 113 kg

- (ii) 6 536 137 kg

- (b) (i) R7 381 863

- (ii) R16 213 358

Secondary schools in Western Cape: teachers employed

295. Mr K M ANDREW asked the Minister of Education and Development Aid:

Whether two teachers, whose names have been furnished to the Minister's Department for the purpose of his reply, were employed in secondary schools in the Western Cape in 1988; if so, (a) at which schools, (b) in what capacities, (c) on what basis and (d) what are their names;

- (2) whether these teachers are currently employed by his Department in the Western Cape; if so, (a) at which schools, (b) in what capacities and (c) on what basis; if not, (i) why not and (ii) who made the decision not to employ them?

B635E

## Odile and hunger striker visited

By Robin Drew,  
The Star's Africa News Service

HARARE — A detainee on hunger strike in Chikurubi maximum security prison, Mr Leslie Lesia of Bloemfontein, did not look well when visited yesterday by a South African Government representative.

Mr Nico Nel, head of the South African Trade Mission in Zimbabwe, visited Mr Lesia, who has been held without trial for two years, and Miss Odile Harington, the Johannesburg woman serving 12 years for spying on the ANC.

Miss Harington is not on hunger strike. Mr Nel said she seemed to be in good shape and was cheerful. She asked for oil to treat her skin.

Mr Lesia told Mr Nel he was convinced South Africa would do something to get him released.

He confirmed that he had not eaten for seven days and said he would leave the prison "either a free man or a dead man".

Mr Lesia said he, Mr Jack Lewis-Walker, a British subject, and a third detainee, Mr Joseph Mujakachi, a Zimbabwean, were refusing all food to draw attention to their plight.

Charges of murder against Mr Lesia were dropped last October but he was re-detained.

He claims to have been abducted in Maputo and brought to Zimbabwe illegally. He also claims he was tortured during interrogation.



# 620 out of 644 hunger strikers freed — Vlok

Political Staff 329

DURING the first four months of this year, 644 detainees went on hunger strike and 620 of them had been released, the Minister of Law and Order, Mr Adriaan Vlok, said yesterday.

He also said 134 of the 644 hunger strikers were hospitalised and 129 were relocated.

Mr Vlok, replying to a question from Mrs Helen Suzman (DP, Houghton), said 24 of the detainees were still in detention in prison.

One was in hospital. None was in police cells.

He added that at the end of April, none of the detainees was on hunger strike.

# Mabasa on hunger strike

12/13 THE deputy president of the Azanian People's Organisation, Lybon Mabasa, is on hunger strike, his family says.

Sapa has reported that nine other detainees at Diepkloof Prison began a hunger strike on Monday. Their names were given as Aldo Mogano, Christopher Halale, Joel Letswela, Robert Mngomezulu, Nathaniel Ramokgopa, Norman Mashabane, Sidney Molekane, Cyril Monyela and Victor Rambau.

Ministry of Law and Order spokesman, Lieutenant P Bothma, said he could not confirm or deny if any of the detainees was on a hunger strike.

Mrs Oko Mabasa said her husband was this week moved from John Vorster Square to a hospital in Bloemfontein.



...shape in a shed at the docks. ... was used to "race" eight boats around the world

CAT 70165 12/5/89 329

## News editor tells of 'threats, harassment'

DURBAN. — Post Natal news editor Mr Muhammed Rafiq Rohan, 35, claimed in an urgent application to the Supreme Court here yesterday that he was being harassed, threatened and questioned against his will by a security policeman.

In an application citing the Minister of Law and Order and Warrant-Officer T Fourie, Mr Rohan asked for an order interdicting the respondents, or those under their control, from questioning, harassing, threatening or communicating with him except through his attorneys.

Mr Rohan is in custody in Wentworth Prison awaiting trial on six counts of contravening the Internal Security Act. He has pleaded not guilty.

Mr Rohan said that although his lawyer had informed W/O Fourie that Mr Rohan was not obliged to answer questions, W/O Fourie continued to question him. When he refused to respond, W/O Fourie threatened to make his life "miserable".

His attorneys had written a letter of complaint to the police. A reply "emphatically denied" improper conduct but said, nevertheless, that W/O Fourie undertook not to act unlawfully.

Judgment was reserved. — Sapa

## Accused newsman granted court order

*PHW 12/1/89 329*  
The Argus Correspondent

DURBAN. — Post Natal news editor Mr Muhammed Rafiq Rohan, 35, — awaiting trial on six charges under the Internal Security Act — has been granted an interim order restraining the police from questioning, harassing or threatening him.

In an urgent application in the Supreme Court, Durban, yesterday, Mr Rohan claimed in an affidavit before Mr Acting Justice McCall that Warrant Officer T Fourie, the investigating officer in his case, had harassed him by persistently questioning him about the charges in spite of being told by Mr Rohan's legal advisers that he could not do so after Mr Rohan had been formally charged.

The judge made an order that Warrant Officer Fourie and any person under the control of the Minister of Law and Order be restrained from questioning Mr Rohan.



# Teachers' union chief held in raid

ARKLUS  
12/5/89  
329

By DENNIS CRUYWAGEN  
Education Reporter

MR Andile Jonas, chairman of the restricted Democratic Teachers' Union, was today detained in a 6am police swoop on his Guguletu home.

A relative said police had told Mr Jonas to take clothes with him.

Lawyers are trying to establish if he is being held under emergency regulations or security legislation.

Mr Ken Andrew, Democratic Party spokesman on black education, warned that the detention would exacerbate an already tense situation in black education.

## "ILL-ADVISED"

The detention of Mr Jonas, a teacher at ID Mkize High School, Guguletu, was another "ill-advised interference by the security forces in black education".

Mr Andrew said a fundamental problem in black education was the lack of adequate communication between parents, pupils and teachers on one hand and the Department of Education and Training on the other.

"The detention of Mr Jonas will make communications even more difficult and exacerbate an already extremely tense situation in black high schools."

He called for the immediate release of Mr Jonas.

## PUPILS DETAINED

● Two Guguletu pupils were detained a week ago under the emergency regulations, lawyers said.

Police had confirmed the detention of ID Mkize pupils Basil Mtongana, 18, and Anthony Mamona Madini, 17.

Mtongana, in Standard 8, was being held at Maitland police station and Madini, a Standard 7 pupil, at Sea Point police station.

# Assault, 329 harassment claims 'will be probed'

By Jo-Anne Collinge

Allegations of police harassment and assault of former detainees, who are now restricted under the emergency regulations, have been put to the Commissioner of South African Police.

Attorney Ms Crystal Cambanis, who sent the telex message, spelt out specific complaints from clients at various places in the Transvaal.

Ms Cambanis stated she had received prompt replies from the commissioner's office, undertaking that the complaints would be investigated.

The Police Division of Public Relations told The Star it would be presumptuous of them to comment if the commissioner had already given the assurance that the complaints would be investigated.



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12-18/89 wmail

## Off to Bloem for 10 jail strikers

By MUSA ZONDI

THE 10 detainees who resumed their hunger strike early this week have been moved to Groot Vlei Hospital in Bloemfontein.

Confirming the move, representative of the ministry of law and order Brigadier Leon Mellet said one of the detainees had resumed eating. He did not disclose the person's name.

Emergency detainees held at Diepkloof Prison announced this week they were going on an indefinite hunger strike. They said they would be refusing liquids as well as solids until they were charged or freed.

The 10 detainees are Norman Mashabane, Sydney Molekane, Cyril Monyela and Victor Rambau, Aldo Mogano, Christopher Halale, Joel Letswela, Robert Mngomezulu and Nathaniel Ramokgopa.

In a statement to the press, the detainees charged that the minister of law and order has not kept his word. "It is over three months since Vlok said he was reviewing our individual

cases and over six months since ... the Attorney General was said to be looking at dockets for some of us.

"This will not be the first time we embark on hunger strike, but we are left with no option," they said.

The detainees said they had "endured this illegal and unjustified incarceration for too long", and vowed to carry on the fast until they were released. "Vlok will have to release us either alive or as corpses, but he will have to release us," they threatened.

The hunger strike which led to the release of more than 800 detainees this year began at Diepkloof Prison on January 23. It spread to many parts of the country and as a result, the minister of law and order agreed after meeting lawyers and churchmen to release a "substantial number" of detainees.

Most of those subsequently released were served with heavy restrictions, described by human rights individual as "larger prisons".

of the





**RELEASED . . .** Ms Jack, released yesterday on R5 000 bail after being detained under Section 29 of the Internal Security Act for six months. A mother of two, she is due to give birth on Monday.

Picture: FANIE JASON

## Bail for detained church worker

### Court Reporter

A PREGNANT Western Province Council of Churches field worker, Ms Vuyiswa Jack, was granted R5 000 bail in Wynberg Regional Court yesterday after being detained for six months under Section 29 of the Internal Security Act.

Ms Jack, 35, of Nyanga, a mother of two, is also a member of the United Women's Congress. She is due to be admitted to hospital to have her baby on Monday.

She was arrested on November 17 last year and faces charges of terrorism. She was not asked to plead.

Bail was granted on condition that Ms Jack not interfere with state witnesses, that she report to the Guguletu police every third day — except when in hospital — and that she inform the investigating officer of her admission to hospital.

The matter was adjourned to June 12 for a Supreme Court date to be set.

Mr A S McCarthy was the magistrate. Mr M Stowe of the attorney-general's office prosecuted. Mr B T Ngcuka appeared for Ms Jack.



Political Staff

THE name of one emergency detainee, Mr Lybon Mabasa, a former Robben Island prisoner and former president of the Azanian Peoples Organization (Azapo), was tabled in Parliament yesterday by the Minister of Law and Order, Mr Adriaan Vlok.

Mr Mabasa was the only new emergency detainee to have been detained for more than 30 days.

In terms of the Public Safety Act, Mr Vlok is obliged to table in the Parliament the names of the emergency detainees who have been held for more than 30 days.

It is understood there

13/5/89  
**Emergency detainee named 329**

are fewer than a hundred emergency detainees in detention at present.

Since the emergency was reimposed on June 10 last year, the names of 1 865 detainees have been provided in the seven lists that have been tabled in Parliament.

Since the nationwide emergency was first imposed in June 1986, the names of 19 930 detainees have been tabled in Parliament.

81 Day 15/5/89

329

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## DOCTORS SPEAK OF CONCERN OVER DETAINEES

DISCHARGING detainees from hospital after they had broken a hunger strike could implicate doctors with interrogation practices, Coronation Hospital chief physician Dr Joe Variawa said yesterday.

Speaking on the ethical considerations of hunger strikes at the National Medical and Dental Association's annual conference, Variawa said the detainees' discharge meant they were fit enough to go back to jail, where their health could suffer.

He said in such circumstances it was unethical to discharge patients without their consent, and doctors

### DIANNA GAMES

should be prepared to go to court if necessary.

A Wits University paper on ethical considerations of voluntary total fasting said a doctor's dilemma lay in deciding whether to intervene when a patient did not consent to treatment.

A person on a hunger strike should not be viewed as someone committing suicide where intervention could be justified, it said.

Where a doctor-patient relation-

ship existed, it was the doctor's role to intervene on behalf of his patient if the conditions under which the detainee-patient was held were ethically or medically unacceptable, it said.

Prof John Kalk of Wits medical school said that during the recent hunger strike friction had developed between police and detainees and police and hospital staff.

He said the conflict of interest led to the introduction of an order denying the privileged status of the doctor-patient-relationship, interference with nursing duties and the chaining of patients to their beds.



## Mabasa a new name on detention list

CAPE TOWN — The name of one emergency detainee, former Robben Island prisoner and former Azapo president Ly-bon Mabasa, was tabled in Parliament yesterday by Law and Order Minister Adriaan Vlok.

Mabasa is the only new detainee to have been held longer than 30 days.

In terms of the Public Safety Act, Vlok is obliged to table in Parliament the names of those emergency detainees who have been held for more than 30 days.

In the last three lists, tabled every two weeks during session of Parliament, only seven new detainees have been identified.

Vlok is not obliged to disclose how many emergency detainees are in detention, nor

(329)

Political Staff

is he obliged to table the names of those who have been held for less than 30 days.

However, it is understood there are fewer than 100 emergency detainees in detention at present.

Sapa reports that in a second tabling required in terms of the Internal Security Act, Vlok listed 11 places, all of them in Natal, where police had to order the dispersal of people at 36 illegal gatherings during April and May.

They were Inanda, KwaMashu, Amawoti, Ntuzuma, Ashwon, Clermont, Molweni, Dassenhoek, KwaDangezi, Umlazi and Edendale.

81 Day 15/1/89

329

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DIANNA GAMES

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### Govt turnabout on medical equipment deal



Sowetan 15/8/89

329

## **'Azapo man is the only detainee'**

ONLY one name, that of Lybon Mabasa, former president of Azapo, was carried in the latest list of state of emergency detainees tabled in Parliament on Friday by the Minister of Law and Order in terms of requirements of the Public Safety Act.

In a second tabling required in terms of the Internal Security Act, the Minister listed 11 places, all of them in Natal, where police had to order the dispersal of people attending 36 illegal gatherings in April and May.

They were Inanda, KwaMashu, Amawoti, Ntuzuma, Ashwon, Clermont, Molweni, Dassenhoek, KwaDangezi, Umlazi and Edendale.



Doctors raise clenched fists in salutes at the end of a Namda conference in Sandton.

## Doctors' plea for an end to detention

By MOKGADI PELA (324)

DELEGATES attending the sixth annual conference of the National Medical and Dental Association (Namda) signed a petition calling for the abolition of detention without trial in the wake of escalating hunger strikes in South African prisons.

This followed discussions which highlighted the doctor's dilemmas in the care of detainees who had embarked on voluntary total fasting.

● To Page 2

"The role of the district surgeon, as the first doctor to care for a hunger striker, therefore assumes particular significance. These contradictions are heightened when detainees are admitted to hospitals and authorities regard the wards as extensions of prisons," Dr Kalk said.

The chaining of patients and interference with nursing duties worsened the situation, Dr Kalk said doctors were in a unique position of safeguarding the mental and physical health of detainees. The hunger strike issue was still an issue and would continue as long as detention without trial existed, he added.

Doctors' call south 15/5/89



## Doctors 'should note drug costs'

JOHANNESBURG. — Doctors should be more aware of the cost of medicines and should adopt more precise and cost-effective prescribing habits, Professor A Goossens, dean of the Faculty of Medicine at the University of Potchefstroom, said at the weekend.

The single greatest criticism of the pharmacist was that he was "too expensive", Prof Goossens said, speaking at the national conference of the Pharmaceutical Society of SA.

This was mainly due to the image of the pharmacist "as a trader in medicines who is making exorbitant profits". He called on delegates to reflect on the cost of misuse of medicines if supplied outside pharmacies. — Sapa

## Doctors on ethics, hunger strikers

Own Correspondent 329

JOHANNESBURG. — Discharging hunger-striking detainees from hospital once they had broken their strike could involve doctors in complicity in the role of torture and interrogation, Dr Joe Variawa, chief physician at Coronation Hospital, said yesterday.

Speaking on the ethical considerations of hunger strikes at the National Medical and Dental Association's annual conference, Dr Variawa said their discharge meant they were fit enough to go back to jail for possible further damage. He said it was unethical in those circumstances to discharge patients without their consent and doctors should be prepared to go to court over it if necessary.

# Hunger strikers fell ill<sup>329</sup> quickly

Earlier this year more than 800 detainees went on hunger strike in protest against their incarceration. Most of them were eventually released but last week a further nine held in detention stopped eating. **TONI YOUNGHUSBAND,** The Star's Medical Reporter, reports on a study conducted by the Health Crisis Committee on the physical and mental consequences of a hunger strike.

Between mid-January and March about 800 detainees declared a total fast and within a few weeks many of them had to be admitted to hospital.

The Health Crisis Committee (HCC) conducted a retrospective study into the consequences of the hunger strike and found the strikers had suffered severe mental and physical breakdown.

The HCC's report, presented this weekend at the annual conference of the National Medical and Dental Association, showed that the level of motivation in each hunger striker was quite high at the outset but near the end many had reached a state of apathy and felt intensely isolated.

The HCC used a sample of 33 hunger strikers from two Johannesburg hospitals for its study. All were in excellent physical condition before beginning the fast but within days most suffered severe dehydration and an average weight loss of 420 g per day.

The average age of the patients studied was 25 and 25 percent of them had been detained for more than a year.

By the time they were admitted to hospital, 13 of the detainees showed evidence of pre-renal failure and 68 percent of them suffered severe abdominal pain.

All complained of fatigue, muscle pain, back pain and could not tolerate cold.

The detainees were also subjected to psychological evaluation and 78 percent of them were depressed, four had suicidal tendencies.

The HCC's report points out that the hunger strikers got sicker sooner than expected and doctors could only speculate on the reason for this.



## Kriel killed 'in struggle with police'

CAPE TOWN — A policeman yesterday told Wynberg Inquest Court that Mr Ashley Kriel, a suspected ANC insurgent, was killed during a struggle with arresting officers on July 9 1987.

Security policeman Sergeant Anthony Abels said police were told Mr Kriel was hiding in a house in Athlone. He and W/O Jeff Benzien went there disguised as sanitation officers.

Mr Kriel had opened the door, with a jersey and a towel wrapped around his right hand concealing a firearm.

A struggle ensued, during which Mr Kriel was shot.

Difficult to monitor 10 in Bloemfontein

# Fears for detainees on new hunger strike

By Dawn Barkhuizen

Concern has been expressed about 10 emergency detainees who were transferred to Bloemfontein last week after embarking on a hunger strike.

Lawyers and support groups were today uncertain about the condition of the 10 and could not say whether they were maintaining their fast.

Mr Dali Mpofu, a lawyer who visited two of the group on Friday said they had been weak and their condition was deteriorating. They had however been determined to refuse food in their campaign to be "released alive or carried out as corpses".

Since his visit Mr Mpofu said it had been difficult to keep track of events.

It is understood that all 10 have refused State medication and are insisting on being treated by pri-

vate doctors. Legal representatives for three other detainees will be visiting their clients this week.

All queries by The Star to the authorities were referred to Brigadier Leon Mellet, spokesman for the Minister of Law and Order. He could not be reached.

Detainees' Aid Centre spokesman, Mrs Audrey Coleman said their transfer to Grootvlei Prison outside Bloemfontein had been a deliberate attempt by the Minister of Law and Order, Mr Adriaan Vlok, to isolate the hunger strikers and sow confusion among their relatives and lawyers.

She said: "We are most concerned. They cannot be visited regularly or their condition monitored if they are in Bloemfontein. Nobody is sure what is happening from day to day."

The Human Rights Commission found it "reprehensible in the extreme that attempts should be made to bully them into submission by isolating them in a prison in Bloemfontein, hundreds of kilometers away from their families".

"With only 50 or so now left in emergency detention, the Minister should have absolutely no problem in bringing the whole issue to an immediate conclusion and releasing all those who are not charged. There can be no justification for anything else."

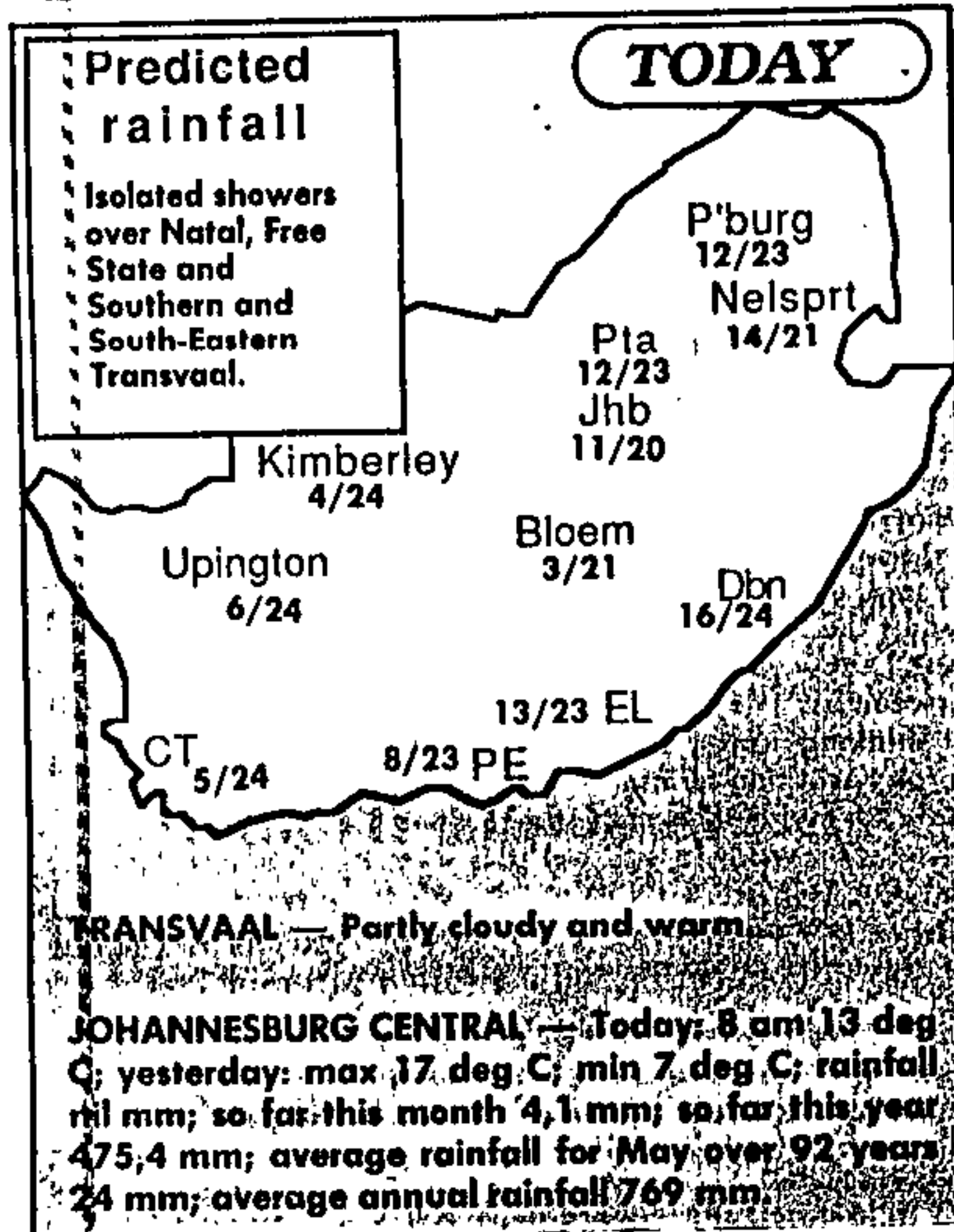
## Transferred

Nine of the detainees were transferred from Diepkloof Prison, Johannesburg to Bloemfontein last Tuesday — the day after they started their hunger strike. A tenth man, Mr Libon Mbaso, a member of Azapo who was being held in John Vorster Square, was apparently transferred with them.

It is believed that another detainee transferred to Bloemfontein from Krugersdorp at an earlier stage, Mr Stewart Madi, is set to join the strike.

Other detainees transferred from Johannesburg to Grootvlei are: Mr Nathaniel Ramakgopa, a member of the Soweto Civic Organisation who is in his fifties and has been in detention since February; Mr Rapu Molekane, an executive member of the SA Youth Congress detained since September 1 1988; Mr Norman Mashabane, a youth activist detained since July 26 1988; Mr Robert Mgonezulu, Mr Christopher Halale and Mr Joel Letswela, all members of the Soweto Students Congress; Mr Aldo Mogano, a member of the Alexandra Youth Congress; Mr Cyril Monyela and Mr Victor Rambau, two SA National Students Congress members detained since last August.

## WEATHER







Mkhusele Jack hugs his cousin Sindizwa Sume outside their New Brighton home yesterday.

## Prominent PE detainees freed

Own Correspondent

PORT ELIZABETH — Prominent emergency detainees here — including consumer boycott spokesman Mkhusele Jack and UDF regional vice-president Henry Fazzie — were released from St Albans Prison yesterday.

The releases mean the last of the high-profile anti-apartheid leaders during the mid-1980s in the Eastern Cape have now been released.

Most of them had been in detention for nearly three years.

Virtually all those freed have been placed under severe restrictions and must report to the police twice a day.

Also released yesterday were: Port Elizabeth Black Civic Organisation (Pebco) executive member Ernest Malgas, 51, who was detained on January 17 1987; regional UDF publicity secretary Stone Sizani, 35, who was detained on June 26 1986; Pebco secretary Xola Makapela, 34, (29 July 1986); and Rhodes University student Tembinkosi Ngeleza (April 19 1989).

Jack, 31, who was Port Elizabeth Youth Congress (Peyco) president and spokesman

□ To Page 2

## PE detainees freed

during the consumer boycotts in 1984 and 1985, was detained on August 26 1986.

Fazzie, 67, UDF vice-president in the eastern Cape, was detained on August 27 1986.

The releases have been confirmed by lawyers acting for the detainees.

Including the six released yesterday, a total of 17 eastern Cape detainees have been released since Friday.

As far as could be ascertained yesterday, only one person in the region, a Rhodes University student apparently detained last week, is still in emergency detention in Grahamstown.

Six detainees were released at the week-

end and five on Monday.

Released on Monday were: Peyco vice-president Mpumelelo Odolo, who was detained on September 11 1986; Pebco treasurer Mangaliso Ngxokwana (December 9 1986); Pebco executive member Michael Ndzotoyi (June 25 1986); Pebco member Nkosinathi Benson Fihla (June 12, 1986); and PE Education Crisis Committee secretary and Peyco executive member Mthwabo Ndube (December 9 1986).

Among the six released at the weekend were: Port Elizabeth Women's Organisation president Ivy Gcina, 52, (June 12 1986) and Pebco executive member Buyiswa Fazzie (December 31 1986).

## Detainees 329

THE spokesman for the Minister of Law and Order, Colonel Leon Mellet, yesterday said the nine hunger strikers who were moved to Bloemfontein last week had stopped their fast.

*Sowetan 17/5/89*

Responding to statements by the Detainees Aid Centre which expressed concern over the emergency detainees condition Col Mellet said their condition was "fine" because they were no longer fasting. He said stories that detainees in Bloemfontein could not be seen by lawyers or parents were false.

13 12 11 10 9 8 7 6 5 4 3 2 1



## Six Eastern Cape activists released

229 Own Correspondent

PORT ELIZABETH — Mr Mkhusele Jack, president of the restricted Port Elizabeth Youth Congress, and Mr Henry Fazzie, regional vice-president of the United Democratic Front, were released from emergency detention yesterday after spending almost three years in custody. They were detained in December 1986.

Others freed with them are Mr Ernest Malgas, an executive member of the Port Elizabeth Black Civic Organisation (Pebco), Mr Xol Makapela, secretary of Pebco, Mr Stone Sizani, publicity secretary of the UDF regional office, and Mr Tembinkosi Ngeleza, of Grahamstown.

All have been served with what lawyers described as heavy restriction orders

# Moses Mayekiso opens congress

*South Africa 17/5/89*  
*320*  
FREED general secretary of the National Union of Metalworkers of South Africa, Mr Moses Mayekiso, received a standing ovation when he told workers that his acquittal was a "workers victory" because it was them that stood trial for waging the struggle against apartheid.

He was speaking at the opening of the second congress of Numsa at

Gosforth in Germiston last night.

The 744 delegates noted that the case of the president of the South African Youth Congress, Mr Peter Mokaba, be considered by congress as he was guest speaker at the first Numsa congress in Nasrec in Johannesburg in 1987. Mr Mokaba is detained in Pietersburg under emergency regulations.



# Back on the streets

BACK after a three-month banning, community newspaper Grassroots hit the streets this week with a bumper edition.

Staff of the newspaper and its companion publication New Era, which was also banned, said they knew they would "outlive" the Minister of Information Stoffel Botha but "did not realise it would be so soon".

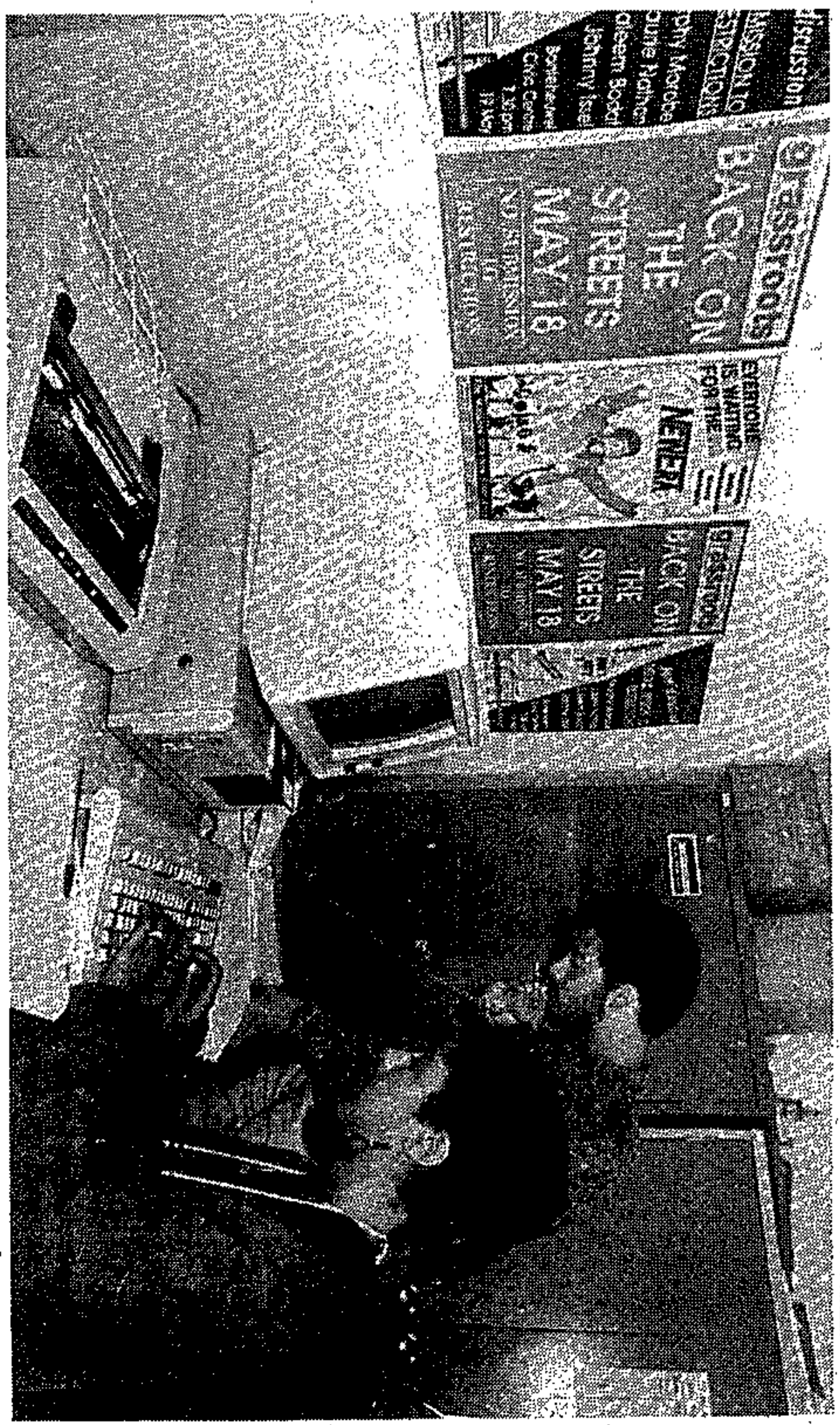
A spokesperson for the Grassroots collective said the banning had not frightened the newspaper from "printing the truth".

Grassroots staff are also preparing for their annual general meeting this weekend.

The programme includes a public meeting at Bonteheuwel Civic Centre where Johnny Issel, Laurie Nathan, Saleem Badai and Sydney Mafamudi will take part in a panel discussion "No submission to restrictions".

The AGM proper on Saturday morning will be followed by a cultural programme which includes music, poetry and plays.

Bands which will perform include the Mapp band, Raakwys and Robbie Jansen's Heathrob.



Grassroots staff members Gail Reagon and Nazeem Dramat hard at work on their first publication in three months



## Last PE activists go free

FORMER Umkhonto we Sizwe commander Henry Fazzie, Port Elizabeth youth leader Mkhuseleli Jack, right, and eight other Eastern Cape activists were released this week after being detained for nearly three years.

Others who walked free from St Albans prison outside Port Elizabeth were Stone Sizani, Ernest Malgas, Xola Makapela, Mthwabo Ndube, Mpumelelo Odolo, Michael Ndzothoyi, Mangaliso Ngxokwana and Benson Fihla.

The Eastern Cape UDF president, Edgar Ngoyi, was released last week, as was Mrs Buyiswa Fazzie, Pebco executive member and wife of Henry Fazzie.

Fazzie and his wife were reunited after both spending nearly three years apart while in detention. The Fazzies, aged 63 and 67, will have to walk five kilometres to report at the Kwazakhele police station twice a day.



5379  
Fazzie  
68/10/81



# Melaong released

THE Media Workers Association of South Africa's regional organiser in Pretoria, Mr Sonnyboy Melaong, who went on a hunger strike demanding that he be charged or released, was yesterday set free from the Hillbrow Hospital after spending more than a month in detention.

The general secretary of Mwasa, Mr Sithembile Khala, yesterday said the release of Mr Melaong without any charges having been pressed against him confirms Mwasa's suspicion that a campaign of harassment was being waged against the union. Mr Khala said when Mr Melaong was detained on March 6, the union was told that he was being detained because he had "assisted terrorists."

Mr Khala cited the

Sowetan 17/5/84  
**SOWETAN  
REPORTER**

ordeal of Mwasa's Eastern Cape organiser, Mr Wilson Sidina, who was recently released from detention after a long time with a "barrage" of restrictions which made it impossible

for him to continue his union duties. "Another Mwasa organiser, Mr Maropodi Mpalakanye, was forced to leave the country after harassment by police," said Khala. He said police were presently after the Port Elizabeth organiser for Mwasa.

19/5/89

Cape Times, Friday

## Medical reports due for Yengeni counsel

Supreme Court Reporter

MEDICAL reports by district-surgeons who examined terrorism accused Mr Tony Yengeni and 13 others must this morning be handed over to their defence counsel, the presiding judge ruled.

Mr Justice S Selikowitz handed down judgment yesterday afternoon in an application by Mr D P de Villiers QC, for the defence, that medical reports compiled by district-surgeons shortly after the detention of the accused be made available.

Mr De Villiers said the defence had asked for the reports at the beginning of the trial and was told the matter was receiving attention. However a few days ago the state said the reports were privileged.

The reports could provide "very relevant material" and could also test the credibility of Captain William Liebenberg — presently under cross-examination — and the dependence of the state on alleged confessions made by the accused, Mr De Villiers said.

Mr Justice Selikowitz said it was not envisaged that the medical reports would be used in a contemplated prosecution.

The judge ordered that either the Divisional Commissioner of Police, Western Cape or his representative be present in court this morning to hand in to the Court Registrar copies of all medical reports made by the district-surgeons which were submitted to the Divisional-Commissioner or any other member of the SAP.

The reports related to any medical examinations made by the district-surgeons during visits to any of the accused pursuant to Section 29 of the Internal Security Act or under standing directions.

The hearing continues today.



## Grassroots' ban ends — and another begins

328

Wm. Hall

19-25/89

GRASSROOTS, the Cape Town community newspaper suspended for three months, returns to the streets today — only to be faced with a new banning order.

Last night, the divisional commissioner of police in the Western Cape, General "Rooi" During, banned the Grassroots annual general meeting, due to take place this weekend.

Oddly, however, police had by last night delivered copies of the banning to three daily newspapers, the SABC and Sapa — but not to *Grassroots*.

Earlier yesterday, one of the project's co-ordinators, Fahdiel Manual, said the paper would be "stronger than ever". *Grassroots*' print order had been increased from 30 000 to 50 000 in anticipation of a surge in demand.

An editorial in the come-back edition refers ironically to the announcement of Minister of Home Affairs Stoffel Botha's decision to retire. "Now Stoffel has gone into early retirement — but *Grassroots* lives on."

The contents of this newspaper  
have been restricted in terms of the  
Emergency regulations

PAGE 5

# Ex-detainees plan challenge

By THANDEKA GQUBULE

HUNDREDS of detainees who have been released with heavy restrictions are planning to mount a formidable challenge to their curbs.

Many other detainees are considering court action to challenge their restriction orders. This follows the appearance of four people — Jabu Ngwenya, Abe Le-koaletsoi, Pascal Moloi and Mogodire Mokgohotsi — charged with contravening their orders.

And sectors of the business community have voiced their opposition to the curbs.

According to the Human Rights Commission, restriction orders have been placed on 545 people — 237 in the PWV area, 17 in Natal, nine in the Northern Cape, 141 in the Eastern Cape, 19 in the Western Cape, one in the Free State and five other people unknown to the HRC.

Six detainees were released on Tuesday. They are Christopher Halale, Jewel Letsele, Robert Mngomezulu, Nathaniel Ramogopa, Norman Mashabane and Steward Madi. Five detainees transferred to Grootvlei, Bloemfontein, are expected to be freed this week.

Nine State of Emergency detainees remain behind bars. They are Wiseman Tamsanga Kula, of Port Elizabeth; Mlindi Magcwalisa, of Grahamstown; Basil Mtungana, Pheli Bomvana, Tutu Majozzi, Anthony Madini and Andile Jonas, of the Western Cape; and Thembani Jacobs Mfitshana and Mlungisi Ntlati, of the Northern Cape.

## IS SA THE CEN

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wmail 19-25/5/89

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446 1415 20/5/89  
**Mwasa hunger  
striker released** 329

**JOHANNESBURG.** — The Pretoria regional organiser of the Media Workers' Association of South Africa, Mr Sonnyboy Melaong, who went on a hunger strike demanding that he be charged or released, was yesterday set free from Hillbrow Hospital, the Sowetan reported yesterday.

The general secretary of Mwasa, Mr Sithembele Khala, said the release of Mr Melaong confirmed Mwasa's suspicion that a campaign of harassment was being waged against the union.

Mr Khala said that when Mr Melaong was detained on March 6, the union was told it was because he had "assisted terrorists". — Sapa

## Minister's appeal dismissed

*ent 20/8/89 329*  
BLOEMFONTEIN. — The Appeal Court in Bloemfontein has dismissed, with costs, an appeal by the Minister of Law and Order against a judgment that the arrest and detention of Mr Michael Roussos was wrongful and unlawful.

Mr Roussos — national organiser, educational secretary and member of a co-ordinating committee of the South African Railways and Harbours Workers' Union (SARHWU) — was detained in Johannesburg on May 7, 1987 under the 1986 emergency regulations. — Sapa



# Cop did not notice accused was 'tired'

329  
Supreme Court Reporter

A SECURITY police officer yesterday told the Supreme Court he did not notice that terrorism accused Mr Gary Kruser looked tired and had "eyes like saucers" when taken to Caledon Square police station to be moved and detained at a police station.

Captain William Liebenberg, head of the terrorists detection unit, said this in cross-examination in the trial of Mr Tony Yengeni and 13 others.

Shortly after his arrest Mr Kruser was taken to security police offices at Culemborg for interrogation and taken to Sea Point police station where he was held overnight, Captain Liebenberg said.

In reply to submissions by Mr D P de Villiers QC, for the defence, Captain Liebenberg denied that he had told Mr Kruser he was dissatisfied with answers he had given during interrogation the night before or that he had told Mr Kruser he had told lies.

CM-7/4/89 20/5/89  
In reply to questions, Captain Liebenberg said he was present at the time Mr Kruser was interrogated but was not present when Mr Kruser was interrogated by Warrant-Officer Jeff Benzien and a black policeman, who spelled him.

Captain Liebenberg agreed he had taken Mr Kruser to the house of Mr Michael Lumbambo but said he did not notice Mr Kruser "walk like a man who was immensely tired".

Mr De Villiers put it to Captain Liebenberg that co-accused Mr Lumbambo and Mr Wellington Nkwandla had seen Mr Kruser at Caledon Square and he appeared tired and had "eyes like saucers".

Captain Liebenberg replied that he had not seen anything abnormal in Mr Kruser that day.

The hearing continues on Tuesday.

The accused are: Mr Yengeni, Ms Jennifer Ann Schreiner, Ms Lumka Elizabeth Nyamza, Mr Lumbambo, Mr Mbutu Richmond Nduku, Mr Nkwandla, Mr Mheteteli Titana, Mr Kruser, Mr Christopher John Giffard, Mr Sitsabocho Charles Mahlaie, Mr Alpheus Nkwana Ndude, Ms Gertrude Magdaleen Nethania Fester, Ms Zurayah Abass and Ms Colleen Lombard.

EVER SINCE the judges of the Supreme Court have taken to visiting detainees, the prisoners seem to have stopped killing themselves by slipping on bars of soap, or flinging themselves from high places, or falling on chairs.

This curious phenomenon helps to explain why many South Africans retain faith in the higher levels of the judiciary, even when they are convinced that all other organs of government are ineffectual.

Perhaps at this point I should hasten to say that I am not talking about the police whose role has lately been a matter of furious dispute. This is a political commentary, probably unfit to be read by policemen or children between the ages of two and 12, and it deals with the failure of the Cabinet to govern effectively.

Naturally, there will be some reference to various agencies of government — call them Vlok's Falcons, if you have a romantic turn of mind, or PeeWee's Parrots, or De Klerk's Cuckoos — but the comment is directed at the people who control them, not at mere dumb apparatus-chicks.

begin with the detainees because they demonstrate so clearly what happens when a government ceases to govern in such a manner that justice is seen to be done. The judges are still seen to be effective; others are not.

When Neil Aggett was in detention, two magistrates and an Inspector of Detainees tried to see him and were told he was "not available" on the date on which, three weeks later, he alleged he had been tortured.

Then again, Mr Justice James, Judge President of Natal, acquitting four policemen on charges of killing Joseph Mdludli in detention, said medical evidence cast "grave doubts on the evidence of the policemen" that he had fallen against a chair.

The judge said the matter should not be left in that unsatisfactory state, but the Attorney-General of

Natal could not put together "even a prima facie case," and there the matter still lies.

No country is perfect. One or two such cases may occur in any society, but SA has had scores. Steve Biko, Looksmart Ngudle, Aggett, even an unnamed man who died in the Carletonville cells of undisclosed causes, and whose widow received from government an ex gratia payment of R5. Biko's killing remains a judicial mystery, but his family was paid much more.

These things have given SA a certain reputation. It has reached the stage when even playful sex comedies like "A Fish Called Wanda" can raise a cheap laugh by saying that a psychopathic thug who fled to SA became the Minister of Justice.

This country's name is a metaphor for evil. Pik Botha and his diplomats fight, as a result, against very heavy odds. So does the Reserve Bank, which is having trouble these days meeting its own targets. The odds in dealing with the outside world are so heavy that half the country's best businessmen have left, or they are thinking of it.

The failure of the criminal justice system to protect prisoners, or at

# When faith in justice falters, the thugs rule

KEN OWEN

least to explain in convincing terms the astonishing sequence of deaths in detention that preceded personal supervision by the judges, has also done great damage at home. It has deeply eroded public faith in the entire justice system.

Many people no longer expect political crimes to be solved, so they have taken to nominating guilty people, with or without evidence. A few years ago, people who thought Natal lecturer Richard Turner had been assassinated by Cuckoos or Parrots, or perhaps even a more predatory flock, commissioned a firm of lawyers to survey the available evidence.

he findings were not quite conclusive, and the mystery was allowed to linger. When David Webster, the Wits lecturer, was recently assassinated, no such restraint operated. The "rightwing" was instantly pronounced guilty, practically nobody cared a fig for the evidence, one way or the other.

When the expectation of justice

dies, so does the need to suspend judgment. People say what they like. They blame the Cuckoos, or off-duty Falcons, or any other politically convenient scapegoat.

The remedy, of course, is to catch the murderers, and bring them to public trial, and convict them on the evidence. But the Cabinet can no longer be sure of achieving such complicated ends; so they bend all their efforts to silencing the news media. That is why we have emergency regulations, and media spokesmen, and special arrangements between various bureaucracies and the Newspaper Press Union.

Facts aren't worth much anymore. Murders committed at one end of the political spectrum are reported with passionate conviction; murders committed at the other end of the spectrum are ignored. And since the criminal justice system is no longer likely to prove you wrong, you can blame any scapegoat who suits your political cause.

Among the people who now believe that killers don't get caught, and justice doesn't get done, are those with the most compelling interest in the matter: the killers. The failure of criminal justice becomes

an open invitation to settle political arguments with the knife or the gun, or the club or the burning tyre; the odds have surely never been so much in the killer's favour.

Where faith in justice falters, intimidation rules. The most complete breakdown of criminal justice in the West, so far as I know, has been in Sicily where a succession of oppressive and unjust foreign rulers taught the people that the law was an enemy, that justice was done only by the family and that silence — omertà — was the price of survival.

In recent times, the Sicilian conspiracy has defeated the Italian system of criminal justice; public prosecutors who have tried to penetrate the silence have been knee-capped or killed. The conspiracy stretches across the Atlantic to the United States, where it shields drug rings and crooked banks, as it once shielded liquor dealers.

This is what the Cuckoos and the Falcons and the entire incompetent aviary of government is bequeathing to the next generation of South Africans. Already some bureaucratic birds of prey cry that they can't do their job because they can't break down the intimidation.

That is sadly true. It was fear of speaking out that kept the townships in turmoil in 1985 and 1986. "Look, look," cried one gang of killers to a television cameraman, making way for him to photograph a burning body. Look, they cried as they enforced boycotts by making aged shoppers drink detergent. Look what happens to black policemen, and town councillors, and other "collaborators of the system".

This is what happens when the instruments of government become so blunted, and the system runs down so badly, that killers go free, and people die without explanation, and the judges must be taken from the bench to go about the country, from cell to lockup, to make sure that nobody is slipping on a bar of soap, or flinging himself from a high place, or falling on a chair.



## Six detained

Cape Times 22/5/89  
Own Correspondent

**DURBAN** — KwaZulu police detained six members of the Kwa Mashu Youth League, including former hunger strikers Mr Bongani Phiri and Mr Mlungisi Shezi, in the township yesterday, according to the regional director of the Democratic Party, Mr Roy Ainslie.

The six had been collecting statements from some of the 84 members of the league who were detained for three days last week in connection with the death of Cosmos "Scuta" Dlamini, 19, who was killed by KwaZulu Police on May 11.

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1173

MONDAY, 22 MAY 1989

1174

HOUSE OF ASSEMBLY

QUESTIONS

+ Indicates translated version.

For written reply:

General Affairs:

329

Internal Security Act: detainees since 12 February 1988

120. Mrs H SUZMAN asked the Minister of Law and Order:

- (1) (a) What total number of persons had been detained in terms of the Internal Security Act, No 74 of 1982, (i) since 12 February 1988 as at the latest specified date for which information is available and (ii) in 1988 and (b) in terms of which section of the above-mentioned Act were they detained in each case;
- (2) whether any persons originally detained under one section of the above-mentioned Act were subsequently detained under another section of the Act; if so, (a) how many, and (b) under which section were they detained (i) originally and (ii) subsequently, in each case?

B273E

The MINISTER OF LAW AND ORDER:

- (1) (a) (i) 323 persons up until 28 February 1988
- (b) 315 persons
- (b) Section 29(1)
- (2) Yes
- (a) 9 persons
- (b) (i) Section 29(1)
- (ii) Section 31(1)

Aliens Act: persons arrested by SAP

292. Mr S S VAN DER MERWE asked the Minister of Law and Order:

- (a) How many persons of all race groups were arrested by members of the South African Police in 1988 for contraventions in terms of

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the Aliens Act, No 1 of 1937, and (b) how many such persons were Blacks or is it estimated were Blacks?

B614E

The MINISTER OF LAW AND ORDER:

- (a) and (b) 6 385 persons of all races.

Note: The South African Police do not keep records of the race of persons charged with these offences, therefore the total number of persons that were arrested, is supplied. It is not possible to estimate how many of these persons were Blacks.

SAP: complaints and charges in 1988

301. Mr P C CRONJÉ asked the Minister of Law and Order:

- (1) Whether any complaints were received and charges were laid against members of the South African Police in 1988 in connection with their actions during unrest situations; if so, (a) when, (b) how many and (c) what were the circumstances surrounding these complaints and charges;
- (2) whether these complaints and charges have been investigated; if not, why not; if so, (a) when and (b) what were the findings in each case;
- (3) whether any action has been taken against members of the South African Police as a result; if not, why not; if so, (a) what action and (b) in respect of how many cases?

B641E

The MINISTER OF LAW AND ORDER:

- (1) Yes.

- (a) On various dates during 1988.
- (b) and (c) A number of complaints and charges were received. However, separate records are not kept of those complaints and charges which are unrest-related. In addition, the complaints and charges are lodged at police stations country-wide.

To gather and process this information country-wide is a time-consuming



AK645 22/5/89  
**Squatter leader  
among 9 held**

Staff Reporter 329

**SQUATTER** leader Mr Christopher Toise is one of nine Peninsula people being held under section 29 of the Internal Security Act, police have confirmed.

The others are Mr Robert Thwalo, Mr Zamilé Leonard Louw, Mr Ngconde Balfour, Mr Mdoda Michael Daki, Mr Vuyo Titus Fetsha, Mr Siphiwo Qila, Ms Miranda Sineli and Mr Lungile Mfobo.

## Twelve held in Northern Cape

AK645 22/5/89 329  
Staff Reporters

THE wife of one the Upington 26 Mrs Meisie Nompondwana, was one of 12 people detained for questioning by police in the Northern Cape.

Mr Selby Nomnganga said police raided several homes in Upington early on Friday, detaining for questioning Paballe Senior Secondary School pupils Ambrose Maurius, Goodman Masiza, David Tom, Michael Tom, Aaron Ranayeke, Jeremiah Thile, Jacky Mpondwana, Aubrey Siyengu, Bennie Goloalwana and Mawide Goloalwana and two unemployed people Mrs Nompondwana and Mr Don Moetsi.



## Pro-govt press unusually critical

THE continuing turmoil in the National Party, already rocked by the shock resignations of two provincial leaders shortly before a key election and public conflicts over policy, has been underlined in the pro-government press.

Unusually critical editorials appeared last week in the party's official mouthpiece in the Cape, the Burger, and at the weekend in the largest Afrikaans-speaking newspaper in the country, Rapport.

While top security sources were calling for the reimposition of the state of emergency on June 9, despite reports that President P W Botha wanted to lift it, the Burger warned against a new state of emergency until the state had looked into its "flagrant shortcomings".

The Burger, clearly critical of the current situation, continued: "There is a great need for a substantial part of the current emergency regulations to be scrapped."

At the weekend, Rapport asked why the NP apparently found it impossible to promote its ideals of reform "without all sorts of qualifications".

Although Rapport did not refer to the controversial speech by the former Cape leader of the party, Mr Chris Heunis, in which he said the aim of government policy was one parliament for all South Africans and a single electoral college for the State President, the newspaper's comments appeared to be directed towards the confusion generated by Mr Heunis's speech.

Indeed, although Mr Heunis's speech was splashed across the front pages of newspapers, the NP newspaper, The Nationalist, ignored it.

In its comments, Rapport said an immediate question was whether the party was itself not causing doubt about its policies of reform.



## 323 held in Feb under Section 29

THERE were 323 people in detention under the interrogation provisions of the Internal Security Act at the end of February — more than the total number held under this clause last year, Minister of Law and Order Mr Adriaan Vlok said yesterday.

In reply to a question from Mrs Helen Suzman (DP, Houghton), he said that 323 people had been detained in terms of Section 29 (1) "up until February 28, 1989".

Last year, 315 people were so detained.

Nine people originally held under this clause were subsequently held under Section 31.

## Black cabinet a 'small step'

PARLIAMENT. — Legislation providing for the appointment of blacks as cabinet ministers or deputy ministers should be supported by Parliament in the knowledge that it was only another small step in a long process towards the ideal of a constitution negotiated and accepted by everyone, the Minister of Constitutional Development and Planning, Mr Chris Heunis, said yesterday.

Introducing debate on the Constitution Second Amendment Bill, he said the citizens of the country wanted progress and breakthroughs.

The Bill represented a further positive step on a path all present parliamentarians had started together.

"I ask Honourable Members to give their support to this in the knowledge they are giving to others opportunities they themselves had and took.

"Let us accept it because in doing so we will continue moving towards an ideal that is greater than all of us."

Mr Heunis said he was delivering his speech with mixed feelings as it was the last piece of legislation he would deal with before retiring on July 1.

"History makes men, not men history," he said.

The acceptance that partition was not the total answer in the field of constitutional development of black communities had resulted in the acceptance of their permanence in urban areas.

Mr Heunis appealed to members of the Labour Party and Solidarity not to adopt the attitude of "I'm all right Jack, but you stay out".

He said there were people who had opted to participate in the tricameral system but when blacks were given the opportunity to do so by way of being appointed to the cabinet the move was opposed. — Sapa

# State drops terrorism charges 329

Star 24/1/74 By Jo-Anne Collinge

The State yesterday dropped its terrorism case against South African Youth Congress president Mr Peter Mokaba (30) after keeping him in jail as a detainee and awaiting-trial prisoner for more than 14 months.

Mr Mokaba stepped from the dock in Pietersburg Regional Court and sat among supporters in the public gallery as his two co-accused, Malebane Elifas Tswai (28) and Sam Thabo Masemola (29), pleaded to the charges.

After the hearing Mr Mokaba said he feared he might pay for his freedom with his life.

Mr Mokaba said he had always protested that he was innocent of the allegations made against him — that he had acted as a "supervisor" for the ANC and had instructed Tswai to transfer weapons from one hiding place to another; had supplied handguns to someone and had instructed

this person to train other people in the use thereof; and had given Masemola limpet mines to hide.

Mr Mokaba was held incommunicado for several months in terms of section 29 of the Internal Security Act. During this time, it was alleged in an urgent application to the Pretoria Supreme Court, he was assaulted by police, threatened with death and kept manacled for days on end.

Tswai pleaded guilty to participating in the activities of the banned ANC, by acting as a courier for it and by assisting one of its members to transfer some AK-47 assault rifles from one storage place to another. Masemola pleaded guilty to transgressing the Explosives Act by burying a parcel containing two limpet mines.

Both were found guilty on these counts. They were discharged on all other counts, including the terrorism charge.

Sentence will be passed on Friday.



APL 45  
24/5/89  
**Doctors may be  
called in terror trial**

By LINDA GALLOWAY  
Supreme Court Reporter

329  
ALL the district surgeons in the Peninsula who examined 14 accused during their detention under Section 29 of the Internal Security Act will have to be subpoenaed to appear in court and verify their reports, the Supreme Court has heard.

Mr D P de Villiers, QC, appearing for Mr Tony Yengeni and 13 others accused of terrorism, told the court he had been handed copies of the medical reports, as ordered by Mr Justice S Selikowitz last week, but they were not certified copies.

The whereabouts of the originals were unknown.

It was possible the State could object to the defence cross-examining State witnesses on the basis of the reports, unless the district surgeons were called to verify the documents.

The judge ruled that one report, the 12th medical report of Accused No 4, Mr Michael Lumbambo, was privileged as it had been an examination specifically in connection with a statement by the accused.

The trial continues today.

The trialists are: Mr Tony Yengeni (accused No 1), Ms Jennifer Schreiner, Ms Lumka Nyamza, Mr Michael Lumbambo, Mr Mbutu Nduku, Mr Wellington Nkwandla, Mr Mtheteleli Titana, Mr Gary Kruser, Mr Christopher Giffard, Mr Sitlabocha Charles Mahlale, Mr Alpheus Ndude, Ms Gertrude Fester, Ms Zurayah Abass and Ms Colleen Lombard.

# 'Assault' on Yengeni — bruises

By RONNIE MORRIS  
Supreme Court Reporter

A DISTRICT SURGEON who examined terrorism accused Mr Tony Yengeni found bruises on his face, stomach and left arm and a cut lower lip hours after he was allegedly kicked in the face and assaulted during his detention, the Supreme Court heard yesterday.

However, Captain William Liebenberg, head of the police's terrorist detection unit, said he could not say how Mr Yengeni had sustained the injuries, as he had not been assaulted in his presence.

Mr D P de Villiers, QC, for the defence, put it to Capt Liebenberg during cross-examination that the district surgeon who examined Mr Yengeni had found a bruise on his right cheek, a laceration to his lower lip, a large bruise in his abdominal area and a bruise to his upper left arm.

Asked if he had not seen the bruises, Capt Liebenberg said he had not seen anything abnormal.

When Mr De Villiers told him the medical examination had been conducted in the presence of two policemen, Capt Liebenberg said in cases where highly-trained people were being examined, policemen were present to assure the safety of the doctor and guard the detainee.

Asked if it was possible that Mr Yengeni could have been assaulted, Capt Liebenberg said Mr Yengeni was not

assaulted or kicked in his presence.

"I do not believe it could have happened in my absence. My staff do not assault people and it did not come to my attention," Capt Liebenberg said.

In a medical report compiled two days after Mr Gary Kruser's arrest, the doctor had noted Mr Kruser's allegation that a wet bag had been pulled over his head.

Asked to comment on the fact that, while detained in Paarl, Mr Yengeni had alleged a bag had been pulled over his head and that Mr Kruser had made a similar allegation in Cape Town, Capt Liebenberg said he did not know if the men had read about it in newspapers or if they had met each other and discussed the matter.

Told by Mr De Villiers he was not playing open cards with the court, Capt Liebenberg said he stood by his evidence.

Asked about the wounding of Mr Bongani Jonas and Mr Mtheteleli Titana during their arrest, Capt Liebenberg said he had not been present, but had learnt the men had been wounded in an attempted escape.

Asked if it was a mere coincidence that both men had alleged their wounded legs were twisted to gain information, Capt Liebenberg said they were members of the same unit and were hospitalised in wards opposite each other.

The hearing continues today.

The accused are: Mr Yengeni, Ms Jennifer Ann Schreiner, Ms Nyamza, Mr Michael Mzimkhulu Lumbambo, Mr Mbutu Richmond Nduku, Mr Wellington Mongameli Nkwandla, Mr Titana, Mr Kruser, Mr Christopher John Giffard, Mr Mahlale, Mr Alpheus Nkwana Ndude, Ms Gertrude Fester, Ms Zurayah Abass and Ms Colleen Lombard.

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25/5/89

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## Broke own law, cop tells court

# Yengeni shock

By HENRY LUDSKI

MEASURES introduced by the government to safeguard detainees held under Section 29 of the Internal Security Act after the controversial cell death of trade unionist Neil Aggett are being disregarded.

This emerged in evidence by police this week in the "Yengeni" terrorism trial in the Supreme Court, Cape Town, during a dispute over the medical records of the 14 trialists.

Several of the trialists were allegedly tortured and shot at by security police.

The regulations to safeguard detainees were introduced in terms of the Internal Security Act in December 1982, 10 months after Aggett was found hanged in a Johannesburg police cell.

They hold the divisional commissioner of police "responsible" for keeping a close watch over the custody and general well-being of detainees in his area.

### Medical records

However, in a surprise development in the trial, a senior police officer testified that the Western Cape Divisional Commissioner of Police, Brigadier Roy Doring, was not in possession of copies of the medical records of the trialists - a task entrusted to him in terms of the regulations.

Major William Warrington, staff officer of the Divisional Commissioner's office, said under cross-examination that the district surgeon's medical reports had instead gone to the security police.

Warrington said the Divisional Commissioner was unable to make copies of all the reports available because he did not know what had happened to the originals.

He admitted that the commissioner had never been in possession of the disputed reports.

Mr Justice S Selikowitz has upheld an application by the defence for the medical reports of the trialists to be made available.

Earlier, Mr D P de Villiers QC, for the defence, argued that the medical reports would provide "very relevant material".

He said they would also test the credibility of the evidence of Captain William Liebenberg, head of the terrorist detection unit, who has been under cross-examination for several weeks.



Anti-apartheid British churchmen, Archbishop Derek Sheppard, stop over in KTC on a brief visit to Cape Town, they met Anglican Archbishop Desmond Tutu and the trialists

### NEWS

Sisulu's birthday let-down  
— Page 5

### SPORT



By CHIARA CARTER

EDWORKS strikers this week began an indefinite hunger strike in an attempt to highlight a year-old wage dispute.

"The group of hunger strikers will emphasise that our struggle is a matter of life and death," said a worker.

The dramatic move came as the work stoppage by more than 800 members of the Commercial, Catering and Allied Workers' Union of South Africa (Ccawusa) at 80 Edworks stores nationwide, passed the 40-day mark.

# Workers on hunger strike

Eight stores have been closed since the strike commenced.

A Ccawusa spokesperson said the hunger strike was a direct response to a

management ultimatum that all strikers return to work. The ultimatum expired this week.

On Tuesday, the strikers were evicted from an Ed-

works store in Johannesburg after staging a sit-in. The protesters were evicted by a deputy-sheriff after the company obtained an order from the Supreme

Court.

This week the company withdrew all its previous offers, including the agreed minimum monthly salary of R520.

An Edworks spokesperson said this followed the failure of a union official to attend a meeting last week.

A Ccawusa spokesperson said workers' demands included an across the board increase of R125 per month and a 60 percent bonus backdated to last year.

Workers are also demanding that the agreement be extended to cover both sales assistants and workers in Bophutatswana.

Management has offered a R105 increase across the board and a backdated 20 percent annual bonus.

The company has refused to extend the agreement to Bophutatswana and wants to reserve the right to see that assistants are "fairly treated".

It also wants to have the right to "discipline" strikers.

## Living level

Ccawusa has released figures indicating that the present minimum wages of Edworks employees in major cities around the country are far below the household living level.

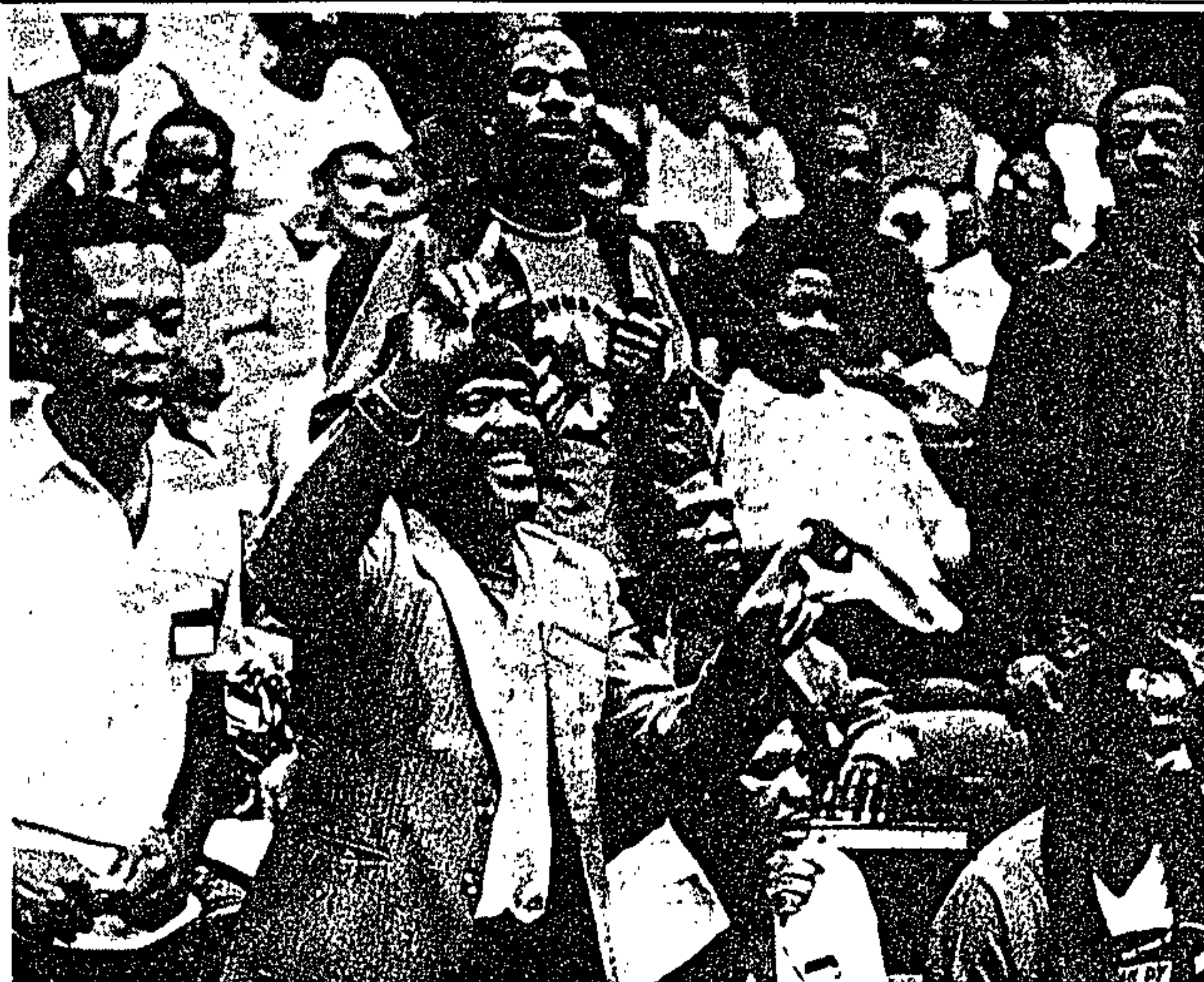
In Newcastle, where the standard living level is R743, the minimum wage is R190 a month.

The Edworks spokesperson rejected claims of "starvation wages", saying that the offer of R520 represented an increase of 25 percent in wages.

He said the company was concerned that strikers had been "misled" into thinking the strike was lawful, even though the Supreme Court had declared the strike illegal earlier this month and interdicted it from taking place.

"The company is also concerned that the strikers' loss of earnings are mounting to a level which will be impossible for them to recoup, while their union representatives engage in unlawful sit-ins," he said.

Negotiations for 1989 wage increases are due to begin when the dispute is settled.



Speakers at the Numsa congress emphasised the importance of strengthening the organisation and unity of the working class

## Numsa congress urged to discuss proposals

From MONO BADELA

GERMISTON. — Veteran trade unionist and ANC leader, Harry Gwala, was elected honorary life president of the National Union of Metalworkers of South Africa (Numsa) at the union's biennial national congress held here.

The decision was "a symbol of the continuity of the workers' struggle in South Africa", said Numsa general secretary Moses Mayekiso at the close of the four-day congress.

Daniel Dube was re-elected as president of Numsa, with Maxwell Xulu elected first vice-president, Percy Thomas second vice-president and Mayekiso re-elected unopposed as general secretary.

The congress made a clear statement on the need to strengthen the organisation and unity of the working class.

Speakers at the congress emphasised the need to "resist a concerted attack by the state and capital" on the trade union movement.

Cosatu assistant general secretary Sidney Mafumadi urged more than 700 delegates to discuss and debate the ANC's constitutional proposals.

He said all structures of the mass democratic movement were being urged to discuss the proposals "as part of the struggle to end political and economic oppression".

Mafumadi also urged the labour movement to support the Namibian people and their unions, and called for the formation of Namibian Solidarity committees throughout the country.

The congress also committed the union to action against the Labour Relations Amendment Act through maximum co-operation with the Congress of South African Trade Unions (Cosatu), the National Council of Trade Unions (Nactu) and other independent trade unions.

The congress affirmed Numsa's opposition to any form of negotiation with the government as a process of political settlement before basic conditions of political freedom are established.

The congress also resolved to take whatever steps possible to end the "reign of violence" against the working class and progressive organisations.

The use of police by management to deal with strikes was described by delegates as "managerial violence".



# Arrests lead to protest

ARRESTS of pupils, and the disruption of classes and examinations this week signalled a fresh crisis in black education countrywide.

In Soweto, thousands of Standard Nine and Ten pupils refused to write examinations. The director of the DET in the Johannesburg region, Mr Peter Struwig, confirmed that attendance at Soweto schools varied while at some schools there was no attendance.

Tension is mounting at schools in the Western Cape following the recent detention of a teacher and six pupils.

Pupils and education organisations have called for protest action.

## Emergency

Police action was reported at several high schools in the Peninsula including ID Mkhize and Fezeka in Guguletu, Crossroads No3 and Sizamile in Nyanga.

The nature of the police action cannot be reported in terms of the emergency regulations.

There were also protests at schools in Langa and Khayelitsha where a pupil was reportedly detained.

Pupils whose detention has been confirmed by relatives and lawyers, are Godfrey Sogoni, Stanley Majozi, Pellegrine Bomvana, Basil Ntungwane, Anthony Madini and Mvuleni Yengeni.

**TO PAGE THREE**

## Schools protests

### FROM PAGE ONE

Kwazulu high schools have been closed.

The four Kwazulu schools in Umhlanga have been closed indefinitely after student protests.

Principals have been accused of "resorting too quickly" to police assistance when confronted with pupils' grievances.

KwaZulu Education spokesperson, Johan Smith, said classes were suspended because of "unrest".

Lawyers have confirmed the release of Bulelwa Ntutu of ID Mkhize.

Albany News Agency reports that pupils at Ntsika High School in Grahamstown have called off their class boycotts after their demands concerning a SRC member in detention had been met by the security police.

Last week they decided not to participate in activities following the detention of Mlindi Magxwalisa, and demanded his immediate release or, alternatively, that he receive study rights.

In Natal, where pupils are preparing to write examinations, tension is running and so far two Department of Education and Training and four

# Terror trial accused 'drank skin cleanser'

By LINDA GALLOWAY  
Supreme Court Reporter

**TERRORISM** accused Ms Lumka Nyamza drank a bottle of skin cleanser in a police cell in Piet Retief after she was threatened by a security policeman, the Cape Town Supreme Court has been told.

Ms Nyamza is on trial with 13 others who refused to plead to the charges against them.

Mr D P de Villiers, QC, for the defence, was cross-examining Captain William Rudolf Liebenberg yesterday about a trip to Piet Retief in January last year with Ms Nyamza and co-accused Mr Chris Giffard.

He said Ms Nyamza would say she was taken by a Captain Jonker and other policemen to point out places in connection with allegations against her. She would say that she had been assaulted and had returned with her clothes covered in mud and without her shoes.

Captain Liebenberg said he had not gone with Captain Jonker that day but had asked about Ms Nyamza's condition when they returned.

He denied that Ms Nyamza told him she had been assaulted, or that he had told her she was lucky to have been brought back alive.

He denied telling her that if he had taken her he would have shot her.

Ms Nyamza was taken to a police station in Piet Retief that night and Mr de Villiers said she drank a bottle of liquid which "made her very ill".

Mr de Villiers said Ms Nyamza had swallowed the liquid "as a direct result of the threats you (Captain Liebenberg) made to her".

Captain Liebenberg said he remem-

bered there was a report about Ms Nyamza drinking the skin cleanser wash but could not remember when it had been.

He agreed that the following day she had been taken out again in the same dirty clothes. One of the policemen was sent to buy her a new pair of shoes.

Captain Liebenberg said he remembered that investigators from military intelligence had questioned Ms Nyamza at security police offices but could not remember whether the alleged assault in Piet Retief was discussed.

Mr de Villiers said Ms Nyamza would say she was handcuffed to the bed in her cell at Wynberg police station on orders from Captain Liebenberg.

Captain Liebenberg denied he had given such an order.

He said Ms Nyamza had never asked him whether her husband, Mr Tony Yengeni, was alive and he could not say whether other policemen had refused to tell her.

## Blood on clothes

Ms Nyamza would say she had seen blood on clothes belonging to her husband in a security police office at Culmborg and she had not known whether he was alive or dead.

She had asked to see a psychiatrist because she was depressed and had seen Dr T Zabow. She had told Dr Zabow of her fears and that she had wanted to see her four-year-old son, but had been told that she could not see him until she co-operated "to the satisfaction of the security police".

Captain Liebenberg said he did not know what Ms Nyamza had told Dr Zabow.

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# Workers on hunger strike over 'starvation wage'

## Weekly Mail supporters sue minister

By THAMI MKHWANAZI

EIGHT people arrested after last year's picket in Pretoria against the suspension of the *Weekly Mail* have sued the minister of law and order for damages totalling R96 000.

The eight each claimed damages of R12 000 for alleged unlawful arrest and detention under Emergency regulations. Summons were issued in the Pretoria Supreme Court last month. They were held for four days at the Pretoria Central and Sunnyside police stations.

After their release on warnings on November 8, the eight appeared four times in the Pretoria Magistrate's Court but were not charged.

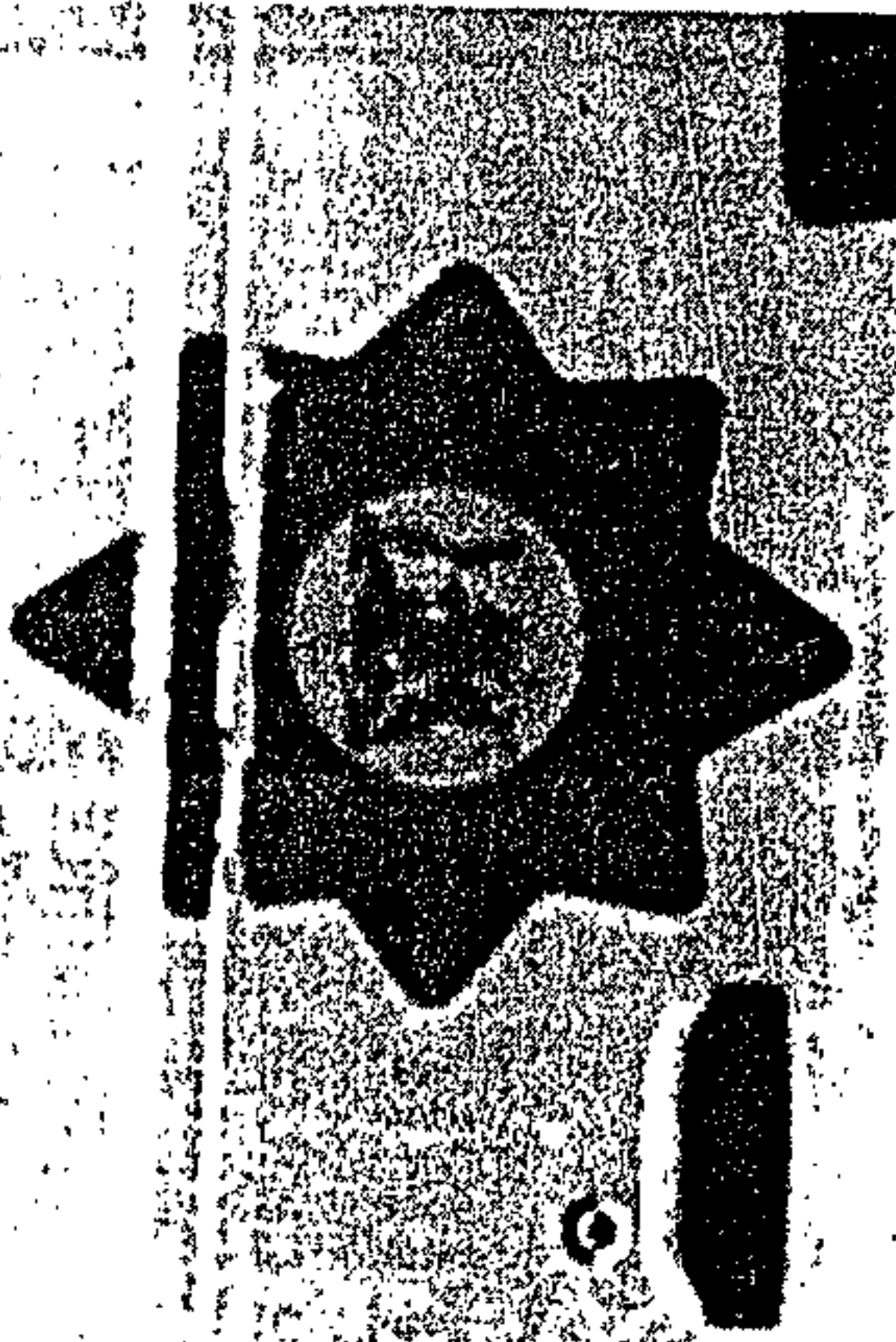
During their last appearance on February 17, the magistrate ordered the prosecution to lay charges within three weeks. He also set the trial date for June 1 and June 2.

The state failed to comply with the order, and instead filed charges of attending an illegal gathering six weeks after their last appearance.

The claimants are: Libby Lloyd, Association of Democratic Journalists national co-ordinator; Black Sash member Kerry Harris; Cornelia Scholtz, Helena Saayman and Manette Carstens, members of the Students for a Democratic Society at Pretoria University.

The others are Laura Best, and high school and technician students Patrick Malewa and Zac Ramtsheidi.

The picket was part of protests in South Africa and abroad over the four-week suspension of the *Weekly Mail*.



Powerless ... framed in the window of a police van, these black people wait patiently outside the Pretoria Supreme Court to see if justice will be done in the trial of mass murderer Barend Strydom.

Picture: STEVE HILTON-BARBER, Afrapix

THE union offices in downtown Johannesburg — where a hunger strike by shopworkers demanding a "living wage" has entered its fifth day — were last night replete with images of labour solidarity.

A vagrant, wrapped in white plastic bags to keep out the winter chill, sleeps on the pavement outside the grimy building. Upstairs on the second floor, five workers and a union official sit on blankets scattered around the cement floor.

Jacky Masuku, organiser for the Commercial Catering and Allied Workers Union (Ccaawusa), invites the pauper up to share a blanket, a glass of sugar water and a place to sleep beneath a banner that proclaims "Socialism Now".

Some 800 workers at more than 80 stores belonging to the Edworks shoe-chain have been on a legal strike for more than three weeks to back demands for a wage hike of R125 a month across-the-board. The company is prepared to grant an increase of R105 a month.

On Monday night, after obtaining an order from the supreme court, the company evicted Masuku and five workers staging a sleep-in protest at a store in Johannesburg. They then decided on the fast to highlight the workers' demands — the first time that organised labour has used the hunger strike as a collective bargaining tactic in South Africa.

"We will stay here until we die or receive a living wage from Edworks," says 54-year-old Vicky Majoi. "I've worked for the company for 25 years. I worked in the manager's home as a domestic worker. I even drove his mother-in-law around as her private chauffeur. But he refuses to pay me more than R415 a month."

Ccaawusa says pickets mounted outside most stores have won extensive support from consumers and the three-week strike has closed at least

Six workers say they will fast until they die for R20 — the difference between the company's offer and the union's demand. By EDDIE KOCH

seven stores around the country. The workers' resolve to fast indefinitely may well be rhetorical, designed to apply pressure on the company where industrial action has failed. But all six hunger strikers insist they are deadly serious about their protest.

"The hunger strike is a last resort on our part to get management to negotiate in good faith," Masuku told a press conference in Johannesburg. "Management refuses to budge and the courts are useless. We will not eat until the company gives in to our demands."

Apart from the wage demands, these include calls for a 13th cheque at the end of the year and recognition of the union at stores in Bophuthatswana. Masuku says Edworks has refused to recognise Ccaawusa there because South African unions are barred from operating in the "homeland".

Edworks MD Stewart Dodo rejected union allegations that workers in some parts of the country were receiving wages as low as R190 a month.

"The company refuses any allegation in respect of starvation wages and wishes to place on record that R520 per month (the minimum wage) offered by the company represents a 25 percent increase," said Dodo.

The dispute is over wage talks for 1988 and any increase agreed to will be backdated from July 1. Further increases will be offered when negotiations for 1989 take place.

"We believe that wage disputes of this nature should be resolved through the collective bargaining machinery."

# High treason 329

docket with A-G

*Not filed 26/1/89*  
A CHARGE of high treason had been investigated against Mr Mkhusele Jack, Mr Stone Sizani, Mr Henry Fazzie, and 31 others, the Minister of Law and Order, Mr Adriaan Vlok said yesterday. Replying to a question from the MP for Addo, Mr Peter Hendrickse, Mr Vlok said the docket was with the Attorney-General of the Eastern Cape.



## Vlok adds six to the list of emergency detainees

Cape Times

29/5/89 Political Staff

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THE names of six more emergency detainees who had been held for longer than 30 days were tabled in Parliament by the Minister of Law and Order, Mr Adriaan Vlok.

This means that since the emergency was reimposed on June 10 last year the names of 1 871 detainees have been tabled.

In the previous three lists, tabled every two weeks during sessions of Parliament, the names of only seven new detainees have been disclosed.

The six named were: Jacob Msithane, Alfred Ntlati, Ferdinand Sebidi, April Mohau, Shadrack Mofolo, Thembankosi Ngelezo.

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# Teenager lied about police beatings

Court Reporter

A TEENAGER who fabricated a story that he was assaulted and electrically shocked by police, was yesterday convicted in the Cape Town Regional Court on two counts of public violence.

John de Vos, 19, of Privaat Street, Bonteheuwel, was convicted of setting fire to the house of Constable H Saayman on August 28 last year and also burning an Allied Publishing truck on August 18 in Bluegum Road, Bonteheuwel.

Earlier De Vos alleged that he was forced to point out certain places to the police after he was blindfolded, handcuffed, suspended and electrically shocked.

The magistrate, Mr J D Hugget, found that the assault which De Vos claimed had taken place was "totally untrue". His evidence was "fabricated and half-baked".

"If his evidence is measured against that of the police witnesses, then the court finds it totally unacceptable.

"He was vague, hesitant and he contradicted himself. The police did not contradict each other seriously. The court finds that they corroborated each other and there is no reason why their evidence should be rejected.

"The accused was visited by many policemen but did not tell them of his injuries. If he was suspended for hours, the court would have expected marks on his arms and legs, but there were none," Mr Huggett said.

De Vos formed part of a group who gutted the truck and petrol-bombed the house of Constable Saayman. "Even those members of the group who did not have bombs aligned themselves with the rest of the group. This is a typical example of how four people can commit public violence.

"Their aim was to disturb the public peace, infringe on the rights of others and destroy their property."

The hearing was adjourned to June 14 and De Vos was held in custody.

Mr J M Koen prosecuted. Mr K Amien appeared for De Vos.



JOHANNESBURG. — The United States government has appointed a new ambassador, Mr William L Swing, to South Africa.

The Washington Post reported that the US government had asked for official South African approval of Mr Swing.

Mr Swing will replace Mr Edward Perkins, who has taken up a new post in Washington as director-general of the foreign service.

Mr Swing, who is a career diplomat, started in the foreign service as vice-consul in Port Elizabeth from 1963 un-

## US names new envoy to South Africa

30/5/89

He has served as ambassador to Liberia and the Congo as well as having served as deputy chief of mission in the Central African Republic. — Sapa

## Soweto pupils re-held

JOHANNESBURG. — Five Soweto high school pupils who had been on a hunger-strike in detention and were released as a result of representation by their lawyers to Law and Order Minister, Mr Adriaan Vlok, were re-detained yesterday.

This was announced by the Detainees Aid Centre (DAC) and confirmed by the detainees' lawyers, who said the five, Blessing Ndlovu, Solomon Dolama, Paul Chauke, Morgan Raboshaga and Norman Mokhabuki all of Meadowlands, were detained in pre-dawn home raids.

A police spokesman in Pretoria said he had no knowledge of the arrests.

A spokesman for Cheadle, Haysom and Thompson, representing Raboshaga, said the security police confirmed the pupil's detention in terms of Section 3 of the Emergency Regulations. Attorney Mr Krish Naidoo, who represents the others, did not have details of their arrests.

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## Judge turns down Rohan

DURBAN. — An application by Post Natal news editor Muhammad Rafiq Rohan, the man allegedly responsible for the C.R. Swart bomb blast in April this year, has been dismissed by the Judge President of Natal.

Mr Rohan brought an urgent application earlier this month accusing police officers of harassing him into answering certain questions.

Mr Justice Howard dismissed the application and discharged the interim order with costs in the Supreme Court, Durban.



TOTALITARIANISM — DETENTION

1989 — JUNE — ~~APRIL~~ <sup>OCT,</sup> ~~SEPT.~~

Sowetan 11/6/89

## Azapo leader's family 'worried'

THE family of detained Azapo deputy president Lybon Mabasa is concerned about his health.

Mabasa enters his 15th day this morning on a hunger strike. He is being held in a Bloemfontein prison.

Mrs Oko Mabasa said the last time she visited him he had ulcers. He had lost weight and was getting worse.

However, a spokesman for the Minister of Law and Order, Colonel S van Rooyen, said as far as he knew there was no detainee on a hunger strike in the country.

Mrs Mabasa said her husband demanded to be either charged or released.



# Terrorism accused is granted bail

CAPE TOWN — There was excitement in a packed gallery in the Supreme Court on Tuesday when terrorism accused Miss Gertrude Fester was granted R3 000 bail after spending more than a year in custody.

Loud cheers went up and a group of people sang and danced in the street when Miss Fester came out of the court building. Mrs Freda Fester wept as she held her daughter, who was mobbed and kissed by well-wishers. (329)

Mr H Klem, SC, for the State, made the surprise announcement that the Attorney-General had on the basis of new information withdrawn his objection that Miss Fester, co-accused of Mr Tony Yengeni and 12 others, be allowed bail.

In terms of her bail conditions Miss Fester must supply the investigating officer with her present address and any subsequent change within 24 hours; report to the Maitland police station every day between 5 and 8 pm when the court is not in session and not interfere with witnesses.

An inquiry into the refusal of Mr Bongani Jonas, formerly known as Mr X because he was to be a state witness, to testify, was then held.

Mr A M Omar, for Mr Jonas, said Mr Jonas's

case would be that it would be humanly impossible for him to testify. It may be necessary for the court to decide if that was a just excuse.

Mr Jonas said the reasons for his refusal to testify were complex because South Africans were living in two worlds, that is, a world of the oppressor and that of the oppressed.

He would never be able to live with himself or his conscience and his family would never be able to face members of the oppressed community if he testified, he said. (233)

During the time that he had been held under Section 31 (as a possible state witness) he had not been able to sleep and experienced struggles within himself. After he told the court on April 18 of his refusal he had managed to sleep without using sleeping tablets, Mr Jonas said.

His 72-year-old father, a security guard, was a Christian and respected member of society and would never be able to face his congregants if he testified. He would also betray himself, his family and his community if he did so, he said.

His youngest brother, a Std 9 pupil, would be humiliated if he testified and his sister, a student at the University of Transkei, would have to repudiate him if he testified.

Another brother, Andile — he is in detention — was a teacher and a leader in the community and would also be betrayed if he chose to testify, Mr Jonas said.

"Should I testify I would betray my own human dignity because our struggle is not just a struggle for political power but also a struggle for human dignity."

The events that shaped him in his childhood included seeing his shaking parents pleading with police during a pass raid.

He had also been forced to abandon his second-year BA Admin (personnel) studies at Fort Hare University during 1980 class boycotts, Mr Jonas said.

The trial continues today. — Sapa.

# Hunger strikes tax 'ethics' of doctors in SA

JOHANNESBURG. The escalation of hunger strikes within the detention system severely taxed the ethical independence of doctors treating such patients and put the Medical Association of SA in the "glaring limelight" of possible international medical censure.

Masa federal council chairman Dr Bernard Mandell said in his chairman's report in the 1988/89 annual report that Masa's failure to clearly state its policy on human rights, ethics and discrimination in medicine could result in academic sanctions against it.

Issues such as Aids, adults and children in detention, hunger strikes and racial discrimination emphasised the need for a new appraisal and in-depth examination of previously accepted ethical standards.

## Separation

He said Masa had approached the World Medical Association to re-examine the Declaration of Tokyo on medical ethics "in the light of the unfortunate personal experiences of some South African doctors".

"Racial discrimination in medicine is unacceptable but some doctors still believe they have the right to separate their consulting room facilities for socio-economic reasons," he said.

The report stressed Masa's grave concern for the mental and physical health of detainees in general and hunger strikers in particular. It had referred ethical questions regarding hunger strikers to the WMA and it had notified branches and concerned groups of the importance of getting informed consent to treatment.



**T**HE medical care of detainees who embark on voluntary total fasting raises important ethical issues and dilemmas for the doctor, so says Coronation hospital specialist Dr Yusuf Veriava.

He said the doctor's dilemma lay in deciding whether he ought to stand by and do nothing, or whether to intervene even though the patient had not consented to medical treatment.

The fact that the detainee is perceived as deliberately harming himself may lead the doctor to believe that no care is indicated. This attitude, he pointed out, would be an abrogation of medical responsibilities.

He quoted Article Six of the Declaration of Tokyo to which the Medical Association of South Africa is a signatory, saying:

"Where a prisoner refuses nourishment and is considered by the doctor as capable of forming an unimpaired and rational judgement, concerning the consequences of such voluntary refusal of nourishment, he shall not be fed artificially."

"The decision as to the capacity of the prisoner to form such a judgement should be confirmed by at least one other independent doctor."

"On this basis one can reject the option of force feeding competent patients. It does, however, place an obligation on the doctor to establish the mental competence of the patient."

He said treating in-

## Doctor spells out

### hunger strikers' case

factions or advising the patient to increase his intake of fluids to treat dehydration is often acceptable to a hunger striker.

"Ethical dilemmas of a more serious nature arise when a patient enters into a coma, he added.

But an editorial in the South African Medical Journal (1982) concluded: "The cardinal principle then is to respect the wishes of the hunger striker for as long as he is capable of expressing them."

"An individual on

hunger strike should not be viewed as wanting to commit suicide. The primary intention of his act is not to cause his death. It is to use a few of the possible ways open to him to force the authorities to change him or to release him."

"Once a doctor agrees to attend to a hunger striker, that person becomes the doctor's patient, with all implications and responsibilities in the doctor-patient relationship."

The doctor must

inform the hunger striker of the health consequences of fasting, including uncertainties entailed in sustained fasting, in which complications are to be anticipated.

#### Neutral

The doctor must adopt a neutral attitude to the patient's responses to this information.

There should be no pressure to break the fast, and no threat to withdraw medical attention. The hunger striker should be

assured that normal nursing care would be available at all times.

Permission should be sought for non-invasive monitoring like regular measurements of weight, pulse, blood pressure and temperature. It must be explained that these measurements will be used to inform the patient of impending serious consequences of the fast, when medical intervention will be offered.

Specific permission (preferably in writing) must be obtained for tests like blood, urine

and X-rays.

Symptoms should not be ignored and the causes should be sought.

At an early stage in the fast, while the patient is mentally competent and not in a



BY MOKGADI PELLA

HEALTHGUIDE

weakened physical condition, the doctor must obtain instructions, in writing, if the patient does not wish to be resuscitated if he becomes confused or unconscious.

This statement must be respected although the patient may alter it at any stage. Dr Veriava added that this information must be kept strictly confidential and should not be supplied to the authorities.

An additional consideration is that a doctor should adopt an advocacy role to intervene on behalf of his patient if the conditions under which the patient is held are ethically and medically unacceptable. The conditions of detention are usually dictated by police officers who may have no understanding of the medical and psychological implications of their decisions.

Doctors should insist on privacy when treating their patients and should not allow State interests to supersede the patient's as was the case with doctors who treated Black Consciousness leader, Steve Biko, in detention in 1977.

Another dilemma facing doctors may be to refuse to discharge a patient from hospital back into detention, perhaps under pressure from the hospital.

A return to prison is likely to cause the recurrence of the problems which caused the hunger strike in the first place.

## R27 600 donation for Pace

AN aggressive fund-raising campaign launched this week to save Soweto's Pace Community College kicked off with a donation of R27 000 donated by the American Embassy.

The donation, announced by Mr Peter Shavers, the American Consul General, was authorised by former American ambassador, Mr Edward Perkins, before his departure on Monday. He had intended to purchase science equipment for pupils.

Mr Perkins had a profound belief in the power of education and its role in the post-apartheid future of South Africa," Mr Shavers said.

Several other companies attending the light-a-candle, fund-raising dinner at the Shareworld entertaining complex pledged support and others donated generously towards the survival of the college.

A cheque of R140 000 was donated by Johnson and Johnson, while other major companies, who have in the past supported the school, also pledged to continue.

The occasion was also to pay tribute to Pace College's school master, Mr T W Kambole, for his services to education and also to the late community activists, Mrs Shobelo Mofheane and Dr Abu Asvat.

The president of the



Mr T W Kambole (centre) is surrounded by pupils of Pace Community College.

Cap. Times 21/6/89

## Hunger striker rearrested 329

COSATU's Northern Transvaal regional secretary, Mr Donsie Khumalo, was arrested yesterday morning on charges of breaking his restriction orders.

The restriction orders were placed on him after his hunger strike and subsequent release from detention.

A British Embassy spokesman said yesterday that the embassy had been "assured" by the Ministry of Law and Order that Mr Donsie Khumalo is not being prosecuted for any offence in relation to the sit-in which he and five other former detainees staged in March at the embassy offices in Pretoria. — Sapa



# Detention without trial is an insidious disease, says Dean

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Star 2/6/89  
Own Correspondent

DURBAN — Detention without trial was an "insidious disease" in South Africa, the Very Reverend Colin Jones, the Anglican Dean of Cape Town, said yesterday.

He was speaking at the provincial Anglican Synod, which is being held at St Thomas Church in Durban.

In proposing a motion about detainees, Dean Jones said the South African Government had detained about 30 000 people in a two-year period after the implementation of the second state of emergency.

"Since then, I am sure that no institution knows exactly how many people have been detained and most of them have never been brought to trial," he said.

He said the last few months had seen a new development, which was largely initiated by Archbishop Desmond Tutu:

"It is a well-known fact that he has gone out of his way to negotiate with the Minister of Law and Order, Dr Adriaan Vlok, about the release of detainees.

"We have seen some movement of detainees, but what is distressing is

that many of those who have been released have had severe restrictions placed on them in their own homes."

Dean Jones said the Government was turning South Africa into a prison.

"We as Christians allowed this to happen virtually unchallenged. There are many here who will feel angry or distressed when I say this."

He said there were thousands of people in their communities who were still in detention.

"We know it is very easy to overlook that there are families of these people in our parishes."

Dean Jones said many detainees had been physically, emotionally and psychologically damaged. "By letting them stay in detention, we are showing our willingness to live with oppression.

"We need to remember that people who suffer in detention are as much a part of the body of Christ as we are."

He said the recent hunger strike by detainees had moved the church from its apathy for a while.

"What more has to happen before we as a church will not tolerate the imprisonment of our fellow beings without the recourse of justice?"

# Masa 'must state policy on human rights'

Medical Reporter

329  
The Medical Association of South Africa (Masa) must clearly and positively state its policy on human rights, ethics and discrimination in medicine or face possible academic sanctions, the association's chairman, Dr Bernard Mandell, has said.

In his annual report, Dr Mandell said Masa's failure to take a stand on human rights and relat-

ed issues might also result in expulsion from the World Medical Association and in the inevitable deterioration in medical education followed by the lowering of the standards of primary health care for the whole population.

Dr Mandell said the subject of medical ethics was assuming increasing importance within the local medical community.

"This decisive change in the pattern of medical debate indicates a more progressive and healthier

trend in the approach of the professional towards ethical issues. In the past thoughts and words have been dominantly concerned about incomes and the rights of doctors within the community, possibly ignoring the rights of the community and the human dignity of individuals," Dr Mandell said.

## HUNGER STRIKES

He said the most important issues under discussion this past year had been detainees and their detention without trial, hunger strikes and fragmentation of health services.

"The association plays a vital role in the former insisting that the physical and mental health of detainees be maintained.

"Success has been achieved but the escalation of hunger strikes within the detention system severely taxes the ethical independence of doctors treating such patients," said Dr Mandell.

— SOUTH AFRICAN RESERVE BANK



# DETENTIONS UNDER FIRE

**Insidious  
disease  
top  
cleric  
tells  
synod**

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He was speaking at the provincial Anglican synod, which is being held at St Thomas Church in Durban.

In proposing a motion about detainees, Jones said the South African Government had detained about 30 000 people in a two-year period after the implementation of the second state of emergency.

"Since then, I am sure that no institution knows exactly how many people have been detained and most of them have never been brought to trial," he said.

He said the last few months had seen a new development, which was largely initiated by Archbishop Desmond Tutu.

"It is a well-known fact that he has gone out of his way to negotiate with the Minister of Law and Order, Mr Adrian Vlok, about the release of detainees.

"We have seen some movement of detainees, but what is distressing is that many of those who have been released have had severe restrictions placed on them in their own homes."

# Shop steward charged with intimidation

A SHOP steward of the Hotel Liquor and Catering Union near Pilgrim's Rest in the Eastern Transvaal was arrested at the Blypoort holiday resort yesterday morning on a charge of intimidation, a union official announced yesterday.

He is Mr Nelson Mashile. Nactu's regional organiser in Tzaneen, Mr Moss Mahasha, said Mashile, who is the chairman of the shop steward committee at the resort, had signed a letter requesting use of the local church hall for a worker meeting. The church had turned down the application, he said.

He said police arrived at the resort yesterday morning and left with Mashile. He said a policeman had later told him that Mashile would appear in the local periodic court to face charges of intimidation.

The resort manager, Mr Oosthuizen, was said to be out and not available for comment. The local station commander was also said to be out.



# 'Former detainees' lives threatened'

Sowetan 2/6/89

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LIFE out of detention is proving difficult for a number of former detainees whose activities are restricted under the emergency regulations.

One woman "in fear of her life" has stopped reporting to the police station which is a condition of her restriction order.

A Soweto resident, Ms Pamela Majodina (19),

## SOWETAN Reporters

informed the police this week she could no longer report twice daily to the Meadowlands police station after she allegedly received a death threat from a policeman and a week later was attacked by an unknown gunman on her return from the police station.

Majodina was issued

with a restriction order on her release from detention on April 3.

In a statement given to her attorney's offices, Krish Naidoo and company, Majodina said that last Sunday afternoon, after reporting to the police station, two taxis "full of men" stopped to give her a lift home.

When she declined, they moved off, but returned a while later.

One of the men got out of the taxi brandishing a gun. She took refuge in a nearby house.

"They came round the back, kicked the door and shouted to me to come out because they wanted to shoot me."

After a while, the men drove away, and the owner of the house escorted her home.

## Telex

A few hours later she returned to the police station and made a statement.

The first threat to her life occurred on May 7, when she went to report to the police station. A policeman allegedly told her she would be "shot dead."

Attorney Ms Crystal Cambanis sent a telex to the Commissioner of Police urging him to investigate the incident.

Meadowlands police station came under

attack by a second ex-detainee and restrictee, Mr Solly Dolamo. Last week Dolamo laid a charge of assault against a policeman.

SAP police spokesman, Colonel Noel Hartwell, said the complaint was being investigated.

Complaints of assault by members of the armed forces on restricted former detainees have been sent by Cambanis to the Commissioner of Police, Jo-Anne Collinge reports. These include:

- Mr Job Thekison, who said he was visited at home by two policemen from the Westonaria police station on May 5, and alleged he was assaulted and then taken to the police station and assaulted further.

- On the evening of May 5, members of the SADF visited Mr Albert Tleane of Tembisa, and allegedly frogmarched him around his home and "forced him to do physical exercises while a gun was held at his head."

An SADF spokesman confirmed the visit, which he said was during the routine exercise of their duties. The spokesman denied that any assault or irregularities occurred.

2-8/6/89

## Hunger striker's health worsens

329  
W. M. M.

LYBON MABASO, vice-president of the restricted Azanian People's Organisation, has been on hunger strike in Bloemfontein's Grootvlei Prison for 15 days — and his family has expressed deep concern about his health.

Yesterday's claim by Mabaso's wife, Oko, runs counter to a statement by Law and Order spokesman Colonel S Van Rooyen, who said "as far as he knew" no detainees were still on hunger strike in South Africa.

Mabaso was transferred to Grootvlei on May 9 with several other Emergency detainees.

Oko Mabaso said her husband suf-

fered from high blood pressure, and ulcers. "When I saw him on the eighth-day (of his hunger strike), he had lost a lot of weight," she told the *Weekly Mail*.

A representative of the black consciousness movement yesterday condemned Mabaso's detention. "Victims of Emergency detention often have their plight ignored," he said, "and therefore their own health is placed at risk."

The State of Emergency should be seen "for what it is", he added. "It is a death trap and must be rejected by those who aspire to work for peace."



# Ex-cop convicted of helping two detainees escape

CAF. T. J. 3/6/89  
Court Reporter

A FORMER policeman who helped two detainees escape from the Wynberg police cells by handing them a package containing a gun after he received R1 000 was yesterday convicted in the Wynberg Regional Court.

After the state withdrew the main count of contravening the Internal Security Act, Sean Damés, 22, of Tzaneen pleaded guilty to and was convicted on an alternative charge of aiding two detainees, Mr Adriaan Siphiwo Qila and Mr Donisile Smallboy Nokhatywa, to escape from the Wynberg cells.

Damés was a policeman guarding the two at the time.

In a statement he admitted that on January 28 he handed them a package containing a gun which they used in escaping from the cells. He had received the firearm from a friend of the detainees.

He admitted that he received R1 000 and did not ascertain what the package contained. From the package's weight he suspected it contained a gun.

The matter was adjourned to June 22 for sentence and bail of R2 000 was extended.

Damés initially appeared with Ms Christina Tyulu, 40, of KTC, who pleaded not guilty to the count of contravening the Internal Security Act. After the pleas were noted the trials were separated.

Ms Tyulu's bail of R2 000 was also extended and her hearing was adjourned to August 7.

Mr AP Kotze was the magistrate. Mr D Roath prosecuted. Mr E Mohammed appeared for Ms Tyulu and Mr G Snyders appeared for Damés.

# Another detainee goes missing

329  
C. M. M. M.  
4/6/89

By SELLO SERIPE

ANOTHER detainee, Linda Mntambo, has gone missing from police custody.

Before his escape a fortnight ago, Mntambo, a Section 29 detainee, is alleged to have stabbed a policeman several times from his cell at the Jeppe police station. The policeman is fighting for his life in hospital.

Mntambo of Dube, Soweto, had been in detention since February 10, 1989.

His escape was reported this week, a week in which community organisations were busy preparing for the first anniversary of another missing detainee, Stanza Bopape.

Bopape, general secretary of the Mamelodi Civic Association, was detained on June 9, 1988 in terms of Section 29 of the Internal Security Act. Police said he escaped from custody on June 12, 1988.

Today, activists will hold a memorial service in Mamelodi to commemorate Bopape's disappearance.

Like Bopape's parents, Ms Doris Gumbi, 49, mother of Mntambo, said she does not want to believe that her son has escaped from police custody.

According to Witwatersrand police spokesman Colonel Frans Malherbe, Mntambo escaped on May 31 and the search for him was still continuing.

He added that police are also investigating a robbery charge against Mntambo.

According to the family lawyer, Kathleen Satchwell, Mntambo was detained for his alleged connection with the ANC.

Ms Gumbi said the police only informed her last Monday - six days after her son's escape.



The house arrest of one member affects the whole family

# Release from detention does not mean being free

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By Jo-Anne Collinge

Mr Rapu Molekane was one of the last emergency detainees to be released after Minister of Law and Order Mr Adrian Vlok began reviewing the cases of all those held under emergency regulations after scores went on hunger strike early this year.

Like most of his predecessors, Mr Molekane (27), walked from the cells without any charge against his name but with a restriction order in his hand.

It is just a week since he came home to Soweto. Already family members have learnt that there is a world of difference between being released from detention and being free.

And, they say, the house arrest of just one person among them taints all with a sense of confinement.

"All the family is jailed. All the family must pay for Rapu being restricted," his wife, Mrs Patience Molekane, said.

## Employment a problem

One of the main problems is that he has to report to the police station once every day. And he has to be home by 2 pm and stay home until 7 am next day. That leaves him six hours of 'freedom' each day.

It is not time enough to lead a normal life — to be the breadwinner he would like to be within his family.

The problem of employment is exacerbated by the fact that Mr Molekane, who is general secretary of the banned South African Youth Congress (Sayco), was also a paid member of staff of Sayco.

There is a double barrier to him resuming his job. Firstly, his personal restriction order prohibits him from taking part in the affairs of Sayco. Secondly, Sayco itself is prohibited from carrying out any activity as long as it is restricted under the state of emergency.

Although the whole Sayco executive was detained, they have all been released and not one has been convicted for Sayco activities," Mrs Molekane said.

Before Rapu was detained the police created the impression that they were wanted for very serious crimes. But that impression has not been substantiated.

Mrs Molekane said the future held out no promise of a normal family life for them.

"Rapu and I got married in July last year, just three months before he was detained. We are adults — we would like to set up our own home and live independently."

"But now that won't be possible. We are forced to share this four-room house with Rapu's family. That means nine of us sleeping here and just two bedrooms."

"There is also the feeling that we are a danger to the whole family. Because once before, when Rapu was released from detention in 1983, he had only been home two days when the house was petrol-bombed."

The petrol-bombing accounts for the renovated facade to the house, which makes the home look a little more prosperous than those of many neighbouring families.

Nothing could be further from the truth, said Mrs Molekane. She pointed out that both her in-laws were pensioners. Apart from herself, there were only two breadwinners in the nine-person household.

"I was forced to go out to work soon after our baby Tokologo was born — too soon, really," Mrs Molekane says. "I have a part-time job as a secretary in a legal aid office and I attend college."

"Now I have Rapu and two children to support. The fact that he has to report daily to the police at Morogency, he adds to our financial problems. The taxi fare costs us about R1,40 a day — or about R40 a month."

Mr Molekane came home during the course of the interview. He had to be home as the witching hour of 2 pm had struck.

In terms of his restriction he could do no more than exchange greetings with the reporter.

It was doubtful whether he could even remain in the room as a silent observer, since the reporter had met his family for the distinct purpose of discussing the impact of restrictions.

Mr Molekane is prohibited from "staying" present at any gathering consisting of five or more persons (including yourself), convened or otherwise brought about for the purpose of discussing some or other matter."

## Worried for his safety

The restriction order allows him to receive no more than five visitors at a time. In a household of six adults, the number of visitors could exceed that number without anyone even trying to break the law.

These things are irritations, his mother, Mrs Mary Molekane, conceded. But the overriding emotion is worry. "I am so happy to have him home. But so scared that something may happen to him," she said.

Any attempt to discover the routine Mr Molekane follows under restriction meets with a blank. "He tries as far as possible to avoid a routine, to be unpredictable," said his wife. "It worries me that he has to report to the police station because his enemies might follow him."

Leaving the house, the reporter passed Mr Molekane in the kitchen handing a bank note to his sister. Having run out of cigarettes outside his "free" time, he is compelled to use his family as messengers to tend to his most trivial needs.



Two's company... more than five is an illegal crowd. Restricted former detainee Rapu Molekane relaxes at home with a friend, Sophie Masilo.



Star 7/6/89

## Masa speaks out against detention without trial

Pretoria Correspondent

The Medical Association of South Africa (Masa) has come out strongly against detention without trial.

The chairman of Masa's Federal Council, Dr Bernard Mandell, said yesterday the association had noted "with deep concern" the continuation of unrest and violence in the country.

Although the association was aware that detainees had the right to a second opinion where physical health was concerned, "their mental health after being detained was more disturbing".

Dr Mandell said the association would not tolerate religion, nationality, race, party politics or social standing affecting the standard of care offered by doctors to their patients.

As the health status of a population was primarily influenced by hygiene, sanitation, nutrition, housing, and education, the association sought the abolition of all discriminatory measures in South Africa to ensure the end of apartheid.



# Guards 'attacked' police

From PAT CANDIDO, Argus Bureau

PORT ELIZABETH. — More than 60 people were arrested after guards at the home of one of the three missing Port Elizabeth Black Civic Organisation (Pebco) men attacked police, the Supreme Court has heard here.

Colonel Eric Strydom, former head of the Murder and Robbery Squad in the Eastern Cape, said yesterday that guards at the home of Mr Nipho Hashe had attacked members of the police and their vehicles on the night of May 9 1985.

He was testifying at the hearing of an application brought by Mrs B Godolozzi, calling on the Minister of Law and Order and the officer-commanding, Alexandria police station, to produce her son, Ququwuli.

Pebco president Mr Godolozzi, secretary-general Mr Hashe, and organising secretary Mr Campion Galela disappeared under mysterious circumstances on May 8 1985. They were supposed to meet a member of the British embassy at the H F

Verwoerd Airport that night.

Colonel Strydom said the violent clash at the home of Mr Hashe took place the night after the three members of Pebco went missing.

He conceded, under cross-examination by Mr M Baslian, that he had issued instructions for Mr Hashe to be arrested on May 12.

However, Mr Hashe's name did not appear on the list of wanted persons.

He denied that the three men had been seen at the offices of the Murder and Robbery Squad on June 10 1985.

He said he had even asked Mr Edgar Ngoyi, regional vice-president of the United Democratic Front, who had been held for questioning at the office on that day, whether he had seen them.

Mr Ngoyi had said he had not seen any of the three men there that day.

(Proceeding)

## Restricttees to challenge?

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GRAHAMSTOWN. — Hundreds of restricted former emergency detainees might be able to challenge a clause in their restriction orders following a judgment in the Appellate Division of the Supreme Court.

Rev Abraham Visagie of the Dutch Reformed Church

challenged the restrictions placed on him after his release from detention in August 1986.

According to the fourth order of his restrictions, he is not permitted to attend any gathering criticising the government - a condition which Mr Justice JA Hoexter found to be a

"drastic inhibition of the appellant's rights of freedom of association and freedom of expression".

Hoexter said Law and Order Minister Adriaan Vlok had "travelled beyond the precincts of his legitimate powers" in imposing this particular order, and ruled that it be declared void.

South 8-14/6/89.



# Policeman denies knowledge of missing men

From PAT CANDIDO  
Argus Bureau

186459  
8/6/89

PORT ELIZABETH. — A policeman told the Supreme Court here that when two women had asked about three missing men, allegedly being held at the Alexandria police station, he told them he had never heard of them.

Constable David Ngqoyiya was giving evidence yesterday at an inquiry into the disappearance of Mr Qaqawuli Godolozzi, president of the Port Elizabeth Black Civic Organisation (Pebco), Mr Sipho Hashe, secretary-general, and Mr Champion Gabela, organising secretary.

Mrs B Godolozzi is calling on the Minister of Law and Order and the officer commanding, Alexandria police station, to produce her son.

The three men disappeared mysteriously on May 8 1985 when they were supposed to be on their way to H F Verwoerd Airport to meet a member of the British embassy.

Constable Ngqoyiya said two women had come to see him at his home in Alexandria early in January 1986.

He had been standing outside with Constable David Mthana when the women arrived and told him that they had received information that the missing men were being held in custody at Alexandria police station.

He had told them he had not seen the men, nor had he come across their names at the police station, he said.

Cross-examined by Mr M Baslian, for Mrs Godolozzi, he denied he had heard Constable Mthana telling the women that the men had been held at the Alexandria police station in 1985,

## 3 who sought UK refuge re-detained

By Norman Chandler,  
Pretoria Bureau

A Cosatu delegation yesterday handed a petition to the British Government over the re-detention of three office-bearers who were among four detainees who sought asylum in the British Embassy earlier this year.

The petition follows the detention last week of Mr Donsie Khumalo, northern Transvaal regional secretary of Cosatu, Ms Grace Dube and Mr Ignatius Jacobs, who were re-arrested on various charges, including having contravened restriction orders issued in terms of the emergency.

Yesterday, the delegation was refused admittance to the grounds of the British Embassy in Pretoria because, said the First Secretary, "under the circumstances it would be a bit difficult to have all six (of your delegation) in the embassy".

He said that one member of the delegation would be welcome and offered to arrange an appointment at which the issue could be discussed.

The petition said that Cosatu noted "with disgust" the attitude of the British government to the South African situation and challenged Britain to pressurise the South African Government.



## Lawyers, student held

UMTATA. — Fourteen people, including two lawyers and a Wits University law student, were detained in the Transkei yesterday during the funeral of former political detainee Mr Lungisa Matutu, who was killed in a car accident.

# Cosatu sends letter to British Govt

*Source: 9/16/69*

*324*

A DELEGATION of Cosatu's Northern Transvaal branch has delivered an open letter to the British Government following the detention of its regional secretary, Mr Donsie Khumalo and the reimposition of the state of emergency.

The six-member delegation handed the letter, addressed to the British Government, to an embassy official who only identified himself as

Mr Curtley, "a member of the foreign office."

"Your Government is in a position to pressurise the racist Pretoria regime to address the South African problems.

"We challenge your Government to do so or stand condemned as an accomplice to crimes against humanity," the letter said.

After Curtley would not allow the delegation to enter the embassy grounds in Arcadia, the

First Secretary, Mr Allan Lewis, invited one member of the delegation to officially hand the letter over and to receive a receipt which was requested by Cosatu.

The delegation, however, declined the invitation and waited for 40 minutes outside the embassy gates.

Following Khumalo's detention and hunger strike earlier this year, he was again arrested on June 1.



# Squatter leader on R2 000 bail

*Chie Times 9/6/89*  
Court Reporter

THE leader of the Brown's Farm squatters, Mr Christopher Toise, who has been in detention for four months, was released on R2 000 bail yesterday after appearing in the Wynberg Regional Court in connection with charges of harbouring an escaped prisoner and possessing an AK-47 rifle.

Mr Toise, 63, of Brown's Farm, Philippi, was not asked to plead.

The state alleges that he contravened the Internal Security Act in that between October last year and February this year, having had reason to suspect that Ms Agnes Ntombiszodwa Yoyo or Mr Danisile Nokhatywa were intending to commit an offence or had committed an offence, he rendered assistance to them by storing an AK-47 rifle, four magazines and 120 rounds of ammunition.

The hearing was adjourned to August 1.

Mr A S McCarthy was the magistrate. Mr M Stowe appeared for the state. Mr Toise was represented by Wilkinson, Joshua, Gihwala and Abercrombie.

## Restricted man on bail for not reporting

By WEEKLY MAIL  
REPORTERS

THE DETENTION of Ignatius Jacobs in Johannesburg this week for allegedly breaking his emergency restrictions has highlighted growing opposition to the hardships imposed by such orders.

Jacobs was held, and then released on R1000 bail, after ignoring the order that instructed him to report to a police station.

"Released detainees regard their restriction orders as a further form of imprisonment, which they are required to police themselves," says the booklet, *Suppressing Apartheid's Opponents*, co-authored by assassinated academic David Webster and Maggie Friedman.

They cite the case of a Mohlakeng trade unionist who was detained for over two years, then house arrested and restricted to that township. Because his job was 60 kilometres he could not be reemployed.

More than 90 percent of the people who were released as a result of the hunger strike were restricted, according to the Detainees' Aid Centre.

Restrictions range from being denied access to the media to being confined to a house — and only being allowed out for reporting to a police station.

"Scores of individuals, and most recently, activists released from detention, have been silenced and, in many cases, house arrested and effectively denied the right of work," says Frank Chikane, general secretary of the South African Council of Churches.

"A restriction order simply exchanges one jail for another: ex-detainees are condemned to half a life outside, shackled by laws which restrict their lives as effectively as prison walls and regulations."

At a meeting last week at the University of the Witwatersrand to protest at the restrictions, youth leaders called on people across the country to their restriction orders.



## Two Guguletu pupils detained by police

24/6/87  
14/6/87

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Staff Reporter

SECURITY police yesterday detained two Guguletu high school pupils under the emergency regulations, a city attorney confirmed yesterday.

The scholars, Temba Gxanase of Guguletu Comprehensive and Vincent Daweti of Fezeka High School, are both student representative council (SRC) members, Democratic Party MP for Claremont Mr Jan van Eck said.

They were both detained shortly before noon, the attorney — who may not be named — added.

Black township schools in the Peninsula have been struck by widespread absenteeism since Khayelitsha pupils, demanding elected SRCs, were teargassed by police three weeks ago.

● A stoning incident in Guguletu disclosed in yesterday's unrest report was "possibly related" to the school boycott or gangsterism — and not to a spate of recent stonings on the N2 near Crossroads, police said.

# Mwasa worker held

## in raid

AN educator of the Media Workers' Association of South Africa, Southern Transvaal region, Ms Miranda Ebenezer, was arrested in a police raid at the union's Johannesburg offices on Saturday.

Witwatersrand police Press liaison officer, Colonel Frans Malherbe, yesterday confirmed a raid was conducted at Lekton House which houses Mwasa, the Azanian People's Organisation and trade unions affiliated to the National Council of Trade Unions.

### Routine

Although Col Malherbe said the raid was routine police duty they had received information about the presence of undesirable material in the building.

He said a woman was arrested during the search and would be charged with possession of banned literature.

The raid on Azapo alone was the sixth this year. However, the restricted organisation's offices were locked on Saturday.



# Service held for missing detainee

CPK Tmk 12/6/89 329

JOHANNESBURG. — Human rights activists held a memorial service yesterday for a community leader missing since police reported he escaped from detention a year ago.

Fifty activists, foreign diplomats, clergymen and liberal politicians gathered at a public hall in Mamelodi, near Pretoria, to mourn Mr Stanza Bopape, a charismatic community organiser in his mid-20s, witnesses said.

Mr Bopape worked as Mamelodi Civic Association general-secretary and as a researcher at the Community Resource and Information Centre (CRIC), which teaches negotiating and administration skills to trade unions and youth groups.

"His friends, family and colleagues continue to search for him, but they fear he may have died while in police custody," a statement published in newspapers by anti-apartheid groups said.

Police have denied that he died in their custody.

Mr Bopape was detained on June 9, 1988. Police said he escaped on June 12 while travelling by road in the custody of three policemen. — Sapa-Reuter

## Black activist mourned

Human rights activists held a memorial service yesterday for a black community organiser missing since police reported he escaped from detention a year ago.

Fifty activists, foreign diplomats, clergymen and liberal politicians gathered at a hall in Mamelodi, near Pretoria, to mourn Mr Stanza Bopape, general secretary of the Mamelodi Civic Association.

"His friends, family and colleagues continue to search for him, but they fear he may have died while in police custody," a statement by anti-apartheid groups said. Police have denied this.

Mr Bopape was detained on June 9 1988 under the Internal Security Act.

Police said he escaped on June 12 while travelling in the custody of three policemen.

They said while the three repaired a puncture to the vehicle, Mr Bopape found their keys, unlocked his leg-irons and handcuffs and escaped.

The groups' statement said the police had suggested Mr Bopape may have gone abroad to join the African National Congress. But Mr Bopape's father visited ANC in Lusaka and was told they had no record of his son. — Reuter.



## 90 held under Internal Security Act in May

# Small drop in detentions

By Jo-Anne Collinge

While emergency detentions have dropped dramatically over the last three months, there has been only a moderate decline in the number of persons held under permanent security laws.

Figures released by the Police Division of Public Relations in Pretoria indicated there were a total of 88 people detained in terms of the Internal Security Act as at the end of April and 90 at the end of May.

The figures for both these months represent a drop from the number held at the end of March: 111 persons.

Of the 88 held at the end of April, 78 were held incommunicado for purposes of interrogation under Section 29 of the Act and 10 were detained as prospective state witnesses under Section 31. At the end of May the figures were 72 held under Section 29 and 18 under Section 31.

Clearly the biggest drop in detentions oc-

curred during April after persistent reports that some security detainees were on hunger strike in support of the demand that they be charged or released.

While police were prepared to confirm hunger strikes by emergency detainees they refused to issue any information on those held under security laws. Information from lawyers indicates many of those released from security detention since the end of March have been charged.



Mrs Thatcher... "seeking a formula".

## Mandela: search for compromise

CAPE TOWN — A report that British Prime Minister Mrs Margaret Thatcher is working on a formula for the release of ANC leader Nelson Mandela has stirred interest in Government circles.

According to a British newspaper, Mrs Thatcher is examining the idea of asking South Africa to ease its demand that he renounces violence, and rather accept his agreement to sup-

port a suspension of terrorist activity.

While a British official has denied the newspaper report, senior Government sources said that in April President Botha relaxed the absolute stipulation that Mandela renounce violence.

"Renunciation of violence is no longer an absolute prerequisite," a source said, but noted that it was more complex than that.

British intervention in the

Mandela issue might be useful, the source said, but it might also be counter-productive.

The newspaper report said Mrs Thatcher had been in touch with Mandela through Britain's Ambassador to South Africa, Sir Robin Renwick.

It said Mrs Thatcher's proposed compromise would be the centre of her talks later this month, possibly on June 23, with National Party leader Mr F W de Klerk.

## Police release union official

By Montshiwa Moroke

The national research and information officer of the Media Workers' Association of South Africa (Mwasa), Ms Miranda Ebenezer, was released yesterday following her detention in Johannesburg on Saturday.

She was held at John Vorster Square after a raid on the offices of the National Council of Trade Unions and its affiliates.

Other offices raided by a large contingent of policemen included those of the restricted Azanian People's Organisation, Azanian Students' Movement and Azanian Youth Organisation.

Police arrested Ms Ebenezer for allegedly being in possession of banned literature.



# Let not the memories of Stanza Bopape fade

The father of Mamelodi activist Stanza Bopape, Mr Junius Matome Bopape, will not be content to have his son listed, with others, in history as "Missing In Action".

On the night of June 11/12 last year, Stanza was reported by police to have escaped from police custody and has not been seen, or heard from, since.

Mr Adriaan Vlok, Minister of Law and Order, delivered what he probably believes is the final word on the Bopape case in April when he told Parliament that police had since tracked down persons "who have stated under oath that they have seen Mr Bopape after his escape, once in the vicinity of another terror attack in which people died".

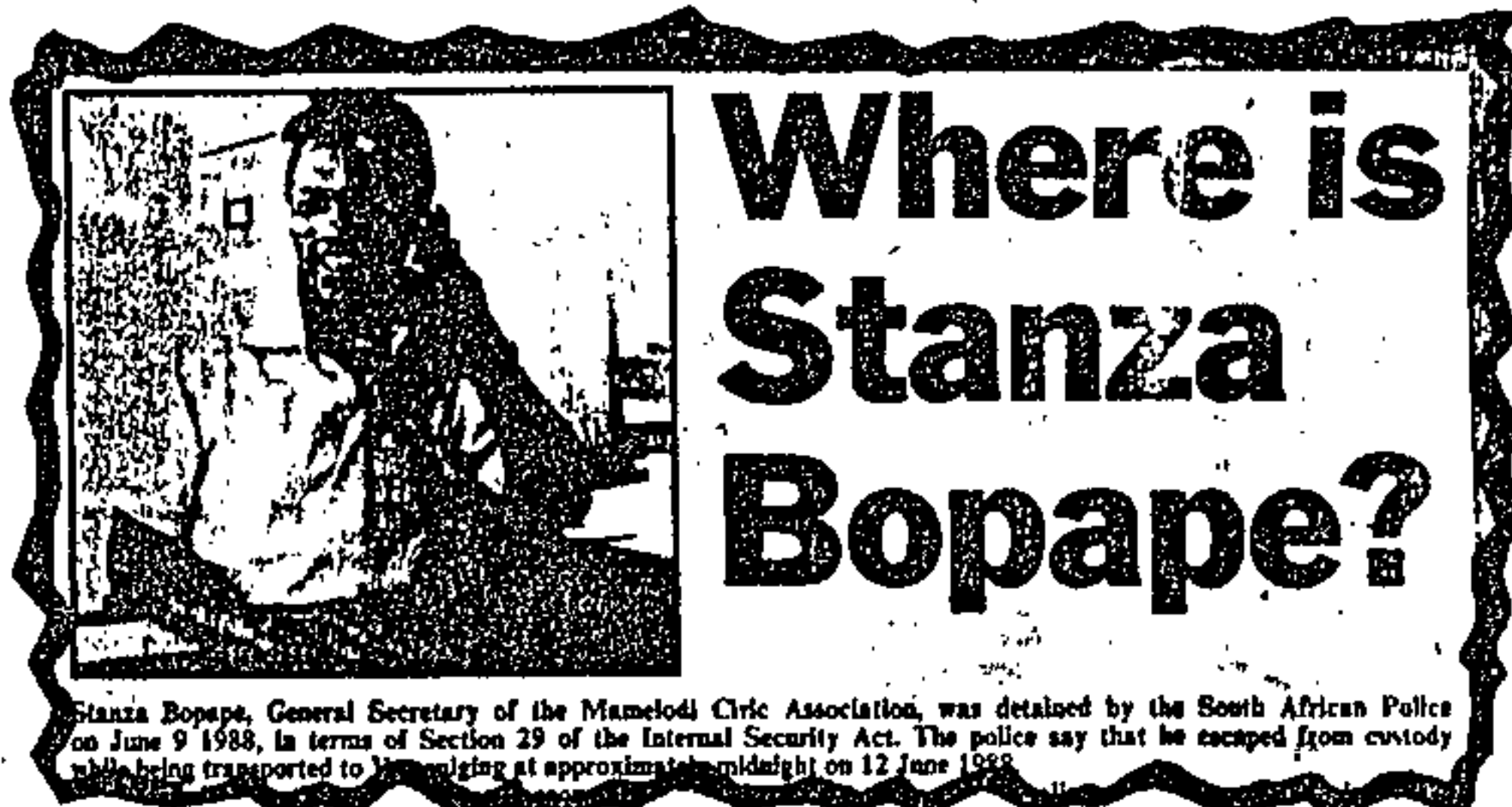
He said that Bopape had escaped while pointing out "certain spots in connection with acts of terror in which he was allegedly involved."

## Flat tyre

This statement, however, makes the police's story of Bopape's escape even more unlikely. This is apparently the sequence of events:

- June 9: Stanza Bopape is detained in Johannesburg.
- June 11/12: three policemen leave Johannesburg in a car with Bopape, where he is to point out certain spots in the Vaal.
- On the way, they get a flat tyre, and the three policemen get out of the car to change the wheel.
- Alone in the car, and in leg-irons, Bopape sees a jacket on the front seat. He reaches out, gets the keys, and unlocks the leg chains and handcuffs. He gets out the car and simply walks away into the bush.
- One policeman sees him just as he enters the bush, alerts the others, and two shots are fired at him — all miss.
- They search for him, but are unable to trace him.
- About June 15: police confirm to Bopape's lawyer that he is in detention.
- Nobody who knows Stanza has seen him since, and he has not been in touch with his family or friends either.
- In February this year, Mr Ma-

One year ago last Friday, Mamelodi Civic Association secretary Stanza Bopape is alleged to have escaped from detention. He has not been seen since, nor has any relative or friend heard from him. Mr Adriaan Vlok has described suspicions over his disappearance as "scandalous propaganda", but only a full judicial inquiry can clear the air. **JOE LATAGOMO** comments.



The weekend advertisement about the general secretary of the Mamelodi Civic Association Mr Stanza Bopape.

tome Bopape went to Lusaka to enquire from the African National Congress whether his son skipped the country to join them. On his return, he said that he was "99 percent sure" that his son was dead, as the ANC had no record of Stanza.

What, then, has happened to Stanza Bopape?

There are many unanswered questions concerning Bopape's disappearance:

- First, how come none of the police taking him to the Vaal heard him while he was unlocking the leg-irons or even just reaching for the keys?
- It is most improbable that all three men were hunched over the flat tyre being removed and replaced.
- For the wheel to be removed, the car would have been jacked up; how come the police did not notice the movement in the car which would have been caused by a person moving about in it or trying to get out?
- Which road did the police use that has such thick bush that a suspect could just disappear into it, and not be found by three presumably experienced policemen?
- Why did one of the policemen not go out to seek police reinforcements to comb the area, surely there are police stations close by?
- If he was considered a suspect in "terror attacks" as Mr Vlok suggests, surely the police should have been much more vigilant?
- Why did the police confirm that they are holding Bopape, days after he had, according to them, escaped?
- If Bopape had been involved in "terror attacks", presumably with others, how come there has not been a case in which he was linked with such attacks?
- The police in whose charge Bopape was were apparently very tired, having worked all day. Were they perhaps interrogating Bopape? If so, Bopape would have been even more tired and could not have gone far in his escape.
- The police have been quick to link people with attacks — as in the Grosskopf case. Why did they not do it when he was "seen in the vicinity

of" the attack referred to by Mr Vlok?

Clearly, there is more to it than Mr Vlok has told the country.

South Africans, however, have had short memories on such incidents, and perhaps Mr Vlok is hoping that the matter will die out. Unfortunately, it will not, and as long as there is doubt over what happened to Bopape, suspicion will hang over the police.

There have been other cases of detainees who have disappeared. Even assuming that some people did, in fact, leave the country, surely that does not explain the mysterious disappearance of all?

Other detainees who were reported by police to have escaped from custody include Vincent Mahlele, who was reported to have escaped from Pietersburg on December 21 1986. Sonnyboy Mokoena's mother was first told that her son had escaped from detention. Then he was found hanged in the cell of a prison at Pilgrim's Rest.

## Poisoned

Siphiwe Mthimkulu disappeared during the course of an action against the Minister of Law and Order, claiming damages for allegedly having been poisoned during detention; the wife of David Mofokeng of Tembisa was told that he had escaped from detention.

Cape Youth Congress and Food and Allied Workers Unionist, Mthuzeli Payi, disappeared during the June 1988 stay-away. His mutilated body was found a week later.

It is incidents like these that create suspicion. There may be more cases, some of which never get reported.

Mr Vlok has dismissed suspicions and what he called "sharp accusations" as "scandalous propaganda from left-wing circles". Yet, he can do no harm by instituting a judicial inquiry into the disappearance of Bopape and others. Surely, if the police have nothing to hide, their evidence should withstand examination at such inquiries.

# Security police deny Pebco arrest

*Can't find 13/4/85*

By PAT CANDIDO, Argus Bureau 329

PORT ELIZABETH. — Colonel Hermanus du Plessis, second-in-command of the security police in the Eastern Cape, has told the Supreme Court here that he knew of only one arrest at the H F Verwoerd Airport since 1980.

Colonel du Plessis said only Mr Terror Lekota of the United Democratic Front had been arrested there. He denied that three members of the Port Elizabeth Black Civic Organisation (Pebco) had been arrested at the airport.

He was giving evidence yesterday at an application by Mrs B N Godolozzi calling on the Minister of Law and Order and the commanding officer at Alexandria police station to produce her son, Mr Qaqawuli Godolozzi.

Mr Godolozzi, president of Pebco, secretary-general Mr Sipho Hashe and organising secretary Mr Champion Galela disappeared while on their way to the airport on May 8 1985.

Earlier a witness said he had seen the three in the company of policemen at the airport.

Colonel du Plessis said there had been feuding between the UDF and the Azanian People's Organisation in 1985 and there had been violent attacks which had reached a climax between March and June.

People on both sides had been murdered, there had been a hand-grenade attack on an Azapo leader and the leaders of both groups had employed guards to protect their homes and themselves.

The security police had been interested in the three missing men because they were executives of Pebco, a UDF affiliate.

They had been brought to the offices of the security police on occasions for questioning but had never been arrested or detained.

If any of the three had been detained or arrested, he would have known about it.

When he first heard they had disappeared he assumed they had left the country.

The hearing continues.



her people were rescued and nobody else was injured in the blaze.

## Cosatu's Khumalo out on bail

The Pretoria Regional Magistrate's Court has granted bail of R5 000 to the detained regional secretary of Cosatu in the northern Transvaal, Mr Donsie Khumalo (39).

Mr Khumalo testified that he and five other people had entered the British embassy in Pretoria on March 29 in order to focus attention on their plight.

He told the court they had left the embassy the next day after they had been assured by the

Minister of Foreign Affairs they would not be arrested.

He said he had been detained on June 1 because he had violated the emergency regulations.

The magistrate, Mr W A J van Zyl, granted bail on condition that Mr Khumalo reported to the Mamelodi police station daily; that he did not leave the magisterial district of Pretoria and Wonderboom and that he did not enter the British embassy. — Sapa.

# Police confirm increase in number of detentions

By BARRY STREEK  
Political Staff

THE police yesterday confirmed a Congress of the South African Trade Unions (Cosatu) claim that the number of people in detention in

terms of the emergency regulations had risen recently.

Cosatu said that at least 78 people are now in detention.

Law and Order spokesman Brigadier Leon Mellet said that he is not in a position to say exactly how many people are in detention at present in terms of the emergency regulations.

However, "there has been an increase of those being held in terms of the emergency regulations, mainly in the Natal area", Brigadier Mellet said.

Cosatu said that many three union organisers in northern Natal and of those who had been

released from detention and then restricted had been redetained and a number of those restricted had been harassed.

Its records of people in detention show that there are 22 people in emergency detention in the Pretoria-Witwatersrand-Vereeniging area, 48 in Natal, four in the Eastern Cape and four in the Western Cape.

It said that among those detained are the vice-chairman and the local secretary of Cosatu in Queenstown.

Cosatu alleged that a number of restricted people had been attacked and that homes of the northern Cape had also been attacked.



## Talks on detainees (329)

By MOJALEFA MOSEKI

A DELEGATION of officials of four health organisations will ask the Minister of Health, Mr W A van Niekerk, when they meet in Cape Town tomorrow, to intervene on behalf of detainees held without trial whose health is "under threat."

The organisations are: South African Health Congress; National Medical and Dental Association; Organisation for Appropriate Social Services in South Africa and Concerned Social Workers. The organisations' spokesman said they would discuss the plight of detainees with the Minister.

The organisations deemed the meeting serious and despite their objection to it being held on June 16 they accepted to meet. *Sowetan 15/6/89*

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329

## Detainee was seen, police claim

JOHANNESBURG —  
Police confirmed yesterday that a youth who identified missing detainee Mr Stanza Bopape on the West Rand last year had served with him on a youth council.

Police confirmation followed in the wake of fears of foul play surround Mr Bopape's disappearance on June 9 1988.

Brigadier Leon Mellet, quoting a speech made by the Minister of Law and Order, Mr Adriaan Vlok, on April 25, said police had tracked down people who had stated under oath they had seen Mr Bopape after his alleged escape.

Claremont MP Mr Jan van Eck challenged Mr Vlok to supply the name of this "so-called person" and his affidavit to the Bopape family lawyers.



# Bopape seen since escape, say police

329  
W. Mail  
15-22/6/89

## Weekly Mail Reporter

MISSING detainee Stanza Bopape was positively identified by a former comrade in a youth organisation after his escape from custody, the police have said.

And the Minister of Law and Order, Adriaan Vlok, says Bopape was seen near the scene of a terror incident in which people were killed — also after his escape.

Vlok also said in parliament in April that the police had sworn affidavits that Bopape had been seen after his escape.

The adamant police claims about Bopape follow the publication of an advertisement focusing on his disappearance, signed by a number of prominent anti-apartheid leaders and organisations.

The advertisement, which appeared in a number of newspapers, including the *Weekly Mail*, said it was now a year since Stanza Bopape had been detained.

"Three unidentified members of the security branch of the South African Police were the last people to see him alive.

"His family, friends, and colleagues continue to search for him, but they fear he may have died while in police custody.

"Until we have other information, we must hold the police responsible for him," the advertisement said.

In April, Vlok said Bopape had been arrested in connection with a number of terror incidents, including the bombing of Sterland in Pretoria on April 15 1988. While pointing out various locations to his police escorts, he escaped, Vlok said.

This week, Vlok's liaison officer, Brigadier Leon Mellet, said one of the people referred to by Vlok had seen Bopape on the West Rand.

This person, who had signed an affidavit, was "well-known to Bopape and had served with him in a youth organisation.

"Bopape was seen in the company of a man and a woman on the West Rand," Mellet said.

The police could provide no further details about the terror incident near to which Bopape had been seen, as this would hamper investigations.

In a joint statement released yesterday, the Mamelodi Youth Organisation and Community Research and Information Centre (Cric) said they "believe the information supplied by the alleged police informant to the police to be untrue".

"Stanza's friends, colleagues and family have mounted an extensive search for him in the past year — if he was able to respond, we believe he would have contacted someone by now.

"The circumstances of his disappearance remain controversial, and we challenge the South African Police to present their evidence before an open judicial inquiry."

LY MAIL, June 15 to 22 1989

## Citizen may settle over 'orchestrated' strike claims

By GAYE DAVIS, Cape Town

THE *Citizen* newspaper, brought before the Media Council this week for publishing allegedly defamatory statements about the Hunger Strikers' Support Committee (HSSC), this week indicated it wanted to settle.

The offer came after the HSSC's attorney, David Dison, asked that the Media Council hearing adjourn so that Brigadier Leon Mellet, press secretary for Minister of Law and Order Adriaan Vlok, could be called as a witness.

Dison was reacting to evidence by *The Citizen's* chief reporter, Tony Stirling, who said while he was not prepared to name a source in the Ministry of Law and Order who leaked him information, Mellet, though not the source, might do so. The HSSC is considering whether to accept the settlement offer.

The dispute centres around a front-page report in *The Citizen* on March 8 headlined "Vlok May Act Over New Body".

In it, Stirling quoted a "top-level source" as saying the HSSC was created to take over the functions of the restricted Detainees' Parents Support Committee (DPSC) and that Vlok was expected to "take decisive action" soon, following "announcements" that a new hunger strike was to be launched "under the banner" of the HSSC.

The report appeared the day after an HSSC press conference, covered by *Citizen* reporter Arthur Kemp.

Kemp was so upset about what subsequently appeared he approached the HSSC with a copy of his original report, fearing he could be discredited, HSSC member Audrey Coleman told the hearing.

The report was handed in as evidence after Media Council chairman Mr Justice Marius Diemont overruled an objection by *The Citizen's* counsel, Gerhard Swart, that it was "irrelevant".

Coleman described Kemp's report as a "fair reflection" of the press conference, where Vlok was criticised for failing to meet his promise to release a substantial number of detainees — and where it was announced that six detainees were to resume their hunger strike

However, the "totally untrue" impression given by the report published was that the HSSC was not only acting as a vehicle for the DPSC — a punishable offence — but that it was orchestrating the hunger strike, when it was made clear that the decision lay in the hands of detainees themselves.

Stirling told the hearing he was handed Kemp's report by *Citizen* editor Johnny Johnson who asked him to see if he could get anything further. He read only the first typewritten page and then dialled the Ministry of Law and Order in Cape Town.

It was "his duty" to get comment from the ministry, as Vlok had effectively been "called a liar".

Not having read Kemp's piece through, he only later discovered that Kemp had already obtained comment from the ministry.

His source was authorised to make press statements but gave him information "by way of a leak" — apparently based on a statement he was busy compiling which was released two days later and "which took the matter further" than he did in his article, Stirling said.

The statement made similar claims to those in the article. But, as Coleman pointed out, no action was taken by Vlok against the HSSC.

"We are perfectly open in the way we work and we don't have to defend what we do," she said. "The only newspaper which printed anything like this was *The Citizen* and the person responsible was not even present at the press conference."



# Detainee's curbs severe — but fair, say police

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By CARMEL RICKARD,

Durban

RESTRICTIONS keeping a former detainee under house arrest for 20 hours a day are having "severe consequences" on his personal life, the police have conceded.

However, they are adamant the restrictions on Baba Dlamini are not "unreasonable" because of his "activities" prior to his detention.

The police were replying to an application by Dlamini challenging the validity of his restrictions.

He is confined to his Lamontville, Durban, home for 20 hours a day; he may leave the premises only between 10am and 2pm, — but during that time has to fit in two visits to the police station between 10 and 11am and between 12.30 and 1.30pm.

Dlamini says the conditions are so unreasonable and so wide in their interference with his rights that the minister could not have applied his mind to the matter.

In their reply filed this week, police "concede that the restrictions of (Dlamini) to his home has severe consequences in so far as his employment, studies and socialising is concerned". But they add, "in the light of the nature of (Dlamini's) activities prior to his detention the restrictions imposed upon him cannot be found to be 'unreasonable'".

The police justify his detention and restrictions on the grounds of Dlamini's alleged membership of "alternative organisations" set up under the auspices of the African National Congress to challenge the state.

Referring to Dlamini's complaint that he has to report twice to the police during his four hours of freedom, police claim the journey is only two kilometres and should not take as long to make as Dlamini made out in his application.

He could reach the "reporting" police station by an easy and short walk without any difficulty", they claim.

Dlamini also pointed out that the restrictions were a threat to his safety since any political opponent would know exactly where he would be and when and could therefore plan and execute an attack. He backed up this claim by pointing to the murder of fellow restricted former detainee, Christopher Ntuli.

The police said Dlamini's situation was quite different since there was not the same level of violence in his area as there was in the area where Ntuli was killed.

324 (324) CAP T. 4.15 17/6/89

# 'Mistake to warn detainee?'

Supreme Court Reporter

A RETIRED security policeman yesterday agreed in the Supreme Court he may have made a mistake in warning a Section 29 detainee, Mr Bongani Jonas, that he had the right to refuse to answer questions.

This was said yesterday by Warrant-Officer Gert Waggenaar at an inquiry held to determine if Mr Jonas had just excuse for his refusal to testify for the State in the trial of Mr Tony Yengeni and 13 others.

W/O Waggenaar said he had visited Mr Jonas in Woodstock Hos-

pital — where he had been hospitalised for a bullet wound in the leg — to obtain "priority information" regarding weapons and his accomplices.

He had warned Mr Jonas in terms of Judges Rules that he had the right to remain silent and refuse to answer questions as what he said would be used against him as evidence.

In reply to questions put to him by Mr A M Omar, for Mr Jonas, W/O Waggenaar said he had later found Mr Jonas had already been warned about his rights shortly after his arrest.

After the hospital visits Mr Jonas had given him a written statement about his activities in five instalments.

He agreed that Section 29 of the Internal Security Act provided for Mr Jonas to be detained until he had satisfactorily answered questions, but said it was his practice to warn detainees.

Mr Jonas later agreed to make a statement to a visiting magistrate.

The hearing continues on August 1.

Mr Justice S Selikowitz presided with Mr W S le Roux and Mr J V Knoll as assessors. Mr Omar, instructed by Mr H Joshua of Wilkinson Joshua Githwala and Abercrombie, appeared for Mr Jonas. Mr H Klem SC, assisted by Mr Jannie van Vuuren and Mrs Sandra Swart, appeared for the State.



# Hundreds held on June 16

Sunday Times Reporter

POLICE reported numerous arrests, a few injuries and a number of stone-throwing incidents during Soweto Day on Friday.

In Natal, more than 700 people were arrested during a crime prevention blitz by the SAP at the weekend.

And at least 68 people were arrested countrywide for unrest-related incidents in the 24 hours from midday on Friday, according to the police unrest report issued yesterday.

Police said the 13th anniversary of Soweto Day — which marks the first day of the 1976 student riots in Soweto — was marred by incidents of violence including petrol-bombing, stone-

throwing and cases of illegal gathering.

The unrest-related incidents occurred at Siyathemba, near Balfour; Soweto; Lynville, Witbank; the University of Zululand; Shongweni, near Pinetown; Mpu-malanga; KwaMashu; Umlazi and Inanda (Natal); and Khayelitsha and Nyanga (Cape).

At least five people were injured in these incidents and at Siyathemba and the University of Zululand police used birdshot to disperse groups who stoned police vehicles.

Three incidents of stone-

throwing at police vehicles were reported at the Regina Mundi Church, Soweto, scene of one of the two memorial services held on Friday.

Inside the church, the four-hour service ended on a sour note when Azapo publicity secretary Muntu Myeza was howled down by the crowd, among which there were large numbers of youngsters who supported the UDF.

Some political officials who attended attributed the heckling to people being "tired" after the long service and wanting to go home.

Others said the crowds inside became edgy when they were told that police were waiting outside with dogs.

# Natal leader faces jail

By S'BU MNGADI

DURBAN'S Lindelani squatter camp leader and suspended Inkatha member, Thomas Shabalala, is facing the most serious threat yet to his freedom.

Durban lawyers this week requested the Natal attorney general to cancel Shabalala's bail after four Lindelani youths were granted a court interdict restraining him from assaulting them.

Shabalala is out on R500 bail following a previous court appearance in which he was linked to the death of a student activist. The bail conditions forbid him from participating in political activities. He may only take care of his business interests in the sprawling shackland.

Now, the lawyers say,

## Call to cancel bail follows order preventing assaults

the alleged warlord has clearly contravened his bail conditions by assaulting the youths for alleged political activities. The bail should, therefore, be withdrawn and Shabalala should be jailed until his court appearance in August this year.

In papers before the court, the four youths said they were viciously assaulted by Shabalala, his son and two other people. One youth testified that 15 people with sticks and sjamboks took them from their homes to Shabalala's "office".

An alleged Inkatha member ordered them to sit on the floor and ac-

cused them of being "comrades". He then asked colleagues what action should be taken against the youths.

"Some of the group said we should be sacrificed like Jesus," a youth said in his affidavit.

"I was subsequently kicked in the face and beaten with sticks on my back. The other members of the group joined in, striking me with sjamboks and kicking and dropping bricks on my feet."

During the night, one of the men gave him dried bread from a bin and threatened to kill the youth if it was not eaten.

After a day, one of the youths was released but the other three were told to wait for Shabalala.

When Shabalala arrived, he ordered the men to lock the youths in a room and to continue assaulting them for another day.

He later returned with a councillor, who accused them of attacking his home in KwaMashu.

After further harassing them, Shabalala left with the councillor. The beatings resumed.

"I was kicked and punched all over my body, sjambokked on my back, beaten with a stick and thrashed on my feet

with a crutch. The assault lasted intermittently for two days," one youth said.

But that was not the end of their nightmare. Shabalala's son, S'ge, allegedly arrived with a group of young women and they were again severely beaten.

A day later, Shabalala visited the youths again - this time with two members of the KwaZulu police.

The youths were saved when the mother of one boy arrived and pleaded with the kidnappers.

She told her son that Shabalala threatened to kill the youths if they remained in Lindelani. They were released and have fled the township.

Political comment and newshills by K Sibiva. Headlines and sub-editing by C Fram, of 204 Hoff Street Ext, Johannesburg.

Cheney 18/6/89

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# Detentions: Govt admits health hazards

CAPE TOWN  
19/6/89  
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By ANDRE KOOPMAN

THE Minister of National Health and Population Development, Dr Willie van Niekerk, acknowledged that detentions and restrictions have serious mental and health effects, said health workers who met him recently.

This emerged during the meeting between the minister and a delegation from the Health Crisis Committee, the HCC said after the meeting.

The delegation, headed by Professor John Kalk of the Witwatersrand Medical School, comprised Dr Nkali Mntlala, vice-president of the National Medical and Dental Association, Dr Leslie London, Dr Mongaliso Maqima, Professor Don Foster of UCT's psychology department, Ms Ilana Edelstein, a clinical psychologist, Mr Terry Sacco, a social worker, and Dr Aslam Dasoo and Dr Errol Holland, members of the SA Health Workers' Congress.

They said that Dr Van Niekerk expressed concern that restrictions might interfere with rehabilitation programmes for released detainees.

"He (the minister) undertook to consult with cabinet colleagues on this issue."

The meeting was arranged to "im-

press upon the minister the deleterious health effects of detention without trial and of restrictions on released detainees".

Professor Kalk described the meeting as "polite but non-committal". "The minister said he had heard our concerns but would not be pressed into giving an undertaking."

Three broad areas were presented to Dr Van Niekerk.

These were "the well-documented evidence that detention without trial, especially under Section 29 of the Internal Security Act, causes serious psychological damage which may persist for years". "We stressed that children are particularly at risk."

"We also voiced our concern on the mental health effects of the severe restrictions imposed on released detainees and other activists — some 900 are presently known to be restricted."

The second issue was the "ethical compromises which are effectively forced upon health workers by security legislation and regulations in the treatment of detainees".

"The third concern related to the actual conditions of imprisonment and the poor quality of health care available to detainees."

CAP TITLES 21/6/87

## Catholic priest 'detained'

UMTATA. — A Catholic priest, Father Thomas Yekiwe, has been detained by the security police, according to a colleague, Father Michael Riedener.

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*CAN 7 TIMES 21/6/87*  
**Catholic priest 'detained'** *329*

UMTATA. — A Catholic priest, Father Thomas Yekiwe, has been detained by the security police, according to a colleague, Father Michael Riedener.

At 10:15  
22/6/89 329

## Ex-Cop did 3 months solitary

By CHARL DE VILLIERS

A FORMER Wynberg policeman convicted of helping two detainees to escape was himself later held for three months under Section 29 of the Internal Security Act without being questioned, the Wynberg Regional Court heard yesterday.

Sean Johan Damés, 22, who yesterday admitted handing a parcel containing a firearm to the two detainees, will be sentenced today.

Damés said that he confessed his role in the escape to a magistrate after other colleagues had become falsely implicated.

Damés said that he was held in solitary confinement at the Fish Hoek police station for 10 weeks and later transferred to Pollsmoor Prison for another two weeks.

He was never interrogated while in detention, he said.

Cross-examined by defence counsel Mr RD McDugall, security police Captain WR Liebenberg said he was not aware that Damés had not been interrogated while in detention.

The two escapees were later re-arrested by security police, Captain Liebenberg told the court.

Mr AP Kotze was the magistrate. Mr D Raath prosecuted and Mr G Schnaps appeared for Damés.



# Fears over restrictions

**CONCERN** that restrictions may interfere with rehabilitation programmes for released detainees has been expressed by the Minister of Health and Population Development, Dr Willie van Niekerk.

He undertook to consult with his Cabinet colleagues on this issue. Representatives of concerned health bodies said at a Press conference in Johannesburg.

A delegation of nine met Van Niekerk on June 16 in Cape Town to impress on him the serious psychological damage caused by detention without trial, and of the detrimental effects of restrictions imposed on released detainees.

## Serious

Reporting back on the meeting, they said Van Niekerk acknowledged that detentions and restrictions did have serious mental health effects.

They said Van Niekerk told them about comprehensive guidelines issued in March which governed the treatment of detainees and prisoners by district surgeons.

Though the guidelines had not been made public, they said it included a regulation

## Minister says it interferes with recovery of detainees

that detainees would be given a document to sign on their arrest, which outlines their access to health care personnel.

## Forced

The "ethical compromises which were effectively forced on health workers" by security legislation and regulations in the treatment of detainees, as well as the conditions of imprisonment, were also discussed with Van Niekerk.

They said the meeting was useful because the groups that had met Van Niekerk were "a broad spectrum" of health care professionals.

One of their demands was that any doctor should have full and free access to any prisoner, including those detained under Section 29 of the Internal Security Act.

The recent hunger strike was described as a "stark manifestation of

the severe mental and physical deprivation that detainees experience".

Commenting on the severe restrictions imposed on detainees after their release, they said "the psycho-social stress it produces is of such dimensions that it is placed squarely within the definition of torture" as espoused in the Tokyo Declaration of 1975.

## Delegates

The delegation comprised Prof John Kalk of the Health Crisis ad hoc committee; Drs Leslie London, Nkaki Mntala and Mangaliso Magqima of the National Medical and Dental Association; Miss Terry Sacco of Concerned Social Workers; Miss Ilana Edelstein and Prof Don Foster of the Organisation for Appropriate Social Services in SA; and Drs Aslam Dasoo and Errol Holland of the SA Health Workers Congress. — Sapa.



**CHARLIE PARKERS**  
233a BREE STREET (between Wanderers and King George Streets), JOHANNESBURG

**MISS SOWETO '89**  
24-HOUR SPECIAL

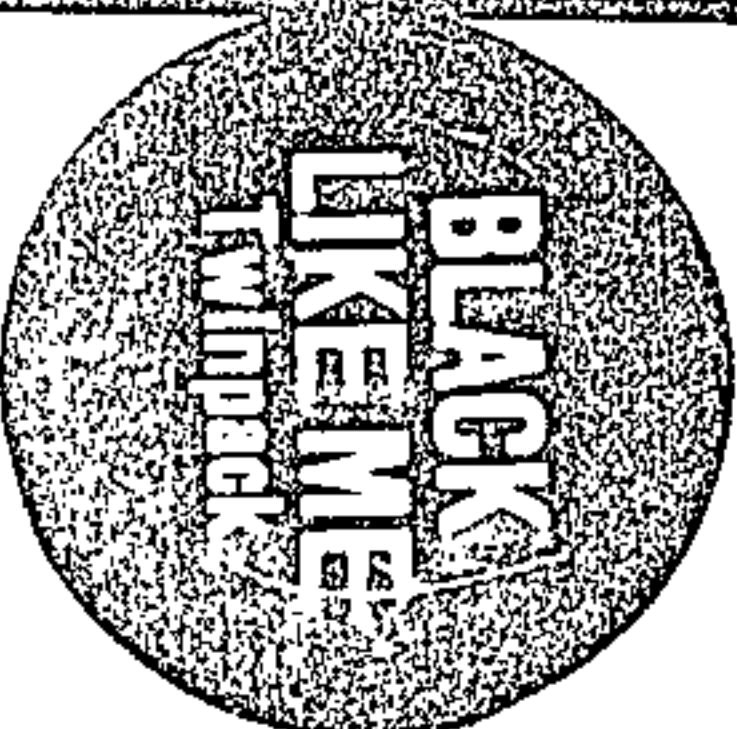


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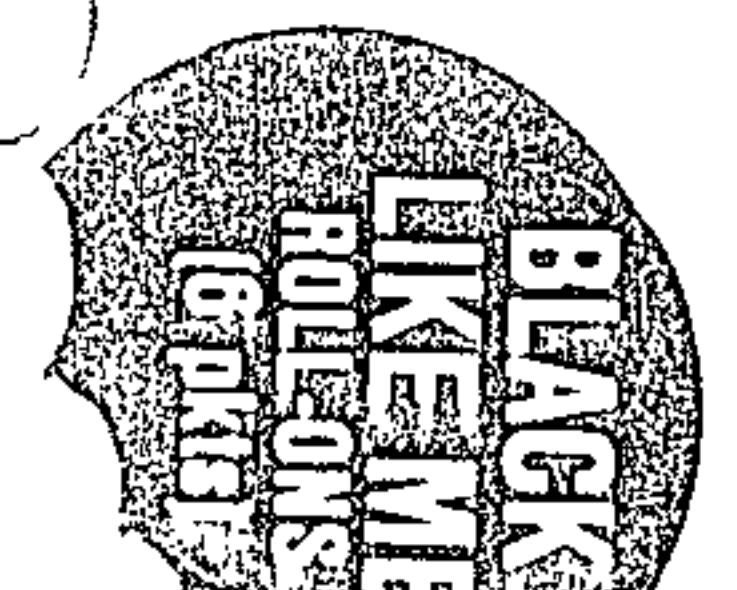
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## East Cape detainees freed

THE last two Emergency detainees in the Eastern Cape were released this week after being on hunger strike for four days.

The two youths, Mlinda Magxwalisa and Tembinkosi Ngeleza, were released from Algoa Parks Prison in Port Elizabeth shortly after being transferred from St Albans Medium Prison, where they were held in isolation. Their release comes days after it was announced at a June 16 church rally that they were on hunger strike.

Captain R Crewe of the South African Police in Pretoria denied that the two detainees were on hunger strike, saying that both youths had been eating normally and had not refused their food.

Magxwalisa and Ngeleza, who are students at Grahamstown high schools, were both involved in student representative council activities at the time of their detention.

They were both detained for more than a month and have been released without restrictions. — ANA

## Flood of Webster returns

THE Union of Democratic University Staff Associations (Udusa) has been flooded by responses to their call for people to pledge themselves to contributing towards a reward for information leading to the arrest of the murderers of activist Dr David Webster.

Members of the staff of the University of the Witwatersrand have raised over R30 000, pushing the total over R50 000. They aim to raise at least R100 000, which would be the largest reward ever offered in South Africa. Substantial pledges have also been received from other universities.



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# Charge or release six pupils, Andrew urges

By DENNIS CRUYWAGEN  
Education Reporter

SIX Cape Town pupils should be charged or released because their continued detention was making it impossible for anyone to resolve the crisis at Peninsula black schools, said Mr Ken Andrew.

In a statement yesterday, the Democratic Party spokesman on black education said it was not a matter of who was right or wrong on disputed issues.

"It is the recognition of the need to create the conditions under which serious negotiations can take place that is critical. Releasing the detained students would be a first, but important step," Mr Andrew said.

Most of Cape Town's high schools had experienced an indefinite stayaway because of a number of grievances including detentions, suspended teachers, acceptable parental representations and recognition of Students Representative Councils.

A number of people were trying to get constructive negotiations under way to resolve these problems and bring about a peaceful return to school.

## "Police harassment"

"However, these efforts are being made extremely difficult as a result of the detention without trial of pupils, police harassment of pupils and teachers and interference with parent, teacher and student meetings," he said.

He and others had been in contact with the Deputy Minister of Education and Training, Mr Sam de Beer, and officials of the department to try to resolve these issues.

The pupils in detention, all pupils at I D Mkize High School, are Basil Mtugana, who was detained on May 1, Anthony Madini, Tutu Majozi, Pellie Thanduxolo Bomvana (all detained on May 9), Mxolisi Sogomi (May 18) and Siyabulela Daweti (June 9).

# Call for reprieve

Sowetan 29/6/89

Mr NORBERT Blum, the West German government minister fresh from a verbal altercation with President Botha, has dropped further sensitive issues in the laps of two South African Government ministers.

He has called for the reprieve of all "political" prisoners on Death Row.

In a day marked by a series of meetings with South African Government Ministers — including the

clash with Botha — Blum also handed lists of emergency detainees and unsolved political "assassinations" to the Minister of Law and Order, Mr Adriaan Vlok. He also handed a list of condemned prisoners to the Minister of Justice, Mr Kōbie Coetsee.

Blum denied reports emanating from the office of Coetsee that he had agreed with Coetsee not to visit the jailed ANC leader, Nelson Mandela.

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## Hunger strike six moved

SIX Soweto students were this week transferred from Bloemfontein's Grootvlei Prison to Johannesburg and Modderbee prisons after going on a hunger strike.

On May 29 the students — Solly Dolamo, 18, Joe Letlape, Blessing Ndlovu, Norman Mokhabiki, 21, Paul Chauke, 21, and Morgan Raboshage, 19 — were detained in terms of the Emergency regulations and held overnight at the Lenasia police station. The following day they were transferred to Grootvlei Prison because they had begun a hunger strike.

They suspended their fast when they were taken to Bloemfontein but on June 16 they again went on a hunger strike.

The students said their families could not visit them regularly because of the costs involved in travelling to Bloemfontein.

The matter was allegedly discussed with prison authorities. Lawyers confirmed this week that Dolamo, Chauke, Raboshage and Letlape had been transferred to Johannesburg Prison while Ndlovu and Mokhabiki were moved to Modderbee Prison.

Representation was being planned for the release of the six, lawyers said this week. Chauke's lawyer yesterday indicated there was a strong possibility he would be released. Reasons for their detention has been requested but no replies had yet been received.

Three of the six have already spent a year in detention and at the beginning of this year were freed without being charged. However, on their release stringent restrictions were imposed on them.

Recently Minister of Health, Dr Willie van Niekerk, tackled the question of detention without trial, saying it was traumatic and something that needed serious attention.

● The Prisons Services said they could not comment and referred *Weekly Mail* to the South African Police Public Relations Division in Pretoria. The SAP said: "We have to advise that we do not comment on Emergency regulation detainees."

## 'Restricttees' complain of late-night police raids

(329)

By LOUISE FLANAGAN and THUMIDA MAISTRY

FORMER detainees in the Queens-town area are wrestling with the effects of restrictions imposed under the Emergency, including nightly police visits to "check up" on them.

Family members have detailed the traumatic effects of the restrictions as part of a "Stop the Restrictions" campaign launched by the Border Crisis Committee, which comprises several service and community organisations. They have all written to the Minister of Law and Order Adriaan Vlok, but have yet to receive an answer.

Of the 35 detainees held in the Border region, 17 came from the Queens-town area. They were released after the hunger strike earlier this year and are all restricted. Most are prevented from taking part in organisations they were previously involved in, must report to police at least once a day and are restricted to their homes at night.

"The restrictions are not for human life," said one ex-detainee's mother.

The families have accused the police of regularly waking ex-detainees and their families late at night.

E Tolashe, the mother of one of the former detainees, Nokuzola Tolashe, said she did not feel her daughter had been released from detention "because she must be visited by police squads during the night-time to check on her."

"The restrictions are not on Nokuzola alone. She is not the only one who is being woken up at 3am almost every day by the police — the whole family is suffering."

Tolashe's mother said her daughter could not live with her common-law husband, as he was restricted at night to another house.

"The arrival of the police at ungodly hours and waking everybody in the house causes mental irritation to the whole family," said Joyce Hadi, mother of another restricted person, Mzuvukile Hadi.

A similar story was told by the families of restricted former detainees Zola Magoqoza, Nomatamba Sidandala, Daniel Lolwana and Vukile Feni.

*30/6/89*

The families also report feelings of helplessness, depression and futility, and stress-related illnesses among the ex-detainees.

"He looks greatly depressed and this depression doesn't seem to be healing," said Margaret Bobotyana of her son Aaron. "His memory is poor, he is suffering from stomach problems and is complaining about continuous headaches which do not stop even if he uses painkillers. The doctor says he is suffering from depression."

Bobotyana is restricted to someone else's house at night — apparently the house where he was initially detained.

Said Tamsanqa Gcina of his son, Sandile: "He easily loses concentration, even if one talks serious business with him. And he has a new weakness, that of quickly becoming angry."

"He is due to marry soon, but he cannot be present at the customary ceremony of his own marriage," said Gcina. "I deplore these restrictions — they are both a health and a social hazard to him and to us, his family and future wife."

Department of Law and Order representative Brigadier Leon Mellet said: "It is not the policy of the police to wake people up in the middle of the night, but if restriction orders confine them to their homes then the only way the police can check up on this is to go there."

Mellet said he did not know whether Law and Order Minister Adriaan Vlok had received representations about the restrictions. If he had, he would consider them.



329 12/10/89  
30/6-6/7/89

WEEKLY M

JERRY RICHARDSON, former leader of Winnie Mandela's "football team", is being held in solitary confinement in the Johannesburg Prison following his alleged assault of a man charged with the murder of Dr Abu-Baker Asvat.

Richardson, sources said, was removed from his cell in the awaiting-trial section of the prison after allegedly breaking the man's nose and injuring his right eye two weeks ago.

Richardson, who is believed to have been charged for the alleged assault, is one of nine men standing trial for the murder of Stompie Moeketsi Seipei, whose body was found in January after he had been missing since last December.

The "soccer team's" former coach, Richardson had allegedly been sharing the cell with 37 other prisoners, including members of the "team" and the two men standing trial for the killing of Asvat in January.

It has been rumoured in the prison that he will be segregated from the rest of the prisoners until the end of his trial.

# 'Soccer team' coach in solitary following alleged jail assault

Winnie Mandela's 'football team' is in trouble again. This time the coach is alleged to have assaulted a fellow inmate.  
By THAMI MKHWANAZI

Asvat, a former Azanian People's Organisation official, was shot by two gunmen who tricked their way into his Soweto consulting rooms.

A former chairman of a Soweto street committee, Richardson, 42, had long been suspected of being a police agent when, after several years of unemployment, he got a job with the "soccer team".

Residents recalled a two-hour

shoot-out between the police and an African National Congress fighter at Richardson's Orlando West house.

They said at the end of the gun battle, two white policemen drove him out of the township. He returned a week later, allegedly on crutches, and wearing dark glasses. Three days later he abandoned his crutches.

Richardson's lawyer, Kathleen Satchwell, said she was not aware of the events in prison because she has not consulted Richardson recently.

● The South African Prisons Service said: "It is the policy of the SA Prisons Service not to furnish detailed information regarding individu-

al prisoners. It can, however, be confirmed that an incident involving awaiting-trial prisoners took place at the Johannesburg Prison.

"The SA Prisons Service regards every complaint of an alleged assault, no matter how petty, in a very serious light and prisoners are not allowed to intimidate one another.

"Prisoners are daily given the opportunity to lodge complaints or requests, and preventive measures, for example the re-allocation of sleeping quarters, are instituted should it appear that there is reason to believe that a prisoner is threatened.

"In the case of injuries which are related to complaints of alleged assaults, entry is made in a complaints register and besides the necessary medical treatment a departmental inquiry into the alleged assault is instituted.

"Where the complaint is substantiated suitable action is taken in terms of Prisons regulations in the case of minor assaults, while complaints of serious assaults are reported to the SA Police."

# Attacks? It's their own fault, says Vlok

LAW and Order Minister Adriaan Vlok has told lawyers that if restricted former detainees are attacked, it is their own fault.

And he has also refused to ease night-time house arrest restrictions on lawyer Yunus Mahomed despite the fact that he has been the target of a number of death threats.

Mahomed, an official of the Natal Indian Congress and the United Democratic Front, is restricted to his house from dusk to dawn.

Since the Easter long week-end, when he claims he caught members of the security police carrying out a torchlight raid of the Kagiso Trust offices in Durban, Mahomed has been the target of death threats.

The police have denied his version of events at the Kagiso offices.

In June Mahomed's lawyers wrote to Vlok, asking that in view of the threat on his life, the house arrest conditions should be eased.

Now Vlok has replied, saying he is not prepared to make such a change.

Mahomed's firm has released a letter from Vlok, in which he justifies his actions in putting people under house arrest and other restrictions.

The firm wrote to Vlok informing him that another of their clients, Christopher Ntuli, had been killed on the way back from reporting to the police station as required to do in terms of his restriction order.

They said that even though Ntuli's restriction orders made him extremely vulnerable to attacks by "people opposed to him", Vlok persisted with his restriction.

The lawyers said they were putting

By CARMEL RICKARD

these facts before Vlok so that he would "be aware of precisely how seriously you are affecting and endangering the lives of those of our clients who are so restricted".



Adriaan Vlok

In his reply Vlok said it was "most disturbing" that a number of restricted people were being attacked in Natal and said everything possible was being done to protect them.

However he added that in many cases it was their own fault: "It is clear that the past actions of many detainees are responsible for the present state of affairs. These individuals

have created enemies among members of their own community. The lifting of restrictions on former detainees will in no way ensure their safety. These individuals must seek reconciliation within their own communities."

Vlok said that since investigations concerning many former detainees were continuing their restrictions could not be lifted "at this time".

Vlok said it was unacceptable to claim that Ntuli's death was connected to the fact that he was restricted.

Vlok said that the police did not divulge information such as the whereabouts of restricted people or details of their restrictions.

"The source of information could possibly be traced closer to the deceased," he commented.

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## 6 Soweto students released from jail

Staff Reporter

Six Soweto students were released from detention under the emergency regulations last week after spending a month at Grootvlei Prison in Bloemfontein.

Solly Dolamo, (18), Joe Letlape, (23) Blessing Ndlovu, (20) Norman Mokhabuki (21), Paul Chauke (21) and Morgan Raboshage (19), who attend high school in Meadowlands, were detained on May 29.

Their release followed representations made by lawyers on their behalf to the Minister of Law and Order, Mr Adriaan Vlok.

Lawyers said no reasons had been given for their detention. The six embarked on a hunger strike while in detention, demanding they be released or charged.

This is the second time this year that Dolamo, Ndlovu and Mokhabuki have been released from detention.

According to the latest figures released by the Human Rights Commission, there are 657 recorded people who are living under restriction orders and about 100 people who are still being held in detention without trial.

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# Restriction orders: Key hearing

By MONICA GRAAFF  
Court Reporter

HUNDREDS of people placed under emergency restriction orders could be affected by the outcome of a key hearing which began in the Cape Town Regional Court yesterday.

The state is charging former UDF leader and Atlantis community leader Mr Noel Williams of having contravened the conditions of his release from detention by leaving his restricted area on September 22 last year without Security Branch permission.

Mr Williams, 42, of 19 Alicia Crescent, Avondale, Atlantis, was released in September 1987 after three months in detention on condition that he not leave the magisterial district of Malmesbury without official permission.

His release by special order of the Minister of Law and Order was premature as his detention was due to have ended when the 1987 State of Emergency expired at midnight June 10/11 last year.

In yesterday's hearing, Mr Dullar Omar, acting as counsel for Mr Williams, submitted that his client could not plead because the State's charges

did not disclose any offence.

He argued that Mr Williams's conditions of release expired on June 10 along with the 1987 State of Emergency and were not automatically renewed when the the 1988 State of Emergency was declared.

The conditions of release fell away at the same time the detention would have ended, Mr Omar said, adding that the regulation purporting to keep the conditions of release in force during the following State of Emergency were ultra vires and of "no force or effect".

Mr Omar also submitted that the Emergency Regulations required the authorities to apply their minds to each individual case, however practically difficult it might be for them.

The State Prosecutor, Mr Ian Yuill, said there was no case in law to indicate that the Minister should re-apply his mind to restriction orders when a new State of Emergency was proclaimed.

However, the accused had committed an offence and should stand trial, he argued.

Judgment on the validity of the charges will take place next week.

Mr J D Huggott was the magistrate. Mr I Yuill prosecuted and Mr D Omar, instructed by Mr T Papier, appeared for Mr Williams.



# Support group for 'Upington 26' is formed

842 617189  
CAPE TOWN — A support committee has been formed to give families and dependants of the "Upington 26" moral and financial support. 319

Fourteen of the 26 were sentenced to death in May and the other 12 received prison sentences of six to eight years on charges relating to the "common purpose" murder of a policeman. Sentences on six of the defendants were suspended on condition they render community service.

The Upington Support Committee (Upsco) is supported by the South African Council of Churches, the SA Council for Higher Education and a number of other organisations.

A spokesman for Upsco said the common purpose doctrine as applied in the Upington trial had "sinister implications in that it criminalises legitimate political activities".

"It has the effect of undermining and smashing any democratic protest or demonstration if an 'illegal' common purpose can be found," he said.

The committee demanded the release of the Upington 26 and an end to capital punishment, the spokesman said. — Sapa.



**south****REPRESSION DOSSIER****No 5**

# Jailed Mpetha 80 next month

SOUTH AFRICA'S oldest political prisoner, Oscar Mpetha, turns 80 next month - with one year still to go of a five-year jail sentence.

The frail and sickly Mpetha, who suffers from diabetes, has spent most of his sentence under armed guard at Groote Schuur Hospital.

Mpetha, jailed for terrorism, has lost his wife Rose and son Karl in this period.

The sickly Mrs Mpetha died in 1986. Karl, 36, died in a car accident in April.

Called the "Father of South African trade unionism", Mpetha spends his days in hospital knitting jerseys for loved-ones and for charity.

And it is likely that the former Cape president of the African National Congress and the United Democratic Front will spend his birthday the same way.

He will turn 80 at the time of a mounting international campaign being spearheaded overseas by the Anti-Apartheid Movement and his youngest son Themba Mpetha.

The Free Oscar Mpetha Committee has published a half-page advertisement in a London newspaper demanding his release and this week similar advertisements were placed in newspapers in South Africa.

Locally, Mpetha's daughter Esther has been campaigning for the release of her father for the past four years, along with several organisations.

"I am hoping the government will show some humanity and release my father before his birthday," she said.

The family had made unsuccessful attempts to have him released for her mother and brothers' funerals.

Mpetha, for many years general secretary of the Food and Canning Workers Union, now called the Food and Allied Workers Union (Fawu), was born at Mt Fletcher, Transkei on August 5, 1909.

In a call for his immediate and unconditional release from prison, Fawu said Mpetha had "dedicated his life to the working class struggle,



**CAMPAINING.** Esther Mpetha addresses a press conference on her father's plight.

particularly as a factory worker, an organiser and a community leader".

"As a gallant and tireless fighter for freedom and the unity of the South African people, he was involved in the formation and building of the JCU, FCWU, Sactu, UDF, and youth and other community organisations.

"His imprisonment is unjust and

condemned by all South Africans and the international community.

"His health had deteriorated while imprisoned and he needs special attention and medical care.

"His beloved ones, families and freedom loving people inside and outside South Africa are missing him."

Fawu is establishing a trust to look after the welfare of Mpetha.

## Restricttees fear after attack

**GRAHAMSTOWN.** — Restricted ex-detainees here are living in fear of "death squads" following a petrol bomb attack on one of their homes.

Gugile Nkwintl, former executive member of the Port Alfred Civic Association, and his family were lucky to escape injury when the bomb exploded outside his bedroom window at 2.00am last Wednesday.

Neighbours told him later that

### RESTRICTIONS

they had seen strange men near his home earlier in the week.

An Eastern Cape police spokesman said they were not aware of the incident, but added that it would be investigated.

Meanwhile, relatives of former detainees from the region who have written to Minister of Law

and Order Adriaan Vlok asking him to lift restriction orders are continuing with their Stop the Restrictions campaign.

The people, who told Vlok about the effect of restrictions on their children, have yet to receive a reply from the Minister.

Hundreds of former detainees throughout the country were placed under stringent restriction orders after being released. - ANA

## Thirty 'political' trials in W Cape

### TRIALS

THE following is a list of political trials in the Western Cape in July.

July 3: Noel Williams, contravening restriction order, Cape Town Regional Court.

July 4: Mziwoxolo Mfeketo and Xolile Jaxa, terrorism, Cape Town Regional Court.

July 4: Mzonke "Whitey" Jacobs, contravening restriction order, Athlone Regional Court.

July 4: P Njozela, public violence, Bellville Magistrates' Court.

July 5: Five youths, charges of malicious damage to property, Hopfield Magistrates Court.

July 5: Mangaliso Dolosi, public violence, Athlone Magistrates' Court.

July 6: J Adams, assault and resisting arrest, Oudtshoorn Regional Court.

July 7: Allie Parker, publishing subversive literature, Parow Regional Court.

July 7: V Hlombe and six others, murder, Mitchells Plain Regional Court.

July 7: Abbey Angel, assault, Vredenberg Regional Court.

July 10: Johnny Issel, furthering the aims of the ANC, Goodwood Regional Court.

July 14: Audrey Mlakaza, Zodwa Mtandeki, Bukelwa Jeremiah, Kholeka Khombela, Mvuleni Yengeni, Nowhi Yengeni, and Shirley Yengeni, contravening the emergency regulations, Cape Town Regional Court.

July 17: Elliot Mthwa, Makhosonke Matoto, Mzwabantu Nciyabo, and 10 others, public violence, Wynberg Regional Court.

July 17: A youth who may not be named, public violence, Cape Town Regional Court.

July 17: Former SOUTH editor Rashid Seria, contravening the emergency media regulations, Cape Town Magistrates Court.

July 17: Mxolisi Zide, Fumanekile Magwela, and Mongameli Masumpa, public violence, Athlone Regional Court.

July 18: W Lumkwana, assault, Athlone Regional Court.

MORE than 20 Western Cape and Southern Cape activists have been heavily restricted under emergency regulations.

They include Noel Williams, Dorothy Zihlangu, Roseberry Sonto, Christmas Tinto, Willie Hoffmeyer, Zoli Malindi, Joseph Marks, Joey Marks, William Thomas, Trevor Manuel, Mzonke Jacobs, Mountain Qumbela, Hilda Ndude, Ebrahim Rasool, Neville van der Rhee, Walter Mputeng, Wilson Sidina, Janet Small, Amy Thornton, Harold Harvey, Nokwanda Pokwana, Reggie Olifant, Derick Jackson and Mbulelo Grootboom.

July 18: Geobani Xhegwana, attempted murder, malicious damage to property, alternatively setting off an explosive device, Caledon Regional Court.

July 20: Ashley Kriel inquest, Wynberg Magistrates Court.

July 21: Mninawe Godongwana, possession of a firearm, Wynberg Regional Court.

July 21: Veliswa Mhlawuli, Linda Tsotsi, terrorism, Cape Town Regional Court.

July 21: Mzwandile Mzamane, public violence, Athlone Regional Court.

July 24: Robert Maliti, terrorism, Cape Town Regional Court.

July 26: Marjorie Lewis and Terence Lucas, furthering the aims of the ANC, Wynberg Regional Court.

July 26: Zamilé Hleli, public violence, Athlone Regional Court.

July 27: Gem Mlumko, murder, Hofmeyer Regional Court.

July 27: Allie Parker, violation of media regulations, Cape Town Regional Court.

July 31: John de Vos, public violence, Cape Town Regional Court.

July 31: Reverend Dirk Marais, possession of prohibited material, Worcester Regional Court.

## Oudtshoorn man only emergency detainee

### STATE OF EMERGENCY

Hilton McDillain, 23, from Oudtshoorn, is the only emergency detainee being held in the Western and Southern Cape.

Six Guguletu pupils have recently been released after being held under the state of emergency for up to two months. One of them Anthony Madini has been charged with public violence and released on bail of R300.

The others are Basil Mtongaana, Tutu Majozi, Pelly Bomvana, Thanduxolo Sogani and Siyabulela Dawweti.

### SECTION 29

The following people have been held under Section 29 of the Internal Security Act. The number of days they have been held on July 6 is in brackets.

Vuyo Fetsha (178), Robert Thwala (141), Zamilé Louw (141), Ngconde Balfour (141), Mdoda Daki (141), Siphiso Qila (89), Lungile Mfobo (89) and Reggie Mzamo, who has been held since May.



## Toy-toyi clamp angers Cosatu

ABOUT 200 commuters have been arrested for singing and dancing on the East Rand trains in the past four weeks, the Congress of South African Trade Unions said in a statement yesterday.

The police clampdown on toyi-toyi dancing on trains has angered Cosatu, which has called for an urgent meeting with the SA Transport Services to discuss the arrests. *Sowetan 7/7/89*

Mr Ariel Mabalane, Cosatu's Wits region secretary, said some of the 200 commuters were released after paying spot-fines while others were told to appear in court on July 17 or August 3. *329*

### Disturbing peace

Most of the arrests occurred at Kempton Park, Kaalfontein, Germiston and President stations.

Mabalane said the federation has asked its lawyers to investigate the matter.

East Rand police spokesman could not confirm the arrests yesterday, but said the 200 commuters could have been arrested possibly for "disturbing the peace."

## Cosatu talks

the Labour Relations Amendment Act". Cosatu, Nactu and a number of independent unions will meet major employer groups and government officials at the end of this week for a top-level summit aimed at negotiating revisions to the Act.

If these talks fail the labour movement plans to mobilise for a national strike and will hold a workers' summit in August as a build-up to this possibility. Delegates from Nactu and the independent unions have been invited to the congress and will use the meeting as a forum to co-ordinate their plans to fight the labour law.

The UDF/Cosatu peace initiative in Natal will come under scrutiny at the congress.

"We will examine the role of the state in the violence and the need for an independent commission of enquiry into the police in Natal," said Naidoo.

Other crucial items will be the need to build unity between the country's main trade union groupings; the need for the creation of a broad anti-apartheid coalition; solidarity with Swapo and the National Union of Namibian Workers during the run-up to independence elections; and a review of the federation's stance on sanctions and disinvestment.

## One fast begins as another ends

ANOTHER Emergency detainee has launched a hunger strike — a week after six hunger strikers were released from detention.

Yesterday Daveyton Students' Congress member Aubrey Nxumalo, 23, started refusing food in protest against his detention under the Emergency regulations.

Last Thursday six Soweto students — Paul Chauke, Solly Dolamo, Norman Makhabuki, Blessing Ndlovu, Joel Letlape and Morgan Raboshage — were all released without restrictions after a protest fast in Bloemfontein's Grootvlei Prison.

Nxumalo, a part-time student, was detained for the second time on May 25 this year. He was detained under the Emergency regulations for two years between 1986 and 1988.

Asked for comment, the prisons department referred the *Weekly Mail* to the police. A police representative in Pretoria said in terms of the Emergency regulations he could not comment.

## Workers strike over 'corporate camouflage'

Weekly Mail Reporter

A ONE-WEEK strike by some 1 200 workers at the Goodyear tyre plant in Port Elizabeth is the latest in a series of protests by workers at the way in which foreign companies are selling off their subsidiaries in South Africa.

Last month Goodyear told workers at the plant that the sell-out to a local company, Consol, a member of the Anglo Vaal group, involved a mere change in share ownership.

The National Union of Metalworkers of South Africa disagrees.

"As far as we understand it, the disinvestment, like that of many other disinvesting companies, is corporate camouflage," Numsa organiser Gavin Hartford told the *Weekly Mail*.

"Licencing arrangements, most other agreements and the supply of rubber, it seems, will come from the parent company in the United States."

The workers want separation pay of at least R5 000 for each worker, guaranteed conditions of employment, maintenance of existing labour agreements, pay-out of pension benefits and the writing off of housing loans before the sale goes through.

The National Union of Metalworkers of South Africa held two sets of talks with management over the dispute. After both deadlocked and the industrial council failed to resolve the conflict, a ballot was held which voted in favour of downing tools.

A company official this week told reporters: "There will be no concessions because we consider there has been no change in the position of employees because of disinvestment."

Workers are also calling on Goodyear to set up a trust fund for community projects and want a meeting with Goodyear in the US.

The Numsa demands are much the same as those pursued by the Chemical Workers' Industrial Union, whose members went on strike to protest at the terms of the recent Mobil disinvestment.

Both strikes reflect widespread discontent at the way in which disinvestment has taken place in South Africa. Unions argue that the sell-outs strengthen local capital, which can acquire plants at bargain prices and use the opportunity to retrench workers and alter their terms of employment. Foreign firms often continue to benefit by licensing arrangements that ensure they continue to profit from an involvement in South Africa.



## The Quality of Schooling - How the Figures Compare

87-71-25

Many were freed after the hunger strikes and this fostered hopes that repression of children was at an end. Now the hopes fade.



**HRC**

**HUMAN RIGHTS  
FOCUS**

An article by the  
Human Rights Commission

Sadly, this has not proved so for two reasons. First, of detainees released this year with restrictions, at least 100 are pupils. The action is the Government's way of responding to the school's crisis.

Reasons for discontent in schools include: lack of facilities; shortages of teachers; unfair re-admission procedures for students who have failed.

Second, as at June 20 1989, there were 70 people in emergency detention of whom 14 were under the age of 18. Many blacklisting of student activists, and sexual harassment of girls. In 1988, organisations representing students and the Na-

It is also obvious to most observers that, by detaining or restricting pupils, further protest

Repressive actions such as these only cause the communities against whom they are

We believe that detentions and restriction orders are the most possible response to the

● 1996: 85% had left school by age 15

? ? ? ? ?  
 tion in DET schools, does it seem likely that trouble  
 needs to be stirred up?

● Figures compiled by the Black South Education Committee.  
 Source: latest available statistics given by Cooper et al in *Race  
 Relations Survey 1968-67* (SA Institute of Race Relations, Johan-  
 nesburg 1969).

## ● 1976: Education Crisis

	White	Black
Per Capita Expenditure on Education: Teacher-Pupil Ratio: Teacher Qualifications	R605,00 1 : 20.1 Matric + Degree and/or Teaching Qualification (94,5% total)	R39,53 1 : 54 Std 8 + Teaching Qualification (49,3% total)
Shortage of classrooms: Number of places required:	Nil Nil	2 000 (@ 54 per class.) 108 000

● 1986: What progress has been made?

	White	Black
Per Capita Expenditure on Education:	R2 508,00	R476,95
Teacher Pupil Ratio:	1 : 16	1 : 41
Teacher Qualifications:	Matric + Degree and/or Teaching Qualification	Sid 8 + Teaching Qualification: (38,3% total)
Shortage of classrooms (primary schools):	Nil	1 494
Therefore number of places required:	Nil	(@ 40 per class:) 59 760
Shortage of classrooms (secondary schools):	Surplus	3 030
Therefore number of places required:	Surplus	(@ 35 per class:) 106 050
Total number of places required:	Surplus 176,225	Shortfall 165 810
The number of places in classroom:	1 074 189	
The number of pupils:	897 964	
Therefore the number of places available:	176 225	

● What has happened to children who began school in 1976?

**White:** compulsory education until age 16 means that all would have completed at least 10 years schooling

Year	Had left school before Std 2	Had left school before Std 5	Had left school before Std 9
1996:	47%	62%	85%
1997:	47%	62%	85%
1998:	47%	62%	85%
1999:	47%	62%	85%
2000:	47%	62%	85%
2001:	47%	62%	85%
2002:	47%	62%	85%
2003:	47%	62%	85%
2004:	47%	62%	85%
2005:	47%	62%	85%
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2040:	47%	62%	85%
2041:	47%	62%	85%
2042:	47%	62%	85%
2043:	47%	62%	85%
2044:	47%	62%	85%
2045:	47%	62%	85%
2046:	47%	62%	85%
2047:	47%	62%	85%
2048:	47%	62%	85%
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2092:	47%	62%	85%
2093:	47%	62%	85%
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● Figures compiled by the Black Sash Education Committee. Source: latest available statistics given by Cooper *et al* in *Race Relations Survey 1984-87* (SA Institute of Race Relations, Johannesburg 1989).

## At 14 months, a hardened prisoner

THE 14-month-old daughter of a woman appearing in the Potchefstroom Regional Court on charges of terrorism has spent more than half her short life in jail.

The baby spent eight months in detention under section 29 of the Internal Security Act with her mother, Emma Madzikane. She is now being cared for at the Potchefstroom Prison while Madzikane stands trial.

Madzikane, 34, and six other Vaal activists — Putswe Jacob Litlhakanyane, 19; Lawrence Tumelo Selekoe, 19; Thembisile Jackson Batyi, 23; Edward Rakomang Motubatsi, 29; Saul Andrew Tsotetsi, 35; and 44-year-old Kedibone Angelina Mogotsi — pleaded not guilty to four counts of terrorism before magistrate J le Grange.

The trial, which began last Wednesday, continued this week with evidence being heard *in camera*.

Ten people currently in detention as potential witnesses, some of whom are accomplices, are expected to testify in the state's case. Three secret witnesses have given evidence so far.

According to the charge sheet, Litlhakanyane, Selekoe and Batyi received military training outside South Africa. It is alleged they entered the country unlawfully through Botswana in 1988, with instructions from the African National Congress to cause disruption in the Vaal Triangle and establish combat units.

They were allegedly also ordered to eliminate Lekoa's mayor, police and military officers and to disrupt the execution of the "Sharpeville Six".

Madzikane allegedly provided the three with a place to stay.

Motubatsi and Tsotetsi allegedly provided funds for newly-recruited ANC members to leave South Africa unlawfully. The state alleges Mogotsi was an ANC contact who arranged for new recruits to leave South Africa to receive military training outside the country.

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SC, said a Reserve Bank order protected Shefer's assets, freezing all furniture, mov-

would dissipate and/or conceal Shefer's assets.

## Mother claims detention was unlawful 329

THE mother of a 21-year-old Section 29 detainee applied to the Rand Supreme Court yesterday for an order declaring his arrest and detention unlawful.

Thembane Mazibuko asked that her son, Veli Mazibuko, detained on June 26, be released. *B10M 7171M*

Mazibuko is a business management student at Wits University.

He was detained in terms of Section 29 of the Internal Security Act and had been detained on two previous occasions.

Mrs Mazibuko has alternatively applied for an interim interdict restraining the police from assaulting her son or subjecting him to any unlawful pressure, pending

ADELE BALETA

the outcome of the application.

In an affidavit she said a neighbour phoned her at work saying her house had been raided by police and her son assaulted. According to a witness, Mazibuko was slapped in the face and kicked while lying on the floor.

Police, who are opposing the application, claim he was active in an ANC cell. They alleged he was responsible for several terror attacks.

Mr Justice Schabert reserved judgment until today.

Own Correspondent

CAPE TOWN — A consortium hoping to establish a \$150m toxic waste treatment plant on the north western Cape coast is continuing work on the proposal, even though government has not yet given its approval.

Sidney Sanders of Newlands, acting on behalf of the international consortium which he would not name, yesterday said the company, which hoped to establish the local and imported waste-burning plant and a specially-created accompanying harbour, had not yet been formed.

Environment Affairs director general Bill Visagie confirmed yesterday that government had approved a probe into the project's feasibility.

But the Cabinet had said the application

## No official nod yet to toxic waste plant

should be frozen while a decision was made on whether to subscribe to Basel Convention regulations on the international movement and treatment of waste, he said. *B10M 7171M*

Sanders said if government came into line with the Basel proposals it would not affect the \$150m 500-job scheme.

He said no nuclear waste would be dealt with.

Environment Affairs Minister Gert Kotze has said SA would consider treating toxic waste from other countries only if it was necessary to make viable a plant catering for SA's needs.

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Minister M H Veldman said Strijdom  
Hospital's issue had been discussed  
and a number of options considered.  
He gave no further comment.



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## Biko doctors hearing results in trust fund

RIAAN SMIT

THE Supreme Court case in 1984,  
which compelled the SA Medical and  
Dental Council to hold a disciplinary  
inquiry into the conduct of the doctors  
who treated Steve Biko, has led to the  
establishment of "The Steve Biko  
Medical Ethics Trust Fund" at Wits  
University. *13 Jan 1989*

Three professors, Phillip Tobias,  
Trefor Jenkins and Frances Amis, col-  
lected a sum of money in 1984 to cover  
possible legal costs against the council.

Costs were awarded to the profes-  
sors, who then did not need the collect-  
ed money. This has been divided  
between Wits and UCT.

An amount of R17 000 would be used  
by Wits Medical School to set up the  
trust fund "to promote the highest  
standard of professional ethics in  
medical practice ... in particular as  
they apply to the medical care of  
prisoners and detainees," a Wits  
spokesman said yesterday.

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## Policeman 'waging a vendetta'

329 ADELE BALETA

AN URGENT application seeking an order declaring the detention of a section 29 detainee unlawful and asking for his release was referred to oral evidence on Friday by a Rand Supreme Court judge.

The application was brought by the mother of 21-year-old Wits business management student Veli Mazibuko, who was detained under section 29 of the Internal Security Act on June 26.

Thembane Mazibuko of Duduza applied for referral to oral evidence after Mr Justice Schabert found a dispute of fact which papers could not resolve.

The dispute was whether an East Rand police lieutenant, named in the papers only as Tolken, induced Lt-Col Andries Gouws to detain Mazibuko under section 29 of the Internal Security Act.

Mrs Mazibuko alleged that Tolken had been waging a vendetta against her son.

Mazibuko has been detained twice before.

Police claim he was active in an ANC cell in Duduza and had committed terror attacks.

# New charge against ex-detainee

POLICE charged Atlantis community leader Noel Williams with breaking his restriction orders hours before judgment was due to be heard in a landmark trial in connection with another charge of him contravening the orders.

Williams was charged on Wednesday morning with breaking his orders by attending a June 16 commemorative service in Atlantis.

Less than two hours later, he was in the dock of the Cape Town regional magistrates court in connection with an alleged contravention of the orders in September last year when he left the Malmesbury magisterial dis-

trict without police permission.

The basis for William's defence has far-reaching implications for hundreds of restricted people throughout South Africa.

He is arguing that the restriction orders issued on his release from detention in 1987 are no longer valid.

William's counsel, advocate Dullah Omar, argued that the orders were issued in terms of the emergency laws.

In terms of the Public Safety Act, the emergency has to be renewed every 12 months.

All restriction orders issued under the state of emergency expired with the state of emergency on June 10

and could not simply be carried over to the new state of emergency, Omar argued.

The State President was therefore exceeding his powers by extending existing restriction orders in terms of Section 3 (8) D of the 1988 emergency regulations and the relevant section was ultra vires.

The magistrate, Mr JT Huggett, referred the matter to the Supreme Court on the grounds that in terms of the Magistrates Court Act and the Criminal Procedure Act of 1977, the court did not have the authority to make a finding on the validity of a proclamation by the State President.

A date for the Supreme Court hearing will be set next month.

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# Anglican church official Ngconde Balfour freed from detention

By ANDREA WEISS  
Staff Reporter

14/7/89  
Mcus (329)

detention while he was on hunger strike.

AN ANGLICAN church official Mr Ngconde Balfour, detained under Section 29 since February 20, has been released.

A development officer at the Board of Social Responsibility of the Anglican Diocese of Cape Town, Mr Balfour believes Anglican Archbishop Desmond Tutu was instrumental in obtaining his freedom.

## TUTU VISIT

According to Anglican Press officer Mr John Allen, Archbishop Tutu made personal telephone calls to Law and Order Minister Mr Adriaan Vlok asking for the release of Mr Balfour and other detainees.

Although Section 29 detainees are not usually granted visits of any kind, Archbishop Tutu was allowed to visit Mr Balfour on the 17th day of his

During that 20-minute visit, Mr Balfour was persuaded to abandon his hunger strike.

Mr Balfour said that when an urgent application to the Supreme Court for his release failed in May, he thought he would only see his wife Khanyile and lawyer Mr Bulelani Ngcuka, in court.

At his home in Guguletu last night, he described how he was told to pack his bags at 3pm yesterday unaware that he was about to be released. He believed he was being taken to court.

"He was dropped off at his home shortly after 4pm as his wife, a nurse who works in the hostels, was arriving home.

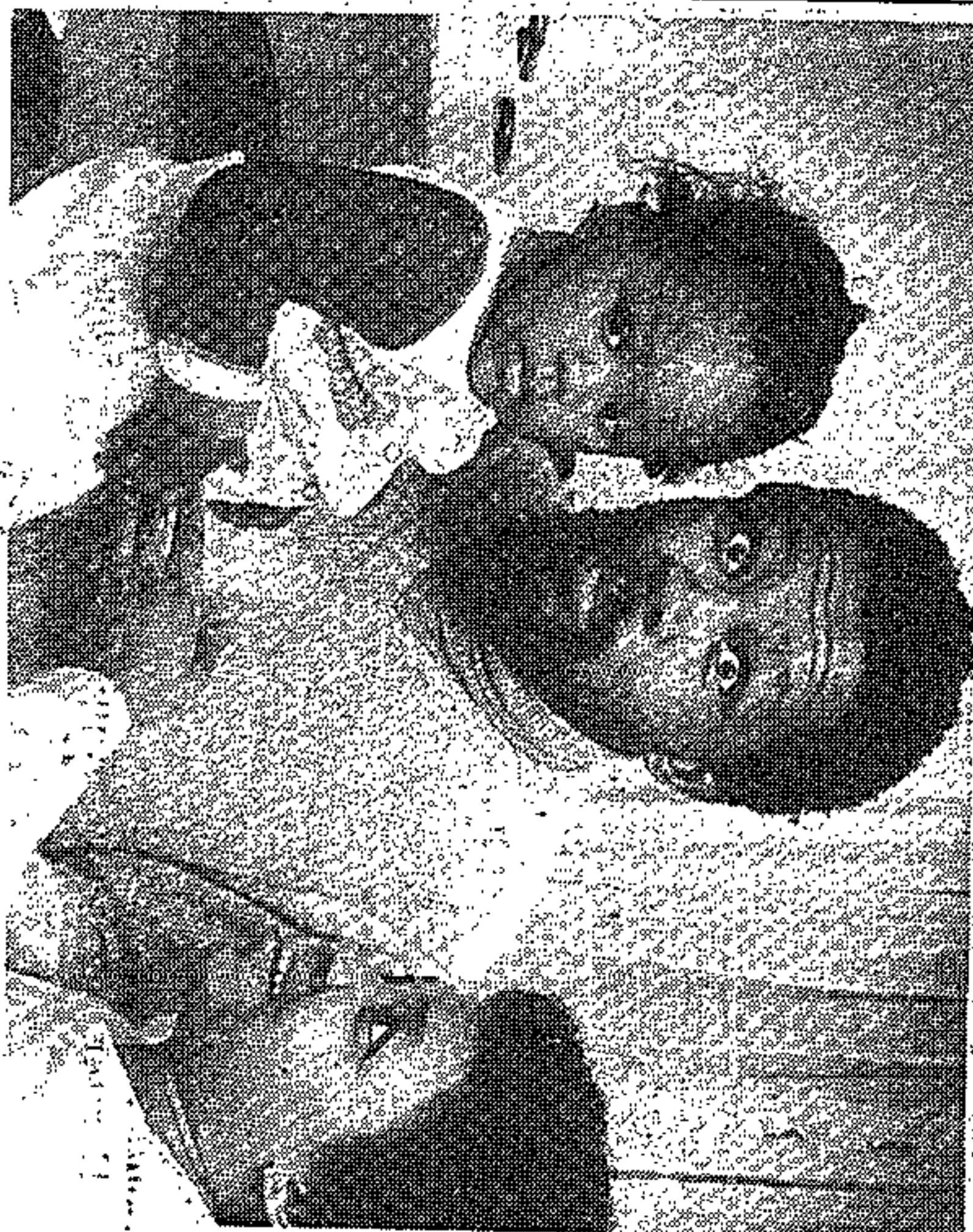
"I don't have words to describe it," he said. "My wife had just parked the car when I

appeared in the doorway. My daughter Nosiwo, 6, cried. From the age of three she has been used to my detentions."

Since 1985 Mr Balfour has been detained "more times than I can remember" in Ciskei and South Africa. The only year which has passed without a detention was 1987. "That was a good year," he commented wryly.

He is delighted to be home with Nosiwo, Sibongile, 3, and Nellie, 1½, and speaks with regret of missing the elder children's birthdays for two consecutive years (he spent a month in detention last April).

Archbishop Tutu said: "We're thrilled that he is out but he has been detained since February and is now released without being charged. If there were any substance to the case, they could have charged him and released him on bail."



Picture: HANNES THIAI, The Argus  
**FREED:** Anglican church official Mr Ngconde Balfour with sister-in-law Nosiwo Calana and his youngest daughter Nellie, 1½.

# Woman prisoner dies after 'straitjacket ordeal'

329 ~~Wm~~ 11-20/7/89.  
By GAYE DAVIS

A YOUNG woman prisoner died after allegedly being held in a straitjacket for 24 hours before she was admitted to hospital, in shock and suffering from internal bleeding.

Following the death of 20-year-old Carol Anne Meyer, the Cape region of Lawyers for Human Rights (LHR) this week called for a moratorium on the use of straitjackets on prisoners "until a full public inquiry has been concluded".

Meyer had served nine months of a two-year jail term in Pollsmoor Prison for robbery, crimen injuria and resisting arrest.

Admitted to Groote Schuur Hospital on June 30, she allegedly told doctors that for about 24 hours before her admission to hospital she had been kept in a straitjacket fastened so tightly that she could hardly breathe.

A doctor told the *Weekly Mail* that Meyer was "in total shock and virtu-

ally terminal" when admitted to Groote Schuur.

Meyer's mother, Josephine Meyer, is demanding a full inquiry into her daughter's death.

A private pathologist attended a post-mortem examination on July 4 and attorneys put on record that they would be calling for an inquest to be held in open court, so that oral evidence could be heard and witnesses subpoenaed and cross-examined.

The Prisons Act states that "mechanical restraints" may be used only when a prisoner is "displaying threatening or violent behaviour", and not as a form of punishment.

In a letter to the officer commanding Pollsmoor Prison, LHR said: "While at this stage it is not clear whether there is any link between the alleged use of the straitjacket and Debbie

Meyer's death, the implications that might be drawn are, to say the least, disturbing.

"Our respectful view is that a moratorium should be declared by the prison regarding the use of straitjackets, if indeed the practice exists, until a full public inquiry has been concluded."

In response to *Weekly Mail* questions Prisons Department representative Major DH Smith said: "An investigation into the cause of death is being conducted departmentally as well as by the South African Police. You will appreciate that the information required by you actually forms part and is subject to the present investigation. The assurance can be given that, as is customary of the Prisons Service, everything possible will be done to have the matter clarified and properly dealt with."



## Venda tense after man's body is found

PIETERSBURG. — Venda remained tense yesterday following the discovery on Sunday of the body of an ex-detainee who mysteriously disappeared from his home at the weekend.

Deputy Chief Police Commissioner Major-General N J Leshi confirmed yesterday that Mr Mitwa Muthewi had been found dead west of Tshakuma village on Sunday.

"The body was complete — no parts were missing," General Leshi said.

The disappearance of Mr Muthewi sparked off a widespread manhunt by youths who barricaded roads and searched cars at the weekend. It was widely believed the dead man may have been executed for ritual purposes.

Mr Muthewi was a neighbour of the teacher, Mr Mokosi Mavhina, whose death last year resulted in a three-day work stay-away which culminated in the resignation of a cabinet minister. — Sapa

# Pupils detained at demo

Staff Reporter

*GM-TenB 20/7/89 329*  
POLICE late yesterday were still holding two of five Glendale Senior Secondary pupils arrested during a Mandela "birthday march" in Mitchells Plain on Tuesday.

Lawyers and families of Gloria Veal, 19, and Ronald Jacobs, 17, both matric pupils, said security policemen had informed them that they were being held in terms of emergency regulations.

Lawyer Mr. Paswell Papier said three other pupils were released without charge late on Tuesday.

Pupils and teachers said the detentions followed a march from Rocklands High to Glendale of several hundred pupils.

According to yesterday's police unrest report, "an unidentified woman was arrested outside a school in Athlone after an incident in which stones were thrown at a police vehicle".



Cape Times 21/7/89

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## New bid to 'stop honest reporting'

JOHANNESBURG. — Weekly Mail co-editor Mr Anton Harber yesterday accused the police of spearheading a "new approach" in their bid to quash honest reportage of political events in the country.

Mr Harber made the accusation after two security policemen yesterday delivered summonses ordering him and two former reporters to appear in court on a charge of contravening emergency regulations affecting the media. He is scheduled to appear in Johannesburg Magistrate's Court on August 16.

The charges revolve around articles that dealt with the treatment and conditions of political detainees. The articles appeared

in the Weekly Mail about two years ago.

"Four summonses were delivered to me. I am being charged in my personal capacity and as a representative of the company, Weekly Mail Publications.

"While we find this reprehensible, there is something positive. There is an advantage in that we can fight this action through the court. It is a change of tack from past experience when the authorities confiscated the newspaper or shut it down. You can rest assured that we will fight this tooth and nail. We are convinced we will win this battle."

Mr Harber said the police were in the process of delivering a summons on former reporters Ms

Jo-anne Bekker and Mr Franz Kruger. He did not know what the position of Mr Kruger would be as he is currently studying in Britain.

The Weekly Mail has had several run-ins with the authorities culminating in its closure for four weeks last year. Other "alternative" publications such as the New Nation and the Cape-based South have also faced government wrath.

Last month Vrye Weekblad editor Mr Max du Preez received a six-month suspended sentence for contravening the regulations.

Former South editor Mr Rashid Seria is currently appearing in court on similar charges. — Sapa

## CBS wins case against Vlok

JOHANNESBURG. — CBS News won its application against the Minister of Law and Order in the Rand Supreme Court yesterday after an application was brought against the seizure of a video tape recording at a meeting on February 9 this year.

Mr Justice G Leveson ordered the minister, Mr Adriaan Vlok, to pay the costs of the application.

The application arose from a meeting held at the Central Methodist Church. — Sapa



UNIVERSITY OF CAPE TOWN

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Star 24/7/89.

## Call for the Abolition of Detention without Trial

Despite the recent hunger strike by detainees, South Africans are still being detained without trial. Such detention — totally rejected in terms of the legal systems of other Western countries — is utterly unacceptable. The University of Cape Town calls upon the Government to abolish all legislation empowering any form of detention without trial as an important step towards a humane and just legal system for South Africa.

The present South African system of detention without trial must in addition be severely criticised because:

- 1 Courts are not empowered to pronounce upon the validity of any action taken by State officials with respect to detention.
- 2 Courts are not empowered to pronounce upon the adequacy of the grounds for detention.
- 3 There are stringent prescriptive periods for the commencement or completion of legal proceedings against the State regarding unlawful detention, or physical or psychological abuse.
- 4 No statutory body exists to ensure that no abuse or torture of detainees occurs. (The University regards solitary confinement as 'abuse or torture'.)
- 5 All material facts relating to any detention are not made public.
- 6 Full details of all matters pertaining to detainees (including details pertaining to their mental and physical health) are not reported to Parliament annually.
- 7 Open information and reporting on all matters pertaining to detention are not allowed.
- 8 Acceptable, publicly known rules regulating interrogation practices do not exist.
- 9 Detainees do not have the right of access to medical practitioners, psychologists or legal practitioners of their own choice.
- 10 Detainees have no absolute right to receive visitors, including family members and friends.
- 11 Detainees have no absolute right to access to reading materials of their own choice and to writing materials.

The only effective way towards establishing a humane and just legal system in South Africa is to abolish all forms of detention without trial.

The University calls upon all South Africans to endorse our call for the abolition of detention without trial and the establishment of the rule of law as a step towards a humane and just legal system for South Africa.

Bates Wells Recruitment CT ● 900Z



# Detentions blamed for wave of gangsterism

Arbuz 25/7/87 (25) (26) (27) (28) (29) 329

By DALE KNEEN  
Crime Reporter

THE detention of community leaders in Guguletu contributed to the "horrificing" wave of gangsterism in the Cape township which has disrupted almost every form of community life.

And, according to the Cape Town branch of Nicro — the National Institute of Crime Prevention and Rehabilitation of Offenders — this situation is unlikely to improve unless problems such as poverty, unemployment and the lack of recreational facilities and parental control are addressed.

Residents fear leaving their homes at night, almost no trafficking of people between the township's four sections takes place and attacks on mourners at funerals have become commonplace, a Nicro spokesman said.

Police, community leaders and social workers appear to be powerless in their efforts to stop the violence which many euphemistically call the "state of emergency" in the township.

Nicro said many people believed gangsterism began five years ago when police swooped on community leaders in the township and detained the people who controlled community life there.

"The township had an historical street-committee structure in which leaders attempted to control community life. With the implementation of the emergency, the street committees became almost totally powerless," the spokesman said.

"Student representative councils were banned, council members were detained and pupils began to act recklessly."

Boys aged between 10 and 21 from predominantly poor backgrounds formed gangs because of the lack of recreational facilities. Peer group pressure and other sociological factors also led to the loosening of parental control, the spokesman said.

"There is only one sports ground, three poorly-equipped community centres, two stadiums and two public swimming pools for Guguletu's 20 000 residents."

Rebellious children left school and joined gangs and soon the four sections of the township had been divided between the Ntsara Boys, Guilty Boys, Ama-Adderley Boys and Mafela Boys gangs.

"There are deaths almost daily and elderly people and parents are also being attacked. People do not leave their homes after 8pm and no one dares move from section to

section at night because they know they are likely to be attacked."

Parents joined the violence when their children were punished by citizens who began patrolling the streets at night.

"The parents would come across gangsters and beat them with klerries and sjamboks, but this merely resulted in the parents of the gangsters retaliating."

"Policemen living in the township also fear acting against the gangsters because they know they will be singled out and attacked."

Nicro believes the only way the violence can be ended is by getting the entire community and the police involved.

"Recreational facilities will have to be improved and unemployment and extreme economic deprivation will have to be addressed in order to better the situation."

in black... James Eskom

**HEALTH** workers have an important role to play in demanding safeguards for the wellbeing of detainees and an end to detention without trial, says the message contained in a

**By MOKGADI PELA**

book called *Critical Health*.

The 78-page book exposes the bad health effects of detentions and hunger strikes.

The situation is explained in various articles.

One such article outlines the medical and ethical aspects of detention and hunger strikes.

The author, Professor John Kalk of the Wits Medical School, kicks off by saying the major health impact of detention without trial is psychological as well as psychiatric.

Thus long-term political prisoners are regularly brought for psychiatric services in Johannesburg.

He said experience in working with such patients has led to the development of the concept of "chronic traumatic stress disorder syndrome."

The stress results from the interruption of normal life which includes food, work, study, exercise, leisure and sleep environments.

Common symptoms are depression with insomnia (inability to sleep) and nightmares.

Other complaints include pains, eye problems, pimples, headaches and abdominal pains.

Kalk said detention affected the family and the community and therefore "is an injury to all" in the light of all these

# Health workers should demand safeguards for detainees

stresses, he said the detainees' motivation for fasting becomes clear and understandable.

When a detainee is on hunger strike he experiences a rapid weight loss of about 3 to 4kg.

Hereafter weight loss is slower with a steady loss of about 300g a day.

Energy during these days is supplied from the breakdown of the body's fat stores, Kalk said.

## Deaths

"It normally takes about four weeks to use up these stores in the average well-nourished individual," the author said.

Another article in the book gives a brief profile of detention in South Africa.

Since 1963 approximately 65 people have died in detention with Black Consciousness

leader. Steve Biko's death on September 12 1977 being the most highly popularised case.

The article further says there is considerable evidence, given under oath in court proceedings, that torture, both physical and psychological, has taken place as part of "the coercive treatment of security detainees."

The article gives the Supreme Court application by Dr Wendy Or to prevent security policy in the Eastern Cape from assaulting detainees as an example.

Forster and Sandler in a study of torture in SA reported that 83 percent of former detainees claimed to have been subjected to physical torture.

Nanda, at its 1987 conference reported that

72 percent of 303 detainees who consulted health workers after their release, alleged that they had been physically assaulted.

Blacks appeared to be more commonly abused than whites, the article pointed out.

## Vivid

A vivid account of the torment experienced by a detainee is given in a note submitted as evidence in the Supreme Court matter of Ebrahim versus the Minister of Law and Order.

In the note Ebrahim described his detention at John Vorster Square thus: "... my interrogators promised to put me under heavy mental strain. W/O Deetlef said if I survived it I would not be a human being."

The article says doctors working in prisons and the military are the

ones most likely to find themselves in a conflict over medical principles and ethics.

These doctors may in the course of their duties be called upon to perform medical examinations of suspects before being subjected to interrogation; attend torture sessions in order to intervene when the victim's life is in danger; treat the physical effects of torture and attend superficially to a seriously injured victim, so that the interrogation can be continued and develop medical and psychological methods which assist those responsible for interrogation and torture.

Coronation Hospital specialist, Dr Yusuf Veriava, concludes the article by saying "there is an urgent need for the medical profession to discuss the dilemmas raised by detention without trial."



# Terrorism co-accused are to wed

Own Correspondent (329)

CAPE TOWN — Terrorism co-accused Mr Tony Yengeni and Ms Lumka Nyamza are to be married at Pollsmoor prison today, but their five-year-old son Mandla has been refused permission to attend the ceremony.

Mr Yengeni's attorney, Mr Mike Evans, said prison authorities had limited the number of people attending the ceremony to two — Mr Yengeni's father and Ms Nyamza's mother.

The prisons service had standing regulations on prison weddings which were usually applied fairly flexibly in the case of sentenced prisoners, Mr Evans said.

However, Mr Yengeni and Ms Nyamza were awaiting trial prisoners and therefore

fell under the jurisdiction of the police, who were applying the regulations rigidly.

The Star was unable to confirm the wedding arrangements with the police or the prisons service.

Mr Yengeni's father and Ms Nyamza's mother, who travelled from East London for the occasion, will attend the wedding ceremony, to be conducted by a prisons service chaplain. Mr Evans has been given permission to attend a "small reception" afterwards.

Mr Evans said they had applied to have several other family members present.

They had also applied to have their 12 co-accused, who include Ms Jennifer Schreiner, at the service.

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## Plan to <sup>329</sup>defy curbs<sup>South</sup>

RESTRICTED persons are planning to defy curbs placed on them by Minister of Law and Order Adriaan Vlok.

In a statement released this week, attorneys acting for several former detainees said they have been instructed by their clients to call upon Vlok to lift the restriction orders on their clients.

"Should such orders not be lifted by the end of this month, their clients intend taking action."

The attorneys said the restrictees were finding the restrictions which they consider to have been imposed on them unlawful increasingly "unbearable" and untenable.

"Representations, in certain cases, have been made to the Minister to alleviate the restrictions but no substantial relief has been obtained."

At least two restricted former detainees, Noel Williams and Mzonke "Whitey" Jacobs have recently been charged with breaking their restriction orders.

More than 20 Western Cape and Southern Cape activist have been heavily restricted. They include Noel Williams, Dorothy Zihlangu, Roseberry Sonto, Christmas Tinto, Willie Hoffmeyr, Zolli Malindi, Joseph Marks, Joey Marks, William Thomas, Trevor Manual, Mzonke Jacobs, Mountain Qumbela, Hilda Ndude, Ebrahim Rasool, Neville van der Rheede, Walter Mputeng, Wison Sidina, Janet Small, Amy Thornton, Harold Harvey, Nokwanda Pokwana, Reggie Olifant, Derick Jackson, and Mbulelo Grootboom.

22/7 - 2/8/89



# Workers arrested 'for singing'

By Mike Siluma, Labour Reporter

The Congress of SA Trade Unions has accused the police and the SA Transport Services of interfering with workers' freedom of expression following the arrest of more than 400 workers for singing freedom songs while commuting by train.

A statement by Cosatu's Witwatersrand region said workers were arrested for singing on their way to and from work by train on the East Rand.

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About 200 were reportedly arrested in June and 240 in July. Some paid admission of guilt fines; others were charged with disturbing the peace and released on bail.

The arrests were condemned by Cosatu as a violation of workers' freedom of association, of expression and movement.

"This is a new form of repression which tends to supplement the bombing of (union) offices and brutal attacks on workers engaged in militant strike action."

The Cosatu regional office said workers from different factories and industries

had held numerous meetings to discuss this matter. In addition, the region has referred the matter to its lawyers and had requested Sats for a meeting.

In response, a police spokesman said police did not "act against people because of their affiliation to one or other organisation. As stated in (The Star's) inquiry, the people were arrested on suspicion of having committed an offence.

"The police cannot detain persons without reason. If it is revealed during investigation that there is no evidence to connect the suspect to the case being investigated he/she is immediately released.

"All case dockets are forwarded to the relevant judicial authority who decide whether to prosecute or not.

"Regarding the 'bombing', this office has issued numerous requests to people who have information to come forward and furnish it."

A Sats spokesman said passengers had the right to complain if they were being disturbed by others.

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caught alight.  
No one was  
injured.

## Nine youths <sup>329</sup> *CMT-1076 2/8/89* were detained

JOHANNESBURG. — Nine youths aged between 14 and 17 were detained under emergency regulations between June and July this year, the Human Rights Commission said yesterday.

The youths, all of Durban, were held between June 20 and July 26.

In a statement issued yesterday, the commission condemned their continued detention and demanded that they be freed unconditionally.

The commission said that 57 other people were still in detention.

— Sapa

## Cape man jailed for *CMT-1076 2/8/89* acts of public violence

Court Reporter

A BONTEHEUWEL man was sentenced in Cape Town Regional Court yesterday to an effective five years' imprisonment for petrol-bombing a policeman's home and setting a newspaper truck alight two years ago.

John de Vos, 20, of Privaat Street, Bonteheuwel, had pleaded not guilty to both counts of public violence committed in Bonteheuwel in August 1987.

He was sentenced to five years' imprisonment on each count, half suspended for five years.

De Vos, described by his attorney Mr Kadar Amien as "an immature 18-year-old who was severely affected by the loss of his father at the time", was convicted for setting fire to an Allied Publishing van outside the Protea Café and for taking part in an attack on a policeman's house. After hearing the sentence, Mr Amien said he had received instructions to appeal.

Mr J D Huggott was the magistrate, Mr D J Brand prosecuted.



# Ex-detainees sued for court costs

Own Correspondent

PORT ELIZABETH. — Emergency detainees who challenged their detentions in 1986 are now being sued for court costs.

Five ex-detainees in Grahamstown have since become liable for the legal costs of their litigation, including the state's costs in defending the applications, totalling nearly R25 000.

State attorneys have issued warrants of execution against the five to recover the outstanding costs.

The chairman of the Albany Dependents' Conference, Mr T Paterson, said the five ex-detainees were now receiving punishment "for offences which the state cannot establish in court".

The five ex-detainees, who instructed lawyers to lodge Supreme Court action to secure their release in 1986, are: Mr Lindile Jela, Mr Zalisile Mkontwana, Mr David Sandi, Mr Mabooi Zono and Mr Elias Njibane.

All have since been released. Law-

yers instituted three separate court applications to secure their release.

The five ex-detainees have since become liable for the legal costs of the failed litigation, however, including the state's costs in defending the applications.

Mr Jela and Mr Zono are jointly liable for R8 135; Mr Sandi and Mr Mkontwana for R8 923 and Mr Njibane for R7 649.

Asked to comment on the claim that Mr Jela was being harassed by the security police, a spokesman for the South African Police directorate of public relations in Pretoria denied any police actions were intended to "harm, inconvenience or harass Mr Jela".

A lawyer, Mr Boni Sandi, said Mr Jela had twice been approached by security police seeking information on his client's financial position.

He said he had sent a letter to the Commissioner of Police informing him of the security police's "attempts to extort information".

CPM: Tm:15

2/8/89

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# REPRESSION DOSSIER

## Trials in W Cape

The following is a list of trials in the Western Cape for August:

Aug 1: Buyiswa Jack, Danisile Nokhantya and Agnes Yoyo, terrorism, Wynberg regional court.

Aug 1: Christopher Toyise, harbouring a fugitive and possession of a firearm, Wynberg regional court.

Aug 1: Amos Dyantyi, Mbuyiselo Kondile, Nation March, P Sobozo and Eunice Hlahla, murder, Supreme Court, Cape Town.

Aug 1: Tony Yengeni and 13 others, terrorism, Supreme Court, Cape Town.

Aug 2: Anthony Madini, public violence, Athlone magistrates court.

Aug 4: M Arendse, public violence, Prince Albert magistrates court.

Aug 4: Mninawe Godongwana, possession of a firearm, Wynberg regional court.

Aug 7: Katherine Savage, Annalise Bosman, contravening emergency media regulations, Cape Town magistrates court.

Aug 7: Christina Tyulu, assisting a terrorist, Wynberg regional court.

Aug 7: Zanethemba Ronoti, Martinus Damons, Paulos Mahlaba, Elias Jack, Stan Smile, William Maphitsa, John Siko and Cedrick Koeberg, illegal gathering, George regional court.

Aug 10: Mzonke "Whitey" Jacobs, contravening restriction order, Athlone magistrates court.

Aug 14: Johnny Issel, furthering the aims of the ANC, Goodwood magistrates court.

Aug 14: W Bona, public violence, Athlone magistrates court.

Aug 16: W Lumkwana, assault, Athlone magistrates court.

Aug 20: Derek Jackson, editor of Saamstaan, publishing a photograph of Nelson Mandela, Oudtshoorn magistrates court.

Aug 21: Don de la Harpe, furthering the aims of the ANC, Cape Town regional court.

Aug 22: Ethel Loza, Maureen Loza, Sindiswa Dlavu and Xolile Mini, harbouring a terrorist, Cape Town regional court.

Aug 23: A youth, public violence, Cape Town regional court.

Aug 24: Archibald Mbetshu, Velile Sethela and Noncedo Nyebetha, public violence, Athlone magistrates court.

Aug 24: SK Mathiso, murder, Athlone regional court.

Aug 24: Mangaliso Dolosi, public violence, Athlone magistrates court.

Aug 24: Allie Parker, printing subversive literature, Parow regional court.

Aug 25: Maxwell Moss, Manfred van Rooyen, Johannes Strauss and Jonathan Barends, public violence, Vredenberg regional court.

Aug 28: Noel Williams, contravening restriction order, Cape Town regional court.

Aug 28: Rashid Seria, former SOUTH editor, contravening the emergency media regulations, Cape Town magistrates court.

Aug 28: V Helkiso, possession of banned literature, Beaufort West magistrates court.

Aug 28: Vuyo Fetsha, terrorism, Wynberg regional court.

Aug 30: Zamilé Hleli, public violence, Athlone magistrates court.

THE spate of prosecutions of editors and publishers in terms of the media curbs in the emergency regulations is seen as a new tactic by the state to bludgeon the Press.

With the draconian and arbitrary banning of publications becoming a political liability, both internationally and locally, the state is now resorting to the courts to tie down editors and publishers in lengthy and costly court hearings.

A security policeman who recently informed SOUTH of an investigation into contraventions of the media curbs and a possible charge, confirmed that the instruction emanated from the media monitoring section of the Department of Home Affairs in

## Courts used to hamstring Press

Pretoria.

In recent weeks the police have visited the offices of Saamstaan in Oudtshoorn, the Natal Witness in Pietermaritzburg and The Star, Sowetan, Weekly Mail and Vrye Weekblad in Johannesburg.

Many of these publications, in-

cluding SOUTH, have several investigations and possible prosecutions pending.

The trial of SOUTH's former editor, Rashid Seria, one of the first to appear in court in connection with publishing material which contravened the emergency regulations, will be heard on August 28.

The editors of Varsity have also appeared in court charged under the emergency regulations.

Recent state action against publications and journalists include:

- Last month three Weekly Mail journalists, co-editor Anton Harber, and former writers Jo-Ann Bekker and Franz Kruger, were summonsed to appear in court for publishing material related to emergency detainees.

- The editor of the Sowetan, Aggrey Klaaste, has been charged under the Internal Security Act for quoting a listed person.

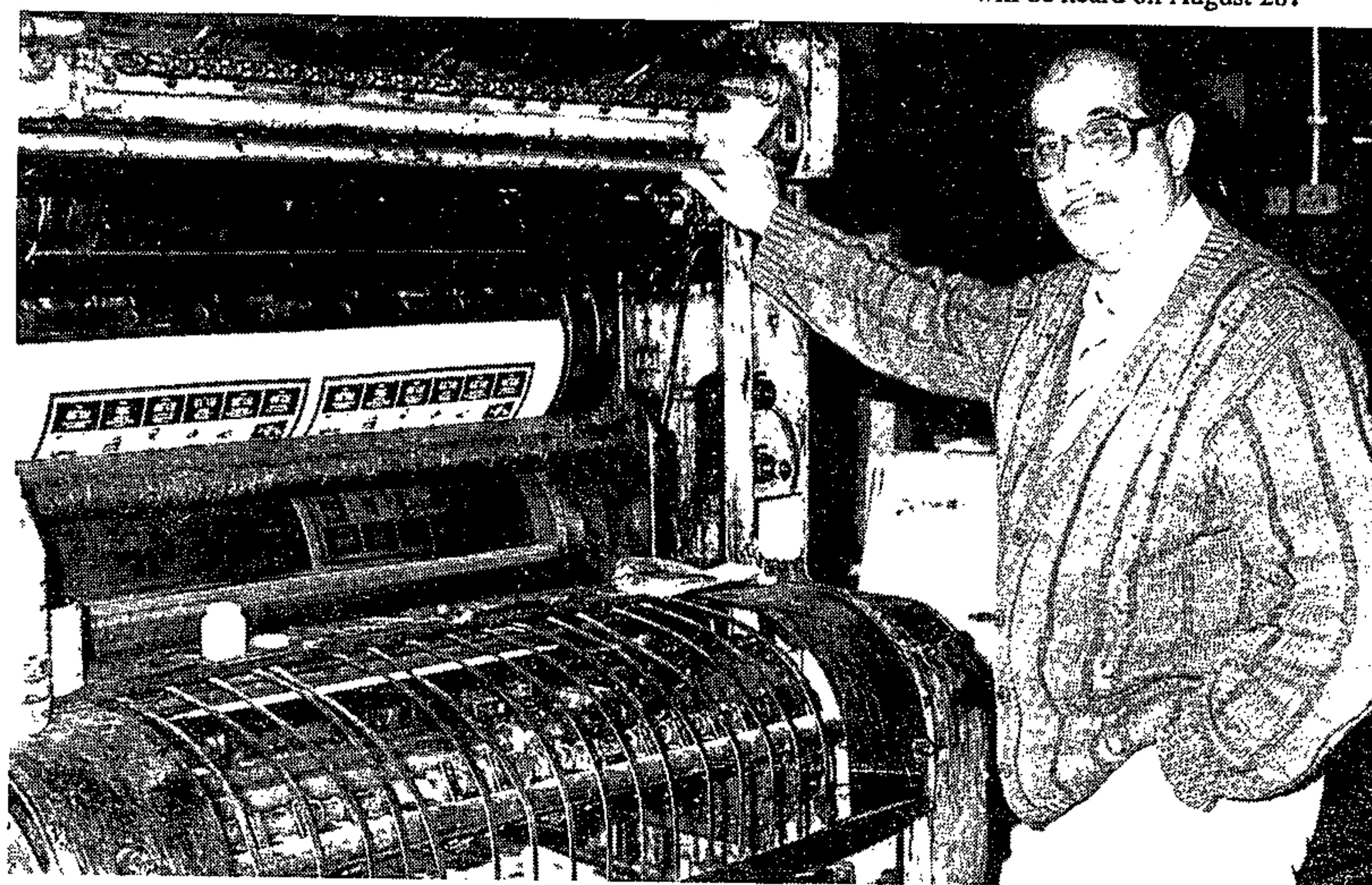
Other actions by the state against publications include:

- The organiser of Saamstaan in Oudtshoorn, Mr Derek Jackson, has been summonsed to appear in court on September 20 in connection with a contravention of the Prisons Act by publishing a picture of Nelson Mandela.

- In June, 400 copies of Saamstaan were confiscated by the police in terms of the Criminal Procedures Act.

- Municipal police raided the homes of three members of the Democratic Party's black youth wing in Meloding near Virginia in the Free State on July 18 and confiscated copies of progressive newspapers.

- In a series of raids on publishers on July 4, the police searched the offices of Ravan Press, Work in progress (WIP), The Other Press Service (TOPS), Learn and Teach, AD Jonker, Skotaville Publishers and the Johannesburg office of David Philip. A book, documents, posters and photographs were seized.



ON TRIAL. Printer Mr Allie Parker, who faces charges under the media curbs

FAMILY members of executed political prisoners have rallied in support of people on deathrow by submitting a petition to the State President calling for clemency and an end to capital punishment.

The petition was signed by about 30 family members.

The petition reads:

"We believe that our first-hand exposure to the terrible implications of judicial killing qualifies us to tell you of the horrors associated with it and to plead with you for clemency on behalf of those who are waiting to die.

"We have experienced first-hand the anguish, the torment, the sense of helplessness and the anger experienced while waiting for a loved one to die.

"We have all experienced the deep feelings of futility and anger when our husbands, brothers and sons have been hanged.

"With respect, Mr President, there is no justification for the cold-blooded and purposeless killing of another human being. The killing of our family members has not helped matters nor changed the situation in

**Families:  
Stop  
deathrow  
torment**

our country to a peaceful one.

"As numerous statistics have shown, their deaths have not prevented others from continuing with the pursuance of the ideals which they regard as noble.

"The spiral of violence in our society is gaining momentum and the hanging of more people only perpetuates that spiral.

"The killing of our family members has caused us immeasurable suffering and torment. The families of those who are still to die are being punished as brutally."

The petition points out that what seems today to be "just retribution" will be regarded by future generations as grievous crimes.

"More and more countries around the world are abolishing the death penalty and in South Africa it is particularly appropriate that this be done now to make sure of a less violent future for all.

"The solution to the problems that we face can only be found if the parties concerned, and you are one, show compassion for those who are at your mercy.

"We therefore call on you to grant clemency to those persons who are on deathrow and to end capital punishment."

Among those on deathrow for politically-related reasons are Robert McBride, Oupa Josias Mbonane, Sibusiso Senele Masuku, Patrick Manginda, Desmond Majola, Dickson Madikane, Abraham Zeyo, Rodney Boxer Moloi, Stanford Lebepe, Mangena Boesman, Msokoli Willie, Mhlawumbi Desemela, George Skosana, Jabu Masinga, Ting Ting Masango, Neo Potsane, Elliot Nkuna, Joseph Mahlalela, Mthetheleli Mncube, Mzondeleli Nondula, Kenneth P Khumalo, Eric T Gubula, David Lekhanyane, Zuko Zabendlini, Andrew Lekhanyane, Justice Bekebeke, Zonga Mokgatle, Myner G Bovu, Wellington Masiza, Booi Japhta, Evelina de Bruin, Gideon Madlogwane, Xolile Yona and Albert Twili.

## Update on detentions

### STATE OF EMERGENCY

THE following is a list of state of emergency detainees in the Western Cape:

Gloria Veale, 19, and Ronald Jacobs, 17, from Glendale Senior Secondary School, were detained on July 18.

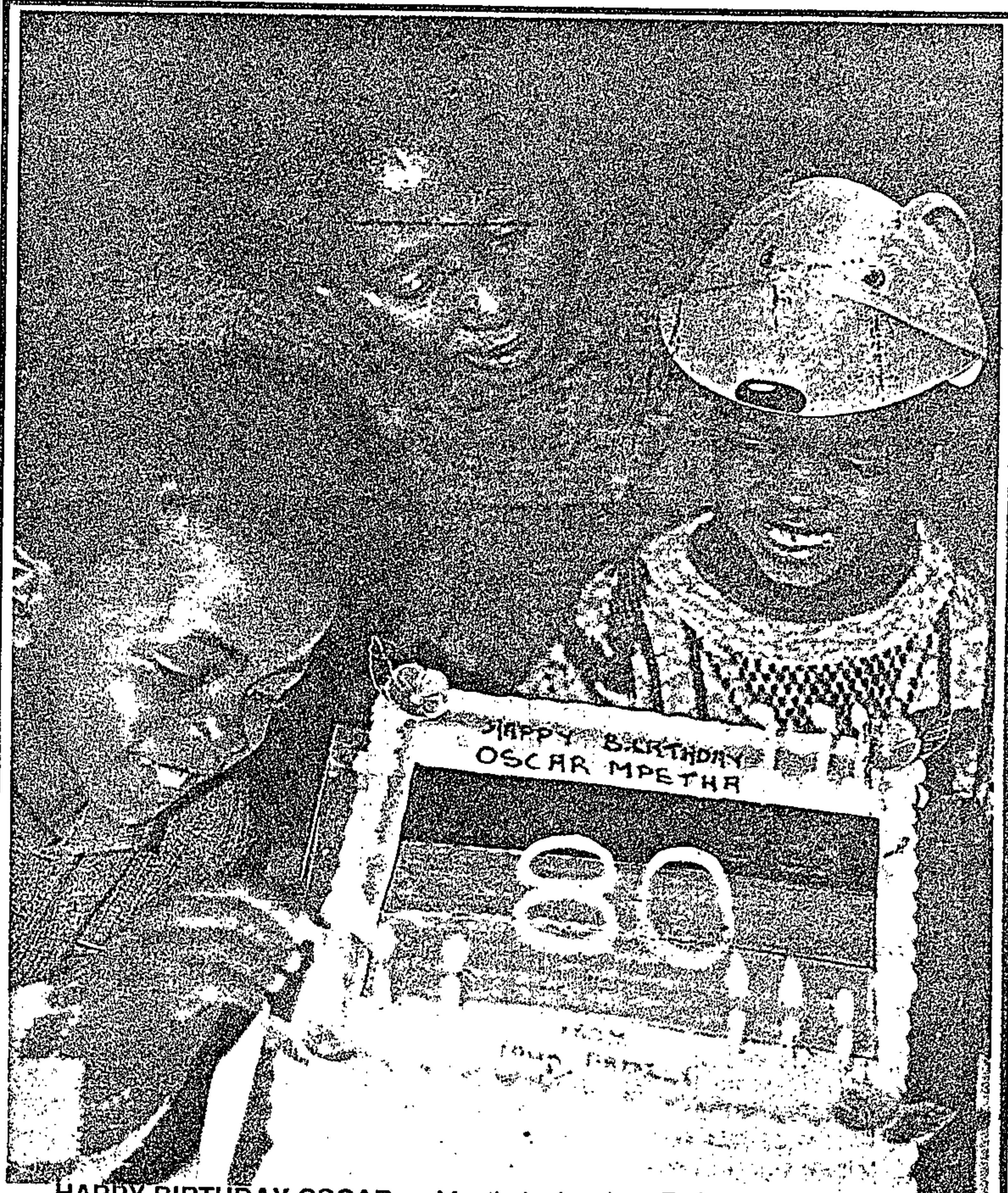
Walleen Mostert, 16, and Freda Mostert, 18, from Mondale Senior Secondary School, Estelle Leonard, 18, and Siraaj Ebrahim, 18, from Glendale, and Jacques Baartman, 18, of Cedars Secondary School, were detained in Mitchells Plain on July 28.

### SECTION 29

ONLY three Section 29 detainees are being held in the Western Cape at present.

They are: Siphiwo Qila and Miranda Sineli, who have been held since April 14, and Reggie Mzamo, who was detained in May.





HAPPY BIRTHDAY OSCAR .... Mpetha's daughter Esther with his grandsons Malunguza, 5, and Nkosana, 7

## Jailed Mpetha turns 80

VETERAN trade unionist Oscar Mpetha celebrates his 80th birthday on Saturday in his hospital "prison" ward with wishes and calls for his immediate release coming in from all over the world.

In Cape Town protests over his continued incarceration are planned as part of the defiance campaign.

The Food and Allied Workers' Union, for which Mpetha worked for several decades, will hold demonstrations at most of its factories throughout the country.

The union also distributed thousands of pamphlets containing a tribute to Mpetha.

MOIRA LEVY reports from London that Mpetha will receive greetings on Saturday from friends and

supporters throughout England. *South*

Each personalised message will be included on a giant birthday card to be delivered to the South African embassy.

Mpetha's birthday will also be marked by demonstrations in London and Glasgow, Scotland.

Pickets are also expected to be held out the South African Embassy in central London and at Nelson Mandela Place in Glasgow.

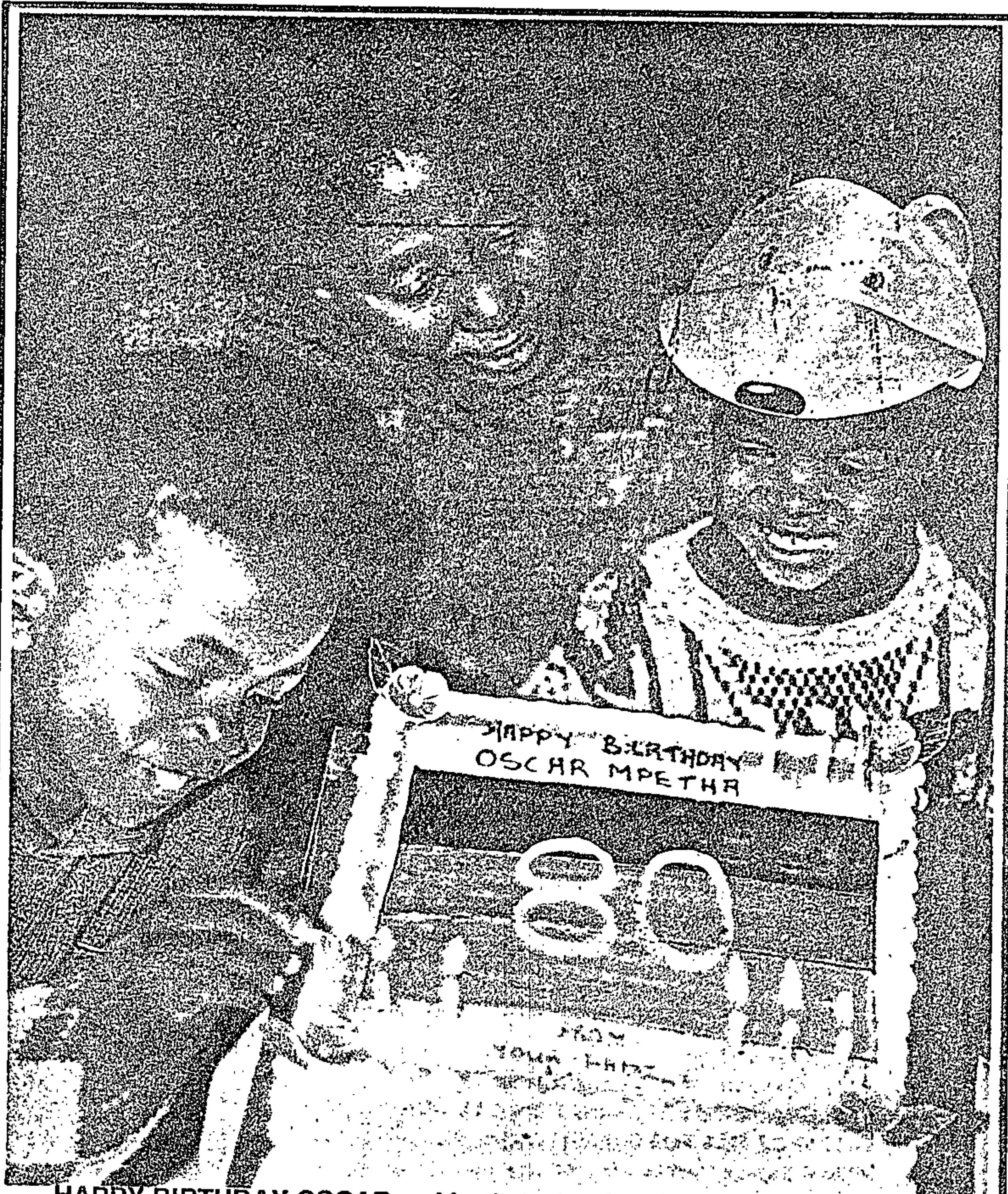
### SEE PAGES 8 & 9

Themba Mpetha, Oscar's youngest son, will address a crowd expected at the London picket. It will be also be addressed by SACTU speakers and representatives from the British Trade Union Council.

A motion is to be put to the British parliament calling on prime minister Maggie Thatcher to intervene for Mpetha's release.

3-9/8/89.





**HAPPY BIRTHDAY OSCAR ....** Mpetha's daughter Esther with his grandsons Malunguza, 5, and Nkosana, 7.

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3-9/8/89.



# Cape activists defy restriction orders

Own Correspondent

CAPE TOWN — A joint call for the lifting of restrictions placed on community leaders in the Western Cape has been made by Archbishop Desmond Tutu, Dr Allan Boesak and Professor Jakes Gerwel, rector of the University of the Western Cape.

Their call was made in a statement read at a press conference in Athlone where restricted people were defying their restrictions.

The trio said that their churches and university had repeatedly declared their "abhorrence" of laws and regulations which abrogate fundamental and God-given human rights.

"Laws and regulations which empower the Government to restrict people's freedom of movement, freedom to assemble and their freedom of speech in contravention of the Rule of Law are evil measures, worthy neither of

respect nor obedience," the statement said.

Archbishop Tutu and Dr Boesak had made clear their "principled opposition" to detention without trial when they were negotiating with Minister of Law and Order, Mr Adriaan Vlok, over the release of hunger strikers.

"We consequently support the demands of those under restriction that their restrictions should be lifted.

"We believe that if their demand is not met they would be justified in ignoring the terms of their restriction orders and in asserting their right to move freely and to engage in peaceful political activity.

"Ultimately, it is our duty as Christians to pledge out obedience to God rather than to men or governments (Acts 4 and 5)", they said.

Lawyer Mr Essa Moosa said that the restrictees faced a fine of R20 000 or 10 years' imprisonment if convicted of breaking their restriction orders.

More than 15 restricted people yesterday defied their restriction orders by attending the press conference to protest against their restriction.

## SUPPORT

At the conference were United Democratic Front (Western Cape) executive members, Mr Zolile Malingi (president), Mr Joe Marks (vice-president), Mr Trevor Manuel (secretary), Mr Joey Marks, jun, former UDF president, Mr Christmas Tinto, Mrs Hilda Ndude, Mr Mountain Quimbela, Mr William Thomas, Mr Whitey Pokwana and Mr Willie Hofmeyr.

Other restricted people who attended were Mrs Amy Thornton, chairman of the Cape Democrats, Mrs Dorothy Zihlango, and former Cape Youth Congress president Mr Roseberry Sonto.

Many organisations sent messages of support.

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Shaw 3/8/89.

## HRC figures, ages challenged

# Dispute on total held in detention

By Helen Grange

A statement by the Human Rights Commission claiming that 66 people are in emergency detention has been contested by the Department of Law and Order.

The commission said that nine of the 66 in detention were under 18. In addition, 39 "children" under 18 on the day of their detention had been effectively banned because of restriction orders imposed on their release earlier this year.

Brigadier Leon Mellet challenged the figures for the Ministry of Law and Order. "Apart from Natal, where the situation fluctuates from day to day,

there are only about 10 people of all ages currently in detention," he said.

### Natal problem

He said that in Natal, where widespread violence rages on, children may be arrested one day and released the next. "The South African Police don't want to arrest children unless it is absolutely necessary — and some children get involved in very serious criminal activities."

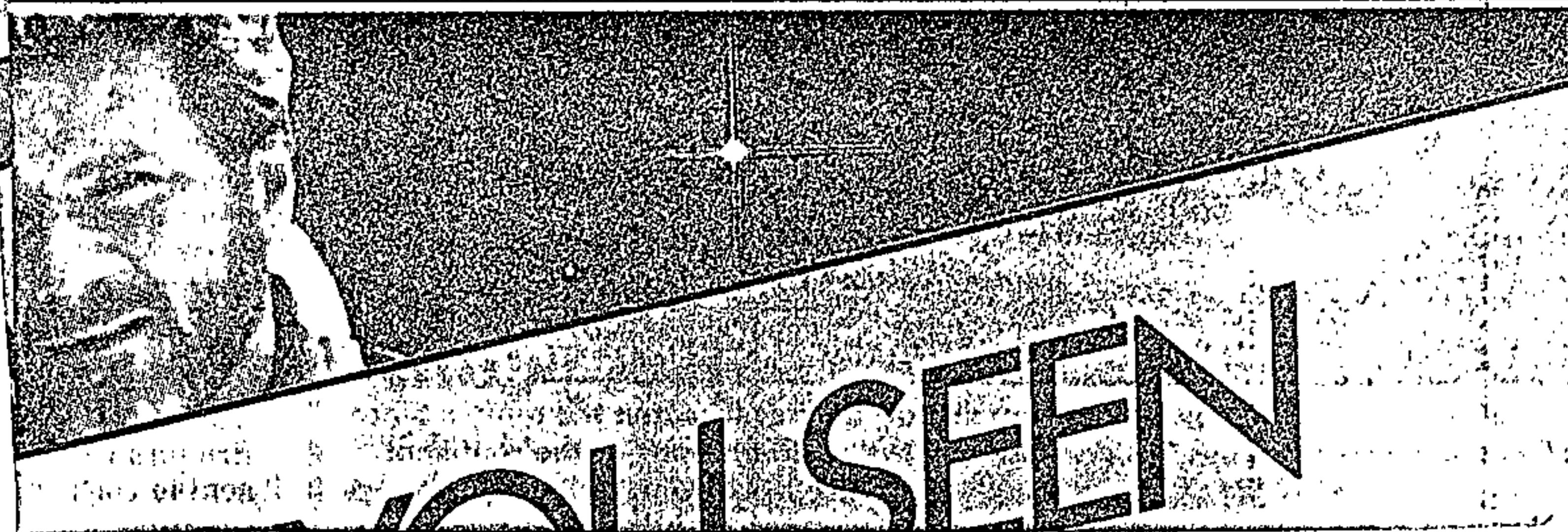
He disputed the HRC's definition of a child. "In our estimation, a child is 16 or younger. An 18-year-old is a youth."

The HRC said the release of scores of detainees earlier this

year following a nation-wide hunger strike had led to the hope that the use of "repressive methods against children would become a bad memory".

"Sadly, this has not proved to be the case — firstly because of restriction orders on 39 children and secondly because nine of the 66 people in emergency detention are under 18 years.

"The HRC condemns the continued detentions of children. This is a flagrant transgression, not only of human rights, but of the rights of children. We call for the immediate and unconditional release of all children in detention," the statement said.





## Ex-detainees must now pay R24 000 in costs

FIVE Grahamstown ex-detainees must pay R24 000 between them for costs of an application made in 1986 challenging their detention.

The application failed and the ex-detainees are now liable for the legal costs of their litigation, including the state's costs in defending the action.

One of the ex-detainees, Lindile Jela, has received visits from the security police regarding the outstanding legal fees.

Lawyers acting for him have written to the commissioner of police seeking

By BEVERLEY GARSON,  
Grahamstown

assurances that he will not be further harassed. The other ex-detainees are Zalisile Mkontwana, David Sandi, Mabooi Zono and Elias Njibane. Jela and Zono are jointly liable for R8 135, Sandi and Mknontwana for R8 923 and Njibane for R7 649.

Commenting on the claim that Jela was being harassed, a police representative denied the police action was

intended to "harm, inconvenience or harass Mr Jela".

Chairman of the Albany Dependents' Conference, Canon Torquil Paterson, said the five were being punished for offences which the state could not establish in court.

He said they had been detained without any recourse to an open court.

"They have to bear the penalty of seeking legal redress by being placed in financial bondage over many years," he said. — ANA

# Nayco to hold Mapetla Mohapi service

*Sowetan 4/8/89*  
A COMMEMORATION service for Mapetla Mohapi, who died in detention on August 5 1976, will be hosted by the National Youth Coordinating Committee (Naycco) in Dobsonville and Pietersburg tomorrow.

Naycco spokesman George Ngwenya said the meetings would be held at the Kopanong Community Centre in Dobsonville and at the Workers' Centre in Pietersburg. Both meetings start at 1pm.

Ngwenya said Mohapi was involved in the activities of the South African Students Organisation, the Black People's Convention and the Black Community Programmes with Steve Biko in King William's Town.

He was also publicity director of the publication, *Black Review*.



CAPE TOWN (329)  
8/8/87

## Advocate 'warned'

Staff Reporter

ADVOCATE Mr Johnny de Lange was released on warning by a Cape Town magistrate yesterday after he was detained for allegedly contravening the emergency regulations outside Groote Schuur Hospital on Saturday night.

Mr De Lange, 31, of Observatory, who is on the defence team in the Yengeni trial, was in a crowd who gathered at the hospital on the 80th birthday of jailed unionist Mr Oscar Mpetha.

He was not asked to plead but the charge sheet indicates that he may be charged with contravening the emergency regulations.

The hearing was adjourned to August 28.

Mr M J C Tolken was the magistrate. Mr J M McEwan prosecuted. Mr Pius Langa, instructed by Mr Willie Hofmeyr of Mallinicks, appeared for Mr De Lange.



**RELEASED** ... Mr Johnny de Lange outside the Cape Town Magistrate's Court yesterday after his release. With him is his wife, Ms Pam Haddad.

CAPE TOWN 8/8/87

RELEASED ... Mr John  
Cape Town Magistrate's (C  
release. With him is his v

*Mr. T. 12/15 8/8/87*  
**Snags for 2  
Yengeni  
trial lawyers**

**Supreme Court Reporter**

A DEFENCE lawyer in the Yengeni terrorism trial yesterday told the court of circumstances affecting two members of the defence team.

Mr D P de Villiers, SC, told the court yesterday morning that he wished to place on record the circumstances under which two members of the defence team, Mr Johnny de Lange and Mr Pius Langa, had been affected.

Mr De Lange had been detained by police during an incident on Saturday and Mr Langa's house had been shot at last Thursday night.

Mr Justice Selikowitz said: "I am shocked to hear that Mr Langa's house had been attacked. If that attack had anything to do with his appearance in this court I'm appalled that it happened and certainly cannot conceive of any justification whatsoever for such behaviour."



# Vlok must pay R12 000 to man held illegally

*Sowetan 8/8/84*

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By ALINAH DUBE

THE Minister of Law and Order, Mr Adriaan Vlok, has agreed to pay R12 000 and costs to a Daveyton man who was detained for allegedly being a prohibited immigrant.

The settlement, reached out of court in Pretoria yesterday, followed the unlawful detention of Mr Anthony Ngomane (27) on January 14 1985.

He was released without being charged on

February 12 the same year.

In an affidavit Ngomane stated that he and people he was arrested with were told they were born in Maputo and did not qualify to be in South Africa.

Police demanded to see his reference book and accused him of lying when he explained that he was born in South Africa.

Then a Std 5 pupil at Matiyotenga Higher Pri-

mary School, Ngomane was bundled into a kombi and taken to prison.

He was shuttled from one Reef police station to another until he landed at Nelpruit to await deportation to Mozambique.

He claimed he was beaten up and also told to say his real name was Antonio Ngomane from Mozambique.

Although he was in possession of a reference book, he was kept in prison and not allowed to see lawyers.

members that the four had been  
Lusaka.

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## Fieldworkers detained

KING WILLIAM'S TOWN. — Two Border Council of Churches fieldworkers, Mr Alfred Matebele and Mr Matthew Makalima, have been detained by Ciskei police at Peddie.



# Fears for detained 'heart boy'

By HENRY LUDSKI

10-16/8/89

THE family of a 17-year-old pupil who has had two open-heart operations in the past four years are concerned about the effect detention will have on his health.

Eugene Paramoer, a matric pupil at the Excelsior Senior Secondary School in Belhar, is one of at least 10 pupils detained during the recent protests and disruptions at Peninsula schools.

"We are worried about Eugene's health, because we don't know what medication he is receiving," said his sister, Marlene Dramat, on Wednesday.

## Medication

"He has to receive daily medication and any infection or physical violence can be harmful to his health."

Lawyers for the family have also written to Law and Order Minister Adriaan Vlok urging him to release Paramoer.

Two Glendale Senior Secondary School pupils, Gloria Veale, 19, and Ronald Jacobs, 17, have been held since July 18.

Sisters Walleen, 16, and Freda Mostert, 18, from Mondale Senior Secondary School, Estelle Leonard, 18, and Sirraaj Ebrahim, 18, from Glendale, and Jacques Baartman, 18, of Ceders Senior Secondary School, were detained in Mitchells Plain on July 28.

# Despite the Vlok salvos, the Nats aren't blazing forward

WITH 26 days to go before polling day, the usually well-oiled National Party election machine appears to be struggling to get into gear.

This is the view of election watchers, who have noted the party has so far failed to present a decisive image to offset the gains of the buoyant opposition on its left and right.

Former opposition leader Van Zyl Slabbert said the NP's election strategy "is its most unfocused in its history".

"Their election policy statement is transparent gobbledygook, they have no clarity on the issue of negotiations and they're in serious trouble on the economy," he said.

Slabbert said their main thrust at the moment seemed to be to attack the "mass democratic movement" on all fronts as a ploy to undermine the Democratic Party by association.

"If there is election violence, they will use it as an excuse for repression," he said.

He said that unless the NP found or created a major new election issue, they were going to be in "serious trouble".

"But I'm still sceptical about the possibility of a hung parliament after September 6," he said.

With Law and Order Minister Adrian Vlok's accusations about defiance campaign violence having backfired, last week's NP salvos have been aimed at the issue of the DP's meetings with the African National Congress, with co-leader Wynand Malan chosen as the most convenient target.

The NP's dominance of SABC-TV news programmes has provided them with their usual visibility edge, but most observers note they have not fared well in the TV debates over the past 10 days, despite the carefully picked topics.

Slabbert said the Conservative Party was running a strong campaign with an uncomplicated agenda, while the DP was also succeeding in defining the issues.

But the DP had "made a serious mistake by putting up candidates for the House of Delegates."

"It has markedly hardened attitudes against them in the MDM, which is something the Nats are already exploiting."

Richard Humphries, research officer at the Wits Business School's Centre for Policy Studies, said that while the CP and DP were "up and going", the NP were suffering from a "lack of colour".

"This was supposed to be FW de Klerk's election but he hasn't succeeded in giving a lead."

While the NP's campaign was beginning to pick up it was the other parties who were settling the pace.

"The same issues are being raised by both opposition parties — the economy, corruption and where are

**Both opposition parties are raising the same issues: the economy, corruption and 'where to next'. The Nats' problem is that no matter how they respond, they lose to one side or the other ... or to both. GAVIN EVANS on how the parties stand now**

we going? This makes it very difficult for the NP to respond because either way they lose votes."

He said he expected the NP to focus on the DP leadership issue and to raise the fear among liberal voters of the CP coming to power through a hung parliament and to press home on the security issue.

"They are attacking the CP on partition and trying to ensure that HNP voters don't move into the CP fold."

NP information officer Piet Coetzer said his party would be attacking the DP on the "fairy-tale element of their policy" and on security.

"On one hand they talk about bringing down inflation and on the other

but only a fool would make predictions of a hung parliament so early. As Zach de Beer discovered at Wits, anything can happen in the last month of an election."

The man behind the DP's election drive, Neil Ross, said the party had a three-pronged attack on the NP.

"We are highlighting the declining economy and the sledge factor in government, and promoting positive alternatives to ensure economic growth and reduced inflation."

"We will be promoting real security, both by creating a political and economic climate which offers a future for young people, and through measures like doubling the police force."

"And we are presenting a fresh constitutional vision based on a universal adult franchise in a federal system."

DP support was still growing, while the CP's had peaked, he said. "This is why the NP are focusing on attacking us. They realise we are their greatest threat."

The DP's new security policy and its decision to put up prominent South African Defence Force figures as candidates would offset the NP's attack, he said.

DP strategists have picked 25 seats which they believe are within their grasp, and another eight where they have a good chance. This is in addition to the 19 already held.

Those highlighted are Simonstown, Helderberg, Wynberg, Walmer, Albany, East London North, South and City, King William's Town, Queens-town, Umbilo, Umhlanga, South Coast, Pietermaritzburg North and South, Mooi River, Umfolozi, Waterkloof, Benoni, Bezuidenhout, Edenvale, Hillbrow and North Rand.

CP representative Andries Beyers outlined seven areas in which the right could pick up votes from the government.

"We'll be going for them on the failure of their economic policies, the domination of the economy by foreign companies and the redistribution of wealth from whites to blacks, corruption, their constitutional moves towards a black government, South West Africa, the creation of Free Settlement Areas and their new attitude to the ANC," he said.

Beyers said the NP were leading South Africa "in the same direction as South West", and were "moving nearer and nearer to the ANC."

"De Klerk tells the Cape Nat congress that he doesn't talk to the ANC, but his officials certainly do. PW Botha meets ANC leader Nelson Mandela and high-standing civil servants visit the ANC."

The CP election manifesto proposes the partition of South Africa as a solution which "has been successfully applied throughout the world".

It opposes any negotiations with the ANC and says the "white community's right to self-determination is non-negotiable".

It also rejects all forms of power sharing and the implementation of UN Resolution 435 in Namibia.

The HNP manifesto was released recently advocating a return to old-style apartheid values.

The party which has been given unusual prominence by SABC-TV, seems set to play a spoiling role in several constituencies, which could prevent CP victories in a few marginal seats.

Special vote polls have been open for two weeks, with the CP appearing to be outpacing the NP and DP in the early stages of this campaign.

"We are very happy with the new system which gives more clarity to the whole postal vote process. We are confident that most of the postal votes will be for the CP," Beyers said.

This six-week drive seems to have taken on a particular significance in the House of Delegates election, and Transvaal Indian Congress representatives expect the number of special votes cast to outnumber the election day total.



NP leader FW de Klerk

they talk of doubling the police. They pretend to take a tough line on security, yet they continue meeting with the MDM — even though De Beer is prevented from speaking at Wits."

Coetzer said the NP's main thrust against the CP was "the whole disaster of their policy in Boksburg and Carltonville".

PW Botha's meeting with ANC leader Nelson Mandela would not make them vulnerable to NP attack because "Mandela indicated he is committed to the peaceful resolution to South Africa's problems, and FW de Klerk has gone on record as calling on the ANC to follow his lead".

He said the NP was unconcerned about polls predicting a hung parliament, "because these had been based on a limited sample of constituencies."

"We are likely to lose some seats,

## Videos of arms at terror trial

By PHIL MOLEFE

VIDEO tapes seen in the Potchefstroom Regional Court this week showed three men accused of terrorism demonstrating how to dismantle and re-assemble an AK-47 rifle.

The trial of seven Vaal activists charged with terrorism has now been opened to the public after several state witnesses gave evidence *in camera* since the start of the trial in June.

Putswe Jacob Lithakanyane, 19; Lawrence Tumelo Seleko, 19; Thembisile Jackson Batyi, 23; Edward Rakomang Motubatsi, 29; Saul Andrew Tsotetsi, 35; Emma Nonondze Madzikane, 34; and Angelina Kedibone Mogotsi, 44, have pleaded not guilty to four counts of terrorism before magistrate J le Grange.

The state led evidence this week showing video tapes in court of the accused pointing out target areas.

Evidence given so far shows that no weapons were found to be in the possession of the seven — neither at the time of their arrest nor at places

pointed out by them.

The state alleges that Lithakanyane, Seleko and Batyi received military training from the African National Congress outside the country. They allegedly entered the country unlawfully through Botswana during 1988 with instructions from the ANC to cause disruption in the Vaal Triangle and establish combat units.

According to the charge sheet, the other four trialists knew that Lithakanyane, Seleko and Batyi were trained ANC members and that they had to recruit new members for the movement.

The state alleges that the seven conspired with the ANC and its members or supporters to overthrow or endanger the state authority and that they furthered the aims of an unlawful organisation during or about the periods September 1983 to October 1988.



## UDF leaders' names added to 'restricted' list (329)

SEVENTY people have been added to the 1989 consolidated list of restricted people published in the Government Gazette last week.

They include former African National Congress commander Ashley Forbes and United Democratic Front leaders Moss Chikane, Popo Molefe, "Terror" Lekota, Paulus Malindi, and Tom Manthata. They were con-

victed of terrorism in the "Delmas 12" trial earlier this year. Three other members of the UDF, Ebrahim Ismail Ebrahim, Simon Dladla and Acton Maseko, who were convicted of terrorism and treason in Pretoria this year, have also been listed.

Also listed for the first time is Helene Passtoors, the Belgian who was deported earlier this year after serving

part of her sentence for treason.

It is an offence to quote listed people unless permission has been obtained from the minister of law and order. The prohibition extends to anything said or written before a person was added to the list. The consolidated list is compiled in terms of the Internal Security Act.

wma 11-17/8/89

have been buried there in  
it the 1962.

# Cosatu Sowetan 11/8/89 20 held

ER, TWENTY people were arrested and dozens of others injured when policemen used quirts to disperse a crowd outside the Kempton Park Magistrate's Court yesterday, a Cosatu spokesman said.

Cosatu official Mr Ariel Mabalane said those injured were among the scores of people who arrived at the court yesterday morning to attend the trial of 47 men arrested for singing and dancing the *toyi-toyi* on trains.

Those injured were treated at Hillbrow Hospital 329

He said, however, only 27 Cosatu members made a brief appearance in court.

The case was postponed and the 27 will appear in court on different dates in November and December.

A police spokesman told Sapa that 20 people were arrested when 300 people arrived simultaneously at the court to attend the trial the 27 men charged under the Transport Services Act.



# 118 new names swell govt's restricted list

A TOTAL OF 118 new names have been added to the list of people restricted in terms of the Internal Security Act, according to the latest list published in the Government Gazette by the Justice Department.

Well-known additions include Helene Passtoors, Popo Molefe, Patrick "Terror" Lekota, Moses Chikane, Ebrahim Ismail Ebrahim and Ashley Forbes. Seven of the 118 were found guilty of treason.

Belgium-born Passtoors, 46, was convicted for her involvement with her Dutch national husband Klaas de Jonge in establishing caches of explosives and weapons within SA for the ANC.

She was released in May this year after serving three years of her sentence, and was flown to Belgium.

Before her release she was required to sign a statement renouncing violence and promising never to return to southern Africa, but in Belgium she defiantly tore up the statement.

Former UDF publicity secretary Lekota was jailed in December last year for 12 years, while fellow UDF members Molefe and Chikane were jailed for 10 years, after being found guilty of treason.

Their three-year trial stemmed from the 1984/85 Vaal Triangle upris-

MANDY JEAN WOODS

ings. Idasa director Van Zyl Slabbert and author Nadine Gordimer gave evidence in mitigation of sentence for the three former UDF leaders.

Ebrahim, 52, was sentenced in January this year to 20 years for treason. A founder member of the ANC's military wing Umkhonto we Sizwe, he is allegedly the most senior member of the ANC to go on trial since ANC leader Nelson Mandela.

## ANC commander

Ebrahim alleges he was abducted from Swaziland by SA agents in December 1986 and brought back to stand trial on charges under the Internal Security Act. He was granted leave to appeal against the judgment in May.

ANC commander Forbes, 22, was convicted of terrorism last September and jailed for 15 years.

Also newly listed in terms of the Internal Security Act are 10 others tried with Forbes. They are: Peter Jacobs, 23; Nicklo Pedro, 20; Nazeem Louw, 24; Anwa Dramat, 20; Clement Baadjies, 20; David Fortuin, 22; Jeremy Veary, 25; Walter Rhoodie, 23; Wayne Malgas, 22; and Colin Cairncross, 22.

Dispute declared in clothing industry

# Vlok ponders Jack appearance

LAW and Order Minister Adriaan Vlok will decide today whether to allow restricted Port Elizabeth civic leader Mkhoseli Jack to address an Idasa national conference in Randburg tomorrow.

A spokesman for the Minister said Vlok had received a request from Idasa to allow Jack to address the two-day meeting.

The conference, Securing the Future, starts today at the Indaba Hotel and Conference Centre at Witkoppen.

Vlok had also received representations from Port Elizabeth Divisional Police Commissioner Brig F J Gilbert who had turned down an initial application by Jack.

Jack, president of the restricted Port Elizabeth Youth Congress, was released from detention and restricted this year.

RIAAN SMIT

Sapa reports Idasa national co-ordinator Wayne Mitchell wrote to Vlok: "It is my belief that, if government believes in negotiations, then surely it will have to identify a power base with whom to negotiate."

Jack's willingness to participate in such initiatives "prove to me that he is far more committed to the process of negotiation than the NP government".

He said there was no logic behind the decision not to allow Jack to speak.

Mitchell added: "I hope the letter served to inform you of the illogical strategy your government has obviously adopted."

Report by Riaan Smit, 11 Diagonal Street, Johannesburg.





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Report by Riaan Smit, 11 Diagonal Street, Johannesburg.

# Emergency detentions drop

OVER the past few months, detentions in terms of the emergency regulations have dropped dramatically but during this period the use of the Internal Security Act to detain people without trial seems to have remained steady, says Lawyers for Human Rights national director Mr Brian Currin.

The latest figures from the South African Police show 52 people being held under the Internal Security Act and one being held under section 28.

This section, known as "indefinite preventive detention", is used when the Government believes the person may be a danger to State security.

## JANET HEARD

The breakdown in terms of the other sections of the Act is: 46 held in detention under section 29, five under section 31 and none under section 50. *SA 12/8/87*

SAP liaison officer, Captain Reg Crewe, has confirmed the detention of Mr Raymond Maele (27) under section 28. Mr Maele has effectively been held in detention for three years. In 1986 he was arrested and detained under section 29 for the purposes of investigating criminal charges.

He was charged for allegedly undergoing ANC military training, and in

September 1988 he was acquitted on a technicality, but was immediately rearrested and detained under the emergency regulations. (329)

He was released on March 15 this year but redetained under section 28.

Attorney Priscilla Jana, who is representing Mr Maele, has submitted a representation to the Department of Justice's board of review requesting Mr Maele be given permission to study for Std 8 while in detention.

Mr Currin has called on Minister of Law and Order Mr Adriaan Vlok to immediately charge Mr Maele or release him.



43 detainees go <sup>329</sup>  
on hunger strike

DURBAN. — Forty-three detainees have been on hunger strike at the Westville Prison since Monday, according to attorneys acting for them.

This has been confirmed by Brigadier Leon Mellet, spokesman for the Minister of Law and Order, Mr Adriaan Vlok.

Three of the detainees, he said, have been transferred to a Bloemfontein prison hospital.

The attorneys said they had embarked on the hunger protest, demanding to be charged or released. They were only taking water.

Some of the detainees were members of political organisations, claimed the attorneys. — Sapa

# Strydom's captor in court

By McKeed Kotlolo,  
Pretoria Bureau

The man who arrested mass murderer and self-confessed "Wit Wolf" Barend Hendrik Strydom on Strijdom Square in central Pretoria last year made a brief appearance in the Atteridgeville magistrate's court yesterday on a charge of trespassing.

Mr Simon Mkondoleli pleaded not guilty to the charge.

The magistrate, Mr E.J. van der Merwe, postponed the case to September 5 for further police investigation and to give the prosecution time to subpoena witnesses.

Mr Mkondoleli, who on November 15 last year arrested Strydom after his shooting spree in Pretoria, was himself arrested on August 3 at Kalafong Hospital's casualty room a day after the Mass Democratic Movement's defiance campaign

to have all hospitals opened to all races. He had taken an ailing friend to the hospital.

The friend was admitted for treatment.

Mr Mkondoleli, who denied having trespassed, asked the court yesterday to either go ahead with the hearing or withdraw the charge since he had not committed any offence and witnesses in the case were not at court.

He said he was initially told he had been arrested because it was alleged that he was "a terrorist".

Mr van der Merwe told him that allegations of being "a terrorist" did not appear on the charge sheet. The court was going to look into the allegations of trespassing only, he added.

He said if the witnesses would not report at court on September 5 or the investigations were incomplete, the case would be withdrawn.

327

68/8/51 m/s

Stw 15/8/89



any and 15 other people dead, officials said.

## Field workers released

KING WILLIAMS TOWN. — Border Council of Churches field workers Mr Alfred Metele and Mr Mathew Makalima have been released after six days in detention by the Ciskei police without being charged.

# Security police 'not trained' — W/O

A SECURITY policeman yesterday told the Supreme Court that security police were not trained in interrogation techniques and it would be illegal to assault a detainee in order to obtain a confession.

This was said under cross-examination by Warrant-Officer Schalk van der Merwe in the trial of Mr Tony Yengeni and 13 others who have refused to plead to charges of terrorism.

Quoting from a document called "How to outwit the enemy in detention" found after the arrest of Ms Jenny Schreiner, defence counsel Mr Michael Donen asked W/O Van der Merwe if it was true that the document laid out facts and also created certain beliefs in the mind of the reader.

W/O Van der Merwe agreed that the author claimed to know the rights of detainees but said he was unable to comment on claims that the author knew interrogation techniques used by security police.

He admitted that the author was correct that detainees were not required to make or sign statements.

He also agreed that many Section 29 detainees were required to write a life history.

Ms Jenny Schreiner had been asked to write such a biography and in January last year she had been asked to re-write it, he said.

The trial continues.



# 13 more Mitchells Plain pupils held

Staff Reporter

THIRTEEN high school pupils were arrested in Mitchells Plain yesterday and are expected to appear in court on charges of public violence today, according to local crisis centre office worker Mrs H Oosterwyk.

The arrests of the pupils — from Mondale, Portlands, Princeton and Tafelsig high schools — follow several alleged incidents of stone-throwing yesterday.

One Std 7 boy at Mondale was slightly hurt yesterday by a tear-gas canister.

Yesterday a police spokesman in Pretoria declined to issue any statement on arrests or other events in Mitchells Plain, and local police will not comment on "unrest".

Earlier this week Pretoria police said that if such news was kept to a minimum there might be less unrest than otherwise.

According to yesterday's police unrest report, covering Monday, "the Cape Peninsula was generally quiet with the exception of Mitchells Plain", where several stone-throwing incidents and a few road barricades had been reported.

"On a number of occasions police had to use tearsmoke to

JOHANNESBURG. — About 6 900 students — the total student body of the University of the North — were in their second day of class boycott yesterday in protest against police raids on campus.

Nusas has called on acting State President and Minister of National Education Mr FW de Klerk to stop "his vicious security police" from harassing students.

A university statement said a mass student meeting on August 11 resolved to "extort a public condemnation of what they call persistent police raids".

disperse the mobs. A few vehicles were damaged by stone-throwers. After two separate stone-throwing incidents, police arrested a number of coloured youths.

"In the first incident, four youths were arrested after a private vehicle was stoned and in the second incident five youths were arrested after stones were thrown at a police vehicle. No injuries were reported."

Yesterday morning five Glendale pupils, two pupils from Spine Road, one from Tafelsig and one other youth appeared in Mitchells Plain Magistrate's Court in connection with charges

of public violence.

The pupils, who are all under 18, were not asked to plead and were released into the care of their parents. They will appear again in October.

In Cloeteville, near Stellenbosch, 18-year-old Hannaleen Simmers, the head girl of Luckhoff High School, where pupils have not attended classes for the past five days, was "taken in for questioning by police", her mother, Mrs Elizabeth George, said yesterday.

Attorney Mr Essa Moosa confirmed this week that five students from Touws River and Worcester and three teachers from Paarl were detained under the emergency regulations last Tuesday.

They are Mr Manuel Koopman and Mr Neville Padiachy of Worcester, Mr Borris Nel, Mr Isak Ockhuis and Mr Dan Swarts of Touws River and Mr Tamsanqa Jacobs, Mr Timothy Ndzuze and Mr Julius Allah, three teachers at Simon Hebe High School in Paarl.

● Sapa reports that the other incident of unrest on Monday, according to the police unrest report, was in Daveyton (Benoni), where a private house was petrol-bombed. No injuries were reported.

any and 15 other people dead, officials said.

## Field workers released 329

KING WILLIAMS TOWN. — Border Council of Churches field workers Mr Alfred Metele and Mr Mathew Makalima have been released after six days in detention by the Ciskei police without being charged.



# More arrests as police move against MIDM campaign

## CRACKDOWN

Staff Reporters  
FOUR Cape Town political activists have been arrested and the head girl of a Stellenbosch high school detained in an apparent crackdown on the Mass Democratic Movement's defiance campaign.

### Crackdown on 'defiance campaign'

as long as it was necessary to ensure public safety and order.

Pupils at the school voted to boycott last week following a clash with the headmaster over a "political awareness campaign" and allegations concerning staff.

The boycott was not linked to the nationwide defiance campaign, said the Rev Simon Adams, a Stellenbosch minister.

Mrs Elizabeth George confirmed that her daughter Hanneleen was taken from her Ida's Valley home yesterday morning.

Last night's arrests came after police disclosed that at least 25 restricted people, who had defied their restriction orders in terms of the emergency regulations, had been arrested.

Brigadier Leon Mellet, Press Secretary to the Minister of Law and Order, Mr Adrian Vlok, warned that further arrests were expected and police would not hesitate to act against those who violated their restriction orders.

He said the emergency regulations would remain in force.

Yesterday a memorandum was handed to Brigadier Mellet on behalf of the families and parents of restricted former detainees.

The document, handed in at police headquarters in Pretoria, called on Mr Vlok to immediately scrap restrictions and detention without trial.

Brigadier Mellet said: "Any steps taken in terms of the emergency regulations are solely to ensure the safety of the public and the maintenance of law and order."

"This has enabled the government to reverse the situation of violence and bloodshed, which has plagued especially black South Africans, to one of where law-abiding citizens can live in relative peace without the constant fear of losing their lives or belongings."

"In an effort to re-unite detained persons with their families, Mr Vlok has ordered the release of the bulk of those held. This is an on-going process."

"However, to ensure that the public safety, law and order and the ending of the state of emergency would not be jeopardised, certain restrictions were imposed on some of those released."

He claimed that a concerted campaign had been launched to openly defy restriction orders.

"The minister is not unsympathetic towards restricted persons facing problems in terms of the emergency regulations. Appeals in this regard are constantly reviewed by him and, in some cases, restrictions were either lifted or amended."

This week the Restriction Support Committee invited Mr Vlok to meet the 21 activists, but Brigadier Mellet announced yesterday that Mr Vlok had declined the invitation.

He said the invitation had been extended through the media and Mr Vlok had not received "an official invitation". (Report by D. Cruywagen, C. Sawyer and M. Doman, all of 122 St George's Street, Cape Town)

### 29 pupils arrested

In the intensifying defiance campaign in the Western Cape, at least 29 Mitchell's Plain high school pupils have been arrested and charged with public violence.

More than 15 pupils and two teachers have been detained under the emergency regulations.

The Mass Democratic Movement today called on police to handle its "defiance campaign" sensitively and vowed that detentions and arrests would not stop it from continuing the campaign.

MDM spokesman Ms Cheryl Carolus said activists were being intimidated.

"We are making it quite clear that restrictions, detentions and arrest of our people will not deter us from seeing through the defiance campaign in a disciplined manner."

The MDM, she said, was asking police to handle the matter sensitively.

Meanwhile, three men wearing balaclavas and coats have "visited" the New Crossroads home of Mr Roseberry Sonto, former leader of the Cape Youth Congress, and one of 21 Western Cape restricted people who have decided to defy their restrictions.

Last Friday shots were fired at Mr Sonto's home.

A burning barricade in Elsiesburg Road, Mitchell's Plain, outside Rocklands High School, was extinguished at 8.15am today by the fire brigade.

At Mondale High School in Portlands, pupils yesterday staged a peaceful protest demanding the release from detention of two fellow pupils, sisters Freda and Walleen Mostert.

Posters in green, yellow and black paint and fixed to the school's perimeter fence in Merrydale Road, read: "Free detainees", "Free our leaders" and "Freedom is near".

Similar posters were displayed at Cedars High on the corner of Spine and Weltevreden Roads. Both schools were dismissed by 11am.

Tyre barricades burned near Westridge High and Glendale High.

In Stellenbosch the head girl of Luchhoff High School in Cloetesville, Hannelien Simmers, 18, was detained following week-long disturbances at the school.

Another pupil at the school, Lorenza Cornelius, was held briefly on Tuesday but was back at home, a lawyer for the two pupils said.

Schools in Cloetesville and Ida's Valley closed early yesterday after pupils refused to return to classes.

Miss Simmers's lawyer said it was understood that she was being held under the emergency regulations, but the police had not confirmed this.

The detentions followed a week of disturbances at schools outside Stellenbosch.

(Turn to page 3, col 1)



# Detentions showdown

THERE was a near confrontation outside the offices of the Minister of Law and Order in Pretoria yesterday where a delegation of about 10 people representing families of banned former security detainees delivered a memorandum demanding the lifting of restrictions on them.

An exchange of words broke out as a police officer confronted the families preventing them from entering the building in which Minister Adriaan Vlok's office is situated.

By ALINAH DUBE

The officer told the families that Vlok was not available for the meeting they had sought "as a matter of urgency to highlight the plight of the restrictees."

He also told them that no one else would be able to meet them as they were in a group of more than two.

329 **Illegal**

One delegate told the policemen that they were not prepared to take his instructions to leave after they were informed that the gathering was illegal and they should disperse.

Mr R Hofmeyr of Cape Town whose son Willie is also restricted, was video filmed by a policeman as he displayed a copy of yesterday's *Sowetan* bearing the words "Justice For All."

At a Press conference held later at the Pretoria Council of Churches offices, the families said: "We believe that punishment without trial, future South Africa was with particular reference to the imposition of restriction orders, should be seized forthwith and the victims released ... to participate freely in the political activities of the country".

"Only

and interaction of all people can bring about a solution to the country's problems.

Charging at the new acting state president, Mr F W de Klerk, they said if his message of "Justice

For All" meant a state of detention and the harassment of innocent people, then it was a clear indication of a bleak future South Africa was facing.

"The government has indirectly turned us into an extension of prisons. The reason that we have to monitor our relatives' movements simply means we are jailers ourselves," the families said.

full



# Turf lecturers held

TWO lecturers and a former librarian of the University of the North were detained by security police on Tuesday night, relatives said yesterday.

They are Mr Lewis Mnguni, Mr Seth Nthai and Mrs Joyce Mabudafhasi.

Mnguni and Mabudafhasi were released earlier this year at the height of the detainees hunger strike that engulfed the country's detention centres.

The police directorate of public relations in Pretoria yesterday said confirmation of the deten-

By MATHATHA  
TSEDU

tions could only be made today.

The detention came as students at Turfloop were on a class and food boycott over a security police visit on Thursday during which SRC members were allegedly assaulted.

Students are demanding that the authorities guarantee the safety of SRC members and all students from police harassment.

Students at the University of Venda, who re-

turned to campus on Tuesday following the closure of the university more than two weeks ago, yesterday continued with the class boycott to demand the release of detained students arrested for opposing "independence" celebrations.

A march to the local police station to demand the immediate release of the detainees, which had been intended to include lecturers, had not yet materialised at the time of going to press but students held a mass meeting.

## Freed activist dies of wounds <sup>17/8/81</sup> 329

DURBAN — A prominent KwaMashu political activist, Eric Gumede, who was recently freed from detention after going on a hunger strike, died in the King Edward VIII Hospital early yesterday after being shot the previous night.

The murder, confirmed by a family member, is being investigated by KwaZulu Police.

Gumede, 27, was active in KwaMashu youth political movements. While in detention he took part in a hunger strike from August 7 that was staged by at least 43

detainees at the Westville Prison as part of a "charge or release" protest.

He was released from detention last Friday.

Details of his death are still being pieced together, but it appears Gumede was shot in KwaMashu at 10.15 last night.

He had three children.

Another former emergency detainee who went on hunger strike, Chris Ntuli, was stabbed to death in Ntuzuma in April, two weeks after he was released from detention. — Sapa.



## Relatives of detainees and restricted protest to Minister

PRETORIA — Relatives concerned about the plight of detained and restricted political activists presented a protest memo to police at police headquarters in Pretoria today, said a spokesman for the Pretoria Council of Churches.

E Hlongwa, speaking for the delega-

tion of relatives, said the group called for the release of detainees and lifting of restrictions on activists.

Brig Leon Mellet, a spokesman for Law and Order Minister Adriaan Vlok, confirmed that a document had been delivered to police at Wachthuis and that it would be given to Vlok.

Hlongwa said the relatives' action followed a failure to secure a meeting with acting State President F W de Klerk, who said his busy election schedule would not allow him to see them.

Hlongwa said five more people were detained under emergency regulations last night. — Sapa

# Court told of suicide attempt

CAPE TOWN — Terrorism accused Miss Jenny Schreiner tried to commit suicide while in detention under Section 29 of the Internal Security Act, the Supreme Court in Cape Town heard yesterday.

This was said by Mr Michael Donen, for the defence, at the trial of Miss Schreiner and 13 others. He said she had spent more than a week in hospital in January last year after attempting to take her life in a police cell where she was being held.

Security policeman Warrant Officer Schalk van der Merwe said under cross-examination he was not aware Miss Schreiner had tried to commit suicide.

Mr Donen asked the witness if he did not think that Miss Schreiner would have tried to keep that confession from him for fear of her emotional vulnerability being exploited.

Warrant Officer van der Merwe said he knew that Miss Schreiner had become ill after falling in her cell, but he

believed it was because of a medical problem and was not an attempted suicide.

He said he had been concerned about Miss Schreiner's health and had not interrogated her during her time in hospital.

Warrant Officer van der Merwe said he did not know if Miss Schreiner had asked to be taken to hospital or if she had been taken because she was visibly ill.

Her parents were allowed to visit her in hospital, he said.

He denied that an attempted suicide by Miss Schreiner would be something the State would have been able to cover up.

Warrant Officer van der Merwe conceded that a detainee who had attempted suicide could be seen as emotionally disturbed, unbalanced, weak and vulnerable, but he denied that an interrogator would take advantage of that state to elicit a statement.

The hearing continues. — Sapa.



# Key MDM man

19/8/89  
ONE of the key organisers of the Mass Democratic Movement's defiance campaign, Mr Mohammed Valli Moosa, was arrested at his Johannesburg office yesterday afternoon.

Witwatersrand police spokesman Captain Eugene Opperman, confirmed last night that Mr Valli had been detained under Section 3 of the emergency regulations.

Mr Valli's lawyer, Mr Peter Harris, who was present at the time of the arrest, said the members of the security police conducted a three-hour search of Mr Valli's offices and confiscated a number of documents.

Mr Valli, the acting UDF general secretary was then escorted by four members of the security police to a waiting car and driven away.

Activists fear Mr Valli's arrest, together with other arrests during the week, signals a general crackdown on anti-apartheid movements.

The MDM this week declared that all restricted organisations would "unrestrict themselves" at a rally at the University of Witwatersrand tomorrow — the sixth anniversary of the restricted United Democratic Front. Also this week, the anti-apartheid "Conference for a Democratic Future" was announced. It is planned for October.

Police warned yesterday they would thwart any attempts to break restriction orders over the weekend. A MDM rally, similar to the one at Wits which was planned for the University of the Western Cape, has been banned under the emergency regulations.

In a statement issued yesterday the Commissioner of the SAP, General Hennie de Witt said people were being encouraged to act irresponsibly in breaking restriction orders. "Already various people have appeared in our country's courts and in some cases heavy sentences were passed because they broke restriction orders."

This week as the defiance campaign gathered momentum, more than 30 high school students in the Cape were arrested on public violence charges.

Mr Valli is one of the three detainees who escaped from the Johannesburg

Star 19/8/89  
**JANET HEARD, TONI  
YOUNGHUSBAND AND SAPA**

hospital and holed up in the American Consulate in Johannesburg last September. He, Mr Murphy Morobe, UDF acting publicity-secretary, and Mr Vusi Khanyile of the National Education Crisis Committee, were not restricted when they left the Consulate.

Mr Morobe was with Mr Valli and a group of BBC journalists when security police raided the Portland House office in Braamfontein yesterday.

Speaking to the press outside the building, Mr Morobe said the police told him they were investigating the activities of the MDM. They took a tape-recording of an interview he had with journalist, which they said would be needed as possible evidence.

He said this could be the beginning of a wider clampdown on the MDM's defiance campaign. "Conflict only arises when the State acts in this way", he said, stressing that the MDM campaign was peaceful.

Reacting to the banning of the Western Cape rally, Archbishop Desmond Tutu warned it was only when police denied people the right of peaceful assembly "with their banning orders, their quirks and their teargas" that tension rose and conflict was created.

He has convened an alternative meeting at St George's Cathedral on Sunday.

Condemning the arrest of Mr Valli, Mrs Gael Neke, publicity secretary for the Five Freedoms Forum said: "The international expectation has been that F W de Klerk would ease up on repressive actions as a sign of his good faith in the movement towards negotiations. He himself has assured the world that negotiations are his aim."

"The actions of the past week of arresting restricted people, detaining many others and banning planned meetings are in direct contradiction to this stated intent."

● At a Transvaal Indian Congress anti-election placard demonstration at the main entrance to Lenasia, TIC president Cassim Saloojee, was questioned by police.

329  
detained





**DEFIANCE GATHERS MOMENTUM:** Singing supporters gathered outside the Johannesburg building where Mr Mohammed Valli Moosa was being held by members of the security police. Police later ordered the crowd to disperse. ● Picture by Alf Kumalo.

## Restrictions defied at Soweto feast

**MORE** than 120 whites living in Johannesburg, including a number of foreign diplomats, were transported in taxi minibuses this week to the sprawling Soweto township to tuck into a finger lickin' good supper at the homes of restricted ex-detainees.

Most of the 252 Soweto former detainees who took part in the encounter openly defied their orders by leaving their homes after 6 pm to attend the suppers, which were hosted at the homes of about 50 of them.

Thursday night's encounter came in the wake of the growing resistance to restriction orders by individuals which has spontaneously and unofficially formed part of the Mass Democratic Movement's Defiance Campaign.

The encounter served to expose white people to the suffering which Soweto ex-detainees — most of them schoolgoers — are forced to endure under harsh restriction orders of Minister of Law and Order Mr Adriaan Vlok.

**JANET HEARD**

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The orders, which are an alternative to banning or detention, turn homes into prisons.

The guests were invited to the dinner by various detainees support groups, the Five Freedoms Forum and the Black Sash.

The Saturday Star visited the Naledi home of Sophie Mahlaela, (19), a strikingly beautiful young woman who was released from detention in March this year after spending 10 months at Diepkloof Prison.

### Order served

She was immediately served with an order which includes reporting to the Jabuani police station once daily, not attending any meeting which criticise the Government or local authorities, not leaving her home between 6 pm and 5 am, and not leaving the Johannesburg magisterial district.

Among the guests were four

restricted ex-detainees who said although they risked being arrested, they were prepared to defy their restriction orders that evening because they wished to highlight their plight to the international world.

Sophie's mother, Mrs Norma Mahlaela, who took a back-seat in the discussions, said she was proud of her daughter's courage and determination, although she worried constantly about her safety. *Star 19/8/89*

Sophie admits that she gets depressed at times at being a prisoner in her own home.

"I cannot visit my relatives in Hammandskraal without obtaining permission from the SAP.

"I have not been able to go back to school because I was too late to register this year. I cannot go to the shop after 6 pm, nor visit my friends, nor go to the cinema.

I get depressed because I cannot go where I want to and I am a prisoner in my own home".

"What have we done to deserve this? When we were in detention we were never found

guilty of any crime. Now we are restricted, and still we have committed no crime and yet we are treated worse than criminals. How much longer can we go on living like this?", Sophie asked.

The meeting ended with rushed exchanges of addresses as the taxis arrived to collect the group, and transported us back to the Ipelegeng centre for a press conference attended by more than 300 people.

Emotional spontaneous speeches were made by various guests, including Professor June Sinclair, the dean of the Wits University's faculty of Law, who relayed their experiences and expressed their determination to support the ex-detainees.

Mr Jackson Mthembu, of the South African Council of Churches said: "Tonight we crossed that barrier and you have seen our (Soweto's) bleeding eyes".

He said that ex-detainees had exhausted all peaceful means to pressurise Mr Vlok to ease their restrictions, but to no avail.





REPUBLIC OF SOUTH AFRICA  
REPUBLIEK VAN SUID-AFRIKA

# Government Gazette Staatskoerant

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Vol. 290

PRETORIA, 19 AUGUST 1989  
AUGUSTUS 1989

No. 12068

## GOVERNMENT NOTICE

### SOUTH AFRICAN POLICE

No. 1841

19 August 1989

#### PUBLIC SAFETY ACT, 1953

#### ORDER UNDER THE SECURITY EMERGENCY REGULATIONS, 1989

Under the powers vested in me by regulation 10 of the Security Emergency Regulations, 1989, I, Gerrit Nicholas Erasmus, Divisional Commissioner of the South African Police for the Witwatersrand Division, hereby prohibit the gathering organised and advertised by the "MASS DEMOCRATIC MOVEMENT" to be held at the "Flower Hall", West Campus, University of the Witwatersrand, on 20 August 1989 at 11:00.

In this order a word to which a meaning has been assigned in the Security Emergency Regulations, 1989, shall have the same meaning.

G. N. ERASMUS,  
Divisional Commissioner: Witwatersrand Division.

## GOEWERMENTSKENNISGEWING

### SUID-AFRIKAANSE POLISIE

No. 1841

19 Augustus 1989

#### WET OP OPENBARE VEILIGHEID, 1953

#### BEVEL KRAGTENS DIE VEILIGHEIDSNOOD-REGULASIES, 1989

Kragtens die bevoegdheid my verleen by regulasie 10 van die Veiligheidsnoodregulasies, 1989, verbied ek, Gerrit Nicholas Erasmus, Afdelingskommissaris van die Suid-Afrikaanse Polisie vir die Afdeling Witwatersrand, hierby die byeenkoms wat deur die "MASS DEMOCRATIC MOVEMENT" gereël en geadverteer is om gehou te word by die "Flower Hall", Wes Kampus, Universiteit van die Witwatersrand, op 20 Augustus 1989 om 11:00.

In hierdie bevel het 'n woord waaraan 'n betekenis in die Veiligheidsnoodregulasies, 1989, geheg is, dieselfde betekenis.

G. N. ERASMUS,  
Afdelingskommissaris: Afdeling Witwatersrand.

CM T-15 19/8/89 (100) (100)

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# UDF man held, city rally banned

PRETORIA. — In an apparent major crackdown on the MDM anti-apartheid campaign, police yesterday detained one of South Africa's most prominent political activists, Mr Mohammed Valli Moosa, acting general secretary of the UDF. He was arrested during a raid on his Johannesburg office.

● In a statement yesterday the Commissioner of Police, General Hennie de Witt, said the police were "fully aware" of proposed plans by some people and organisations to disrupt public order this weekend by "so-called resistance actions".

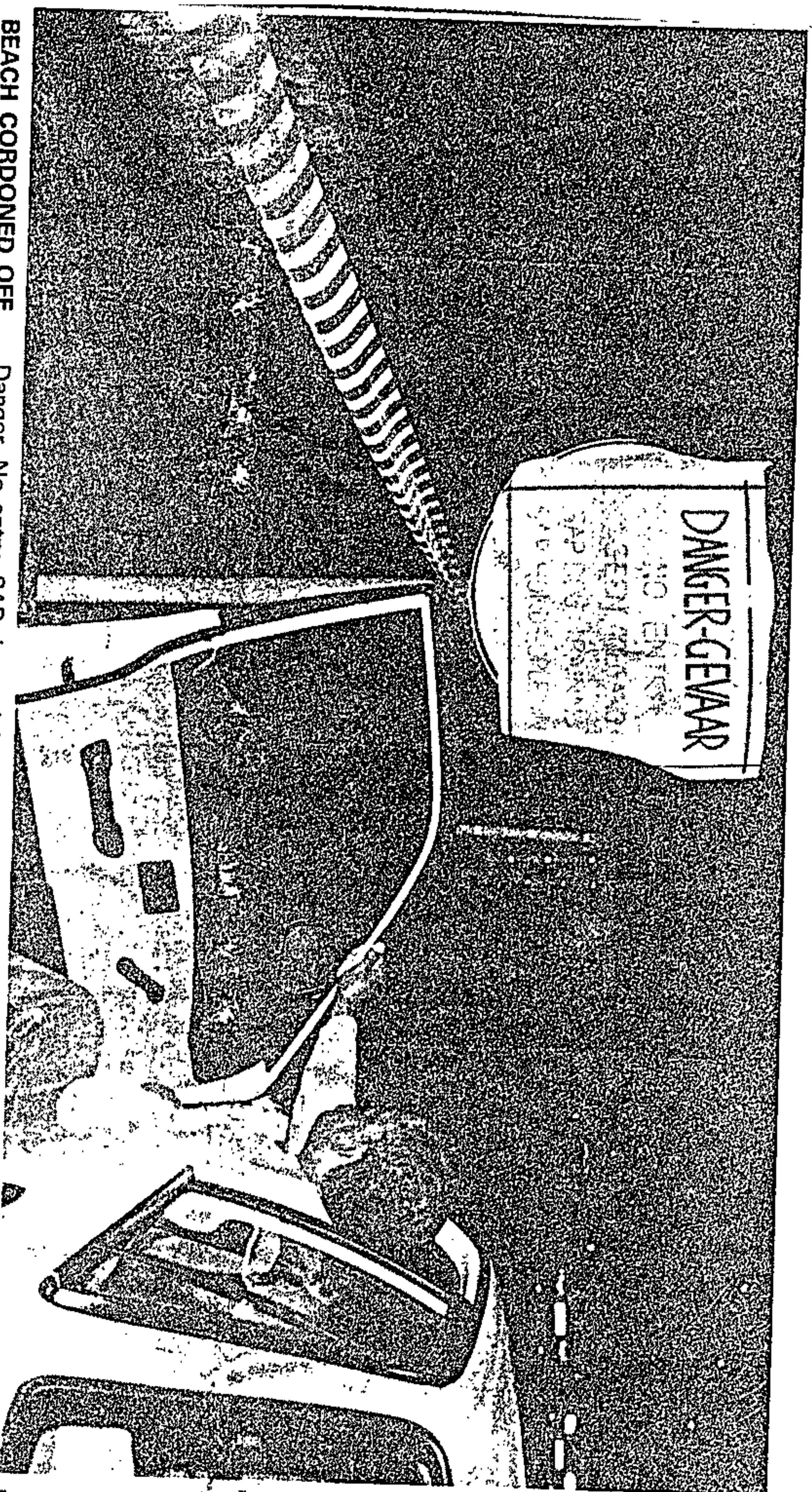
"Recent events point conclusively to the fact that certain people and organisations want to create a situation forcing the police to use violence to maintain public order."

He said incidents of violence were again breaking out in various parts of the country, especially the Western Cape where large-scale disruption, intimidation and damage to property were occurring.

● A Western Province Council of Churches rally to "unban banned organisations", scheduled to have been held at the University of the Western Cape tomorrow, has been banned by police.

The Anglican Archbishop of Cape Town, the Most Rev Desmond Tutu, has condemned the banning and announced a church service to be held in its place at St George's Cathedral on Sunday at 3pm. — Sapa, Staff Reporter and UPI





**BEACH CORDONED OFF ... Danger.** No entry. SAP dog training, says the sign at Strand beach. Last night the beach was sealed off by police in an attempt to pre-empt a mass protest against beach segregation today.

Picture: OSED ZILWA

**crack of dawn**

# UDF man held, city rally banned

CM 7-15 19/88 (2) (2)

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# Detainee's 39-day fast

By CONNIE MOLUSI

A DETAINEE held under the emergency regulations, Abednigo Mpempe, of Schweizer-Reineke is believed to be on his 39th day of hunger strike today.

Mpempe, who was detained on July 12 this year, has claimed in a letter sent to his family that he embarked on a hunger strike immediately after he was detained.

Mpempe said he had been transferred from Schweizer-Reineke to Grootvlei prison in Bloemfontein where detainees on hunger strike are kept.

This makes Mpempe the detainee who has been on hunger strike the longest. Sandile Thusi of Durban was on strike for 37 days.

A Prisons Department official said he was aware of the circumstances of the case, but declined to comment further.

Mpempe's lawyers said he was initially detained

## Longest hunger protest so far

under the Internal Security Act.

Lawyers have been granted permission to visit Mpempe tomorrow.

The Human Rights Commission said Mpempe was the latest in a series of detainees prepared to risk everything to secure their release. "We are concerned about the health and wellbeing of Mpempe who is a victim of this unjust practice

and demand his immediate release from detention."

Meanwhile in Transkei, doctors have said they will not examine detainees on hunger strike while they are manacled.

About 11 detainees are on hunger strike and two of them, Aga-Khan and Richard Tokwe have been admitted to Umtata General Hospital.



File 21/8/89

## 28 MDM protesters win battle for bail

DURBAN — Lawyers acting for 28 Mass Democratic Movement protesters, arrested in Durban on Saturday, later won a heated battle with the Department of Justice for bail applications to keep their clients out of prison.

Sixteen people were arrested while protesting outside the Elangeni Hotel against the World XV's rugby tour, where the players were staying. Another 12 people, all Cosatu members, were arrested at an anti-Labour Relations Amendment Act rally in Beatrice Street.

One of the attorneys, Miss Linda Zama, said she was advised at about 10 am by a Colonel Brandt of the police that her clients were to be charged for attending an illegal gathering, and that they could be released on R200 bail.

"Then as we were paying bail at about 2 pm a phone call came through from the Department of Justice in Durban saying that no bail was to be granted until the accused appeared in court."

The lawyers argued that the department had acted in bad faith and ought to arrange an immediate application under the circumstances.

"After a lot of persuasion by our senior counsel, the senior public prosecutor (Mr A Oberholzer) finally agreed to hold the bail application," said attorney Mr Krish Govender.

A magistrate arrived, the application was heard at 10 pm and bail was set at R100. — Sapa.

# Hunger strike

OBED Mpebe, detained under the state of emergency in Schweizer-Reineke in the Western Transvaal on July 12, started a hunger strike immediately after he was detained, the Johannesburg based Human Rights Commission said at the weekend.

In a statement to Sapa, the HRC said that his family had received a letter stating that he had begun to fast, that he was transferred to Grootvlei Prison in Bloemfontein and that he was still on hunger strike.

"This means that he has now been on hunger strike for 37 days. He has not yet been granted permission to receive visits from his lawyer or his family," the statement said.

"Mr Mpebe is the latest of a series of detainees prepared to risk everything to secure their release."



# I'd do it all again says striker

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Sowetan 23/8/89

A FORMER prison detainee who participated in a 33-day hunger strike said he would do it again, even though he now suffers permanent physical effects as a result of his long fast.

"Hunger strikes are the only weapon available to detainees," said Mr Tozamile Taai (45), of Tembisa.

"My body is weak and my life has changed dramatically since my hunger strike, but I still believe I did the right thing."

One of the first prison detainees to go on a hunger strike, Taai said his eyesight and concentration had deteriorated as a result of doing without food and essential nutrients for 33 days.

"I find it very difficult to concentrate and I forget things quickly. I'm also not as strong as I used to be. I'm continually tired and lethargic, and I've suffered fits for the first time in my life. My eye-

## SOWETAN Correspondent

sight has deteriorated and I no longer see very well, even though I'm wearing a stronger pair of spectacles."

Taai, who suffers from diabetes, said he is now unemployed and living as a pensioner after being declared medically unfit by South African Transport Services (Sats).

## Reason

"They (Sats) cited my diabetes as the reason for declaring me medically unfit, but I have always been a diabetic. My health really deteriorated after the hunger strike."

Describing the agony of doing without food for a long time, Taai said he

began his long fast on December 14, 1987.

"The first day was not too bad, but on the second day I was very hungry and thirsty. The third day, however, was better because I did not feel as hungry, and by the fourth day I had started to feel nothing."

"After three weeks I started suffering from terrible stomach cramps, and by the fourth week I was so weak I could

hardly move. Walking had become very difficult, and I felt dizzy and light-headed from the smallest physical exertion."

One of the doctors involved in the treatment of detainees who participated in this year's massive hunger strike confirmed that Taai could be suffering from permanent physical side effects as a result of his long period without food.

"Vitamin deficiencies can cause all sorts of medical problems, some of which can be permanent. Mental changes, such as a loss of memory, can be permanent and so can a deterioration in eyesight. Diabetes, if uncontrolled, can affect a person's eyesight, but so can a hunger strike."

DIERKLOOF.



Yesig.1. deteriorated after long "fast"

# I would do it again, says hunger striker

By Sue Olswang

A former detainee who participated in a 33-day hunger strike said he would do it again, even though he now suffers permanent physical side effects as a result of his long "fast".

"Hunger strikes are the only weapon available to detainees," said Mr Tozamile Taai (45), of Tembisa.

"My body is weak and my life has changed dramatically since my hunger strike, but I still believe I did the right thing."

One of the first detainees to go on a hunger strike, Mr Taai said his eyesight and concentration had deteriorated as a result of doing without food and essential nutrients for 33 days.

"I find it very difficult to concentrate and I forget things quickly. I'm also not as strong as I used to be."

"I'm continually tired and lethargic, and I've suffered fits for the first time in my life."

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Mr Taai, who suffers from diabetes, said he is now unemployed and living as a pensioner after being declared medically unfit by South African Transport Services (Sats)."

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Describing the agony of doing without food for a long time, Mr

Taai said he began his long fast on December 14, 1987.

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"After three weeks I started suffering from terrible stomach cramps, and by the fourth week I was so weak I could hardly move. Walking had become very difficult, and I felt dizzy and light-headed from the smallest physical exertion."

Mr Taai said he was admitted to hospital on the sixth day, where his condition was monitored on a daily basis.

"I had stopped taking insulin for my diabetes because I was not eating, but by that stage I did not care whether I lived or died."

## Regained some weight

Stocky and "well-covered" before his hunger strike, Mr Taai said he lost at least 17 kilograms during the 33 days without food. He had small amounts of water every second or third day.

"I have regained some of the weight, but I'm certainly not near the size I was before," he said.

A former South African Railways and Harbour Workers Union (SAHWHU) shop steward, Mr Taai told The Star he was detained at "Sun City" (Diepkloof prison) for nine months.

He was arrested in East London on April 21 1987, and was re-

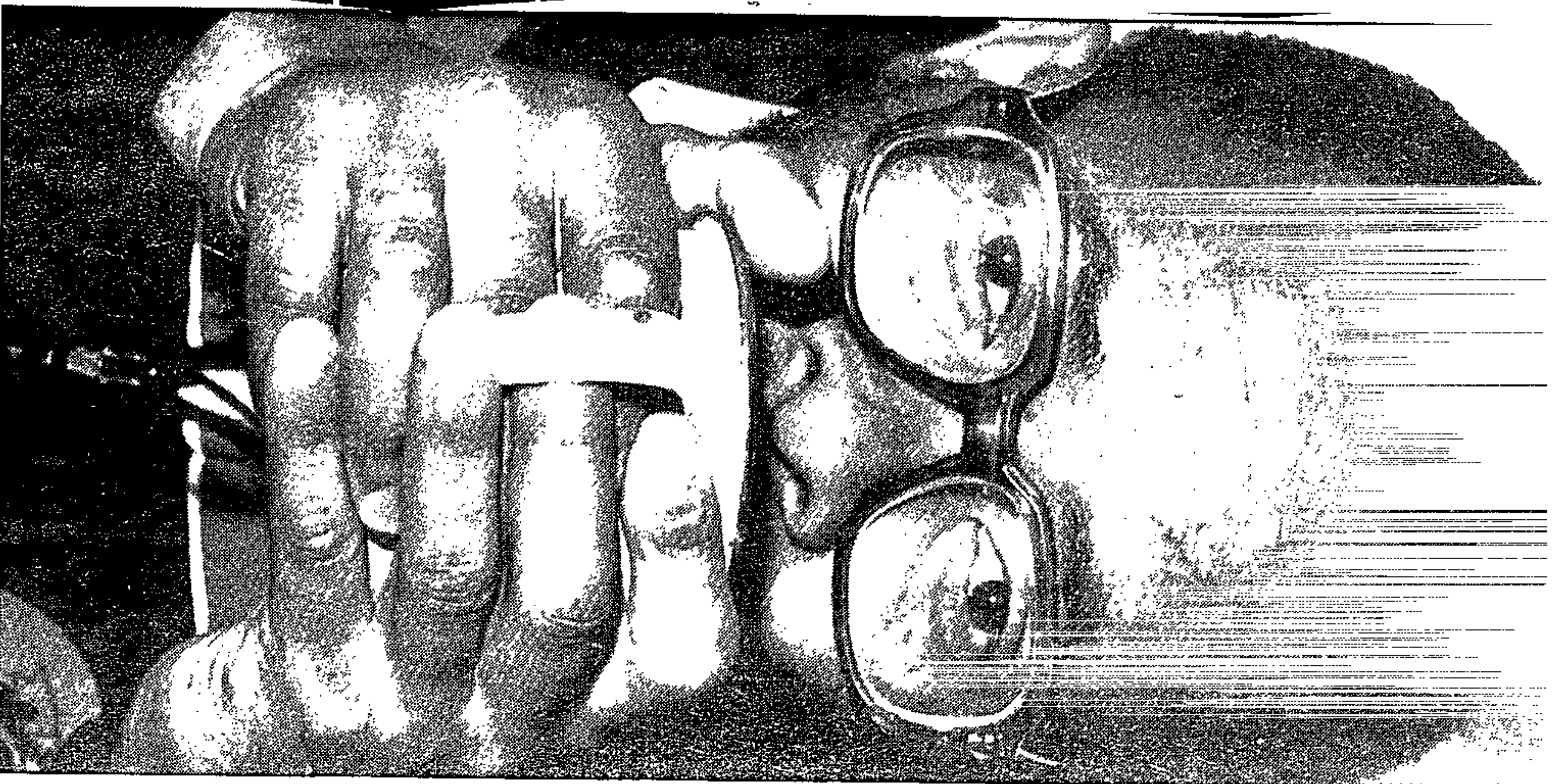
leased in Johannesburg on January 25 1988. Mr Taai said all charges against him were withdrawn before his release.

One of the doctors involved in the treatment of detainees who participated in this year's massive hunger strike confirmed that Mr Taai could be suffering from permanent physical side effects as a result of his long period without food.

"Vitamin deficiencies can cause all sorts of medical problems, some of which can be permanent. Mental changes, such as a loss of memory, can be permanent and so can a deterioration in eyesight. Diabetes, if uncontrolled, can affect a person's eyesight, but so can a hunger strike."

A recent study conducted by the Health Crisis Committee (HCC) on the physical and mental consequences of a hunger strike found the strikers had suffered severe mental and physical breakdown.

The HCC's report, which was presented at the annual conference of the National Medical and Dental Association (NAMDA), based its study on a sample of 33 hunger strikers from two Johannesburg hospitals. All the strikers were in excellent physical condition before beginning their fast, but within days most had suffered severe dehydration and an average weight loss of 420 g a day. The average age of the patients studied was 25 years and 25 per cent of them had been detained for longer than one year.



Permanently weakened by his 33-day hunger strike, former detainee Mr Tozamile Taai still battles to find the energy to drink a cup of water.

Picture by Herbert Mabuzo.



# Stoning of city firemen

EMERGENCY UPDATE

## Staff Reporters

A FIRE engine attempting to put out a barricade of burning tyres in Athlone was stoned, causing damage estimated at several thousand rands, in a spate of incidents in the Peninsula linked to the defiance campaign.

Most of the incidents yesterday involved high schools, and police said a "lengthy unrest report" was still being compiled.

The fire engine was called at 2.15pm to extinguish a burning barricade in Belgravia Road, Athlone, but constant stoning by a group of youths prevented firemen from dousing the flames, a fire department spokesman said.

Fire officer Kenny Marais of the Wynberg division was in charge of the vehicle.

## "Dented all round"

He said today that he and his team of five men had been sent to extinguish burning tyres in Jan Smuts Drive and had been told about a second fire in Belgravia Road.

"When we arrived there were quite a number of tyres burning in the road.

"We were about to extinguish the fire when about 300 schoolchildren started stoning us, and we had to pull out in a hurry."

The engine's beacon, one headlight and driver's mirrors were smashed and it was dented "all round", he added.

Because they were parked on a corner, they were able to leave quickly but had to abandon some gear which was later retrieved by the police.

Tyres were also burning outside Rylands High in Athlone as police directed traffic.

At Bellville South, a large number of stone-throwing incidents were reported. Total damage caused to vehicles was extensive, the SA Police public relations division said in its latest unrest report today.

Vehicles damaged include police and private vehicles, as well as a delivery vehicle, a bus and an ambulance.

No injuries were reported. On a number of occasions, police used either tearsmoke, quirts, rubber bullets or birdshot (or a combination of these) to disperse mobs.

At Ravensmead, several stone-throwing incidents and a couple of illegal gatherings were reported.



**BITTEN:** The Rev Frank Manley of Bothasig shows his wounds and the trousers he wore when he was attacked by police dogs during an MDM protest at the Strand beach on Saturday. **Full report, page 3.** Picture: WILLIE de KLERK, The Argus.

## Illegal gatherings

A number of private vehicles were damaged in the stone-throwing incidents as were a police vehicle, a bus, a delivery vehicle and a post office vehicle.

A white man and a coloured man were injured in separate stone-throwing incidents. Police used tearsmoke on two occasions and rubber bullets on one occasion, to disperse mobs.

At Mitchells Plain, a few stone-throwing incidents were reported and also a couple of illegal gatherings. No injuries were reported and damage caused was minimal.

A coloured man was arrested after he had allegedly stoned a private vehicle. Police used tearsmoke to disperse some of the mobs and on one occasion, quirts were used to disperse an illegal gathering.

In another incident, prominent Mass Democratic Movement activist Mr Graeme Bloch was dragged into a vehicle by a security policeman soon after having spoken about the education crisis at Cape Town schools, according to Mr Jan van Eck, the Democratic Party MP for Claremont.

## UWC lecturer

Mr Bloch is a lecturer at the University of the Western Cape and a member of the Western Cape region of the Union of Democratic University Staff Associations, which condemned his detention and called for his immediate release.

Mr Van Eck said he and Mr Bloch had been leaving St George's Cathedral after a lunchtime meeting yesterday, when the incident occurred.

UWC rector Professor Jakes Gerwel condemned Mr Bloch's detention.

At Elsiesriver, a number of

(Turn to page 3, col 7)

## Stoning of city firemen

stone-throwing incidents and illegal gatherings were reported.

A number of private vehicles and a police vehicle were damaged but no injuries were reported. Police arrested a youth after a stoning incident.

On two occasions police used tearsmoke to disperse mobs and on one occasion, a rubber bullet was used.

At Mannenberg, three stone-throwing incidents were reported. Some damage was caused to police vehicles but no injuries were reported. In all three incidents, tearsmoke was used to disperse the stone-throwers and on one occasion, rubber bullets were also used.

At Bonteheuwel, two stone-throwing incidents were reported in which a private vehicle and a delivery vehicle were damaged. No injuries were reported.

At Belhar, police used tearsmoke to disperse a mob who threw stones at police vehicles. No injuries or damage reported.

At Guguletu, a number of

stone-throwing incidents were reported in which private vehicles, police vehicles and delivery vehicles were damaged.

Two private vehicles and a delivery vehicle were set alight in separate incidents. Total damage caused was extensive. No injuries were reported. Police used tearsmoke on a number of occasions to disperse mobs.

At Ikageng (Potchefstroom) a police vehicle was damaged in a stone-throwing incident.

At Kwa Thema (Springs) a number of post office vehicles were damaged in three stone-throwing incidents. In one incident, two white men were slightly injured and in another, a black man was hurt.

In Durban, 11 whites (six men and five women) held a placard demonstration outside the Royal Hotel. They also distributed pamphlets calling on people not to undergo national service.



Southern 24/8/84

# HRC lists police action

THE Human Rights Commission has issued a list of what it says are the latest detentions of people and bannings of meetings.

A statement issued by the HRC yesterday gave the following list:

- Mohammed Valli Moosa, acting general-secretary of the UDF was detained from his office in Braamfontein under emergency regulations on August 18.

- Also on August 18, a small group of people singing outside the building in protest against Valli's detention were ordered to disperse by police.

- On August 19 ten people were arrested and demonstrators sjamboked by security forces in Johannesburg as the Mass Democratic Movement demonstrated against Valli's detention.

- In Durban 16 people were arrested on August 19 while protesting against the World XV's rugby tour.

- The SAP and SADF used quirts and batons to disperse demonstrators at the Strand and at the Bloubergstad "whites only" beaches in the Western Cape on August 19.

- MDM rallies at Wits and Rhodes universities, where restricted organisations intended to unban themselves, were banned.

- Police enforcing the banning at Wits University beat students and arrested 20.

- Police prevented 10 buses and several taxis from getting to a meeting at St George's Cathedral in Cape Town to celebrate the UDF's 6th birthday, until an urgent interdict against the police could be obtained.

"The violence that we have been seeing in the last few weeks has been on the part of the security forces. They have interfered in peaceful and legitimate protests by using undue and unreasonable force.

"Mr F W de Klerk recently said that the time is ripe for reconciliation and negotiation with the black leaders in South Africa and has also appealed to black leaders to come forward to discuss obstacles to negotiation.

"If De Klerk is sincere in his desire for reconciliation and for negotiation, then he should be talking to Mr Valli Moosa and other recognised leaders rather than detaining them," the commission said. - Sapa.



## Former detainee 'harassed'

A Johannesburg firm of attorneys has sent a telex to the Commissioner of Police, General Hennie de Witt, drawing his attention to the alleged harassment of a restricted former detainee who lives in Potchefstroom.

They said two men knocked at the home of Mr Zacharia Molekane at about 9 pm asking to see him.

The two men pulled Mr Molekane out of the house towards the gate shining a torch on his face.

The alleged policemen said they knew Mr Molekane had been attending meetings in Johannesburg and that soon he "will get what he wants".

The lawyers have asked General de Witt to investigate. *gm*

*24/9/89*

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15-31/8/89

## 7 held at Turf

By PHIL MOLEFE

TWO more student leaders at the University of the North (Turfloop) were detained yesterday, bringing to seven the number of detentions there in the last 10 days.

SRC members V Kgomoewana and C Lethole were detained yesterday.

Last week SRC president, Ernest Khosa, vice-president Abby Dlavane and three staff members — lecturers Louis Mnguni and Seth Nthai and former librarian Joyce Mabudafhasi — were detained.

Mnguni was redetained five months after being released from 33 months Emergency detention.

The police public relations division said last week those detained were not being held under security legislation but they could not say whether the staff and students are being held under Emergency regulations as "this office does not confirm emergency detentions".

The detentions followed in the wake of the closure of the university last Friday after students boycotted lectures for a week.

●Yesterday the public relations department of the university said the campus would reopen on Monday



CAPE TOWN, 25/8/89 329

# Council 'against detaining peaceful'

By PETER DENNEHY

CAPE TOWN City Council is opposed to the detention of those who peacefully express views, according to the Deputy Mayor, Mr Gordon Oliver.

Mr Oliver was speaking at a Free the Children Alliance meeting in the Civic Centre yesterday.

"As the incoming mayor, I would like personally to find every opportunity of drawing alongside all those who are working for a just society," he said.

He asked all Capetonians to work for peaceful solutions and urged police to exercise "the greatest restraint possible".

Mrs Jenny de Tolly of the Black Sash expressed deep concern for the children of Cape Town.

Mr Essa Moosa of the National Association of Democratic Lawyers said about 50 children were currently being held in terms of emergency regulations, and more than 50 had recently been charged with public violence.

He read out affidavits in which schoolchildren described how they had tried unsuccessfully to avoid whippings by taking refuge in taxis, and how others had hidden under a bed in a locked house to no avail.

Mrs H Oosterwyk, a Mitchells Plain parent, said that within the past month teargas canisters had landed in a crèche at Mondale Senior Secondary.

# Suttner leaves SA and defies restriction

By GAVIN EVANS

HEAVILY restricted United Democratic Front leader Raymond Suttner used his passport to leave South Africa — and may not return for several months.

Suttner, 44, defied his Emergency restriction order to join the "mass democratic movement's" delegation to the Organisation of African Unity conference in Harare.

"He left the country legally on Sunday and will remain abroad for a while to focus on issues relating to the OAU's declaration on negotiations," UDF acting publicity secretary Murphy Morobe said yesterday.

His last attempt at travelling to Harare legally was blocked when he was detained under the Emergency regulations at Jan Smuts airport on June 12 1986. After 816 days in solitary confinement he was released with a restriction order which required him to report every morning and afternoon to a police station.

It also banned him from leaving the Johannesburg magisterial district and prevented him from carrying out his job as a lecturer or from meeting with more than three people.

"Ray had to make the choice between rotting away in his flat or developing his expertise and using it for the benefit of South Africa's people by advancing our positions on negotiations. He courageously chose the latter option," Morobe said.

He said Suttner would be travelling abroad where he would focus his attention on the issue of negotiations.

"The basic issue is that he sees himself as developing an affirmative approach to this question. If the government has any sincerity on the issue of negotiations it will not charge him when he returns."

Suttner, who served as the UDF's Transvaal education secretary before his last detention, is an advocate and senior law lecturer at Wits University. He co-authored the book *Thirty Years of the Freedom Charter* with Jeremy Cronin.

"Mr Suttner's restriction order is of doubtful legal validity. Nor can I think of any persuasive moral argument why Mr Suttner should consider himself bound to comply with it," said Etienne Mureinik, acting dean of the law department at Wits.

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Wmail  
25-31/8/89



# Activists didn't bank on manager

By VIVIAN REDDIAR

CRW 27/8/89

TWO anti-apartheid activists were arrested in Cape Town yesterday when they tried to close their accounts with First National Bank, sponsors of the SA Rugby Board's Centenary World XV tour.

And 20 others were arrested by riot police after they confronted Willie John McBride, the manager of the touring team.

The two activists, Willy Hofmeyer and Dawood Khan, and about 25 demonstrators went to the bank's head office in Cape Town where they were confronted by police armed with batons and teargas.

After Hofmeyer and Khan were arrested, the bank's manager, Eddy Kriel, closed the bank and phoned police to ask them to release the two.

He said the demonstrators had behaved peacefully. "The people wanted to make a point to us."

Meanwhile, amid reports from Cape Town that sportspeople and the Western Cape Traders Association decided to withdraw their accounts from FNB, the bank said it would not withdraw its sponsorship "at this late stage".

It rejected the view that the tour was a "rebel" tour, and pointed to its sponsorship of a National Soccer League competition and its funding of the FNB Stadium as evidence of its support for the community.

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Wmail

25-31/8/89

# If you'd been here, 'birthday boy', you'd have loved it

By AUDREY BROWN

MORE than 700 people went to the birthday party — but the "birthday boy" wasn't there.

Rivonia trialist Ahmed Kathrada's 60th birthday was celebrated with a great deal of festivity by old friends, including veteran activists Helen Joseph and Issu Chibba. They reminisced about Kathrada's sense of humour and his life as a young man in a small Western Transvaal dorp.

It was a birthday party in the true sense of the word, complete with birthday cake (decorated in ANC colours and bearing a hammer and sickle emblem) and songs rendered by his two nieces, except for the fact that Kathrada was in prison, where he has been for the past 26 years.

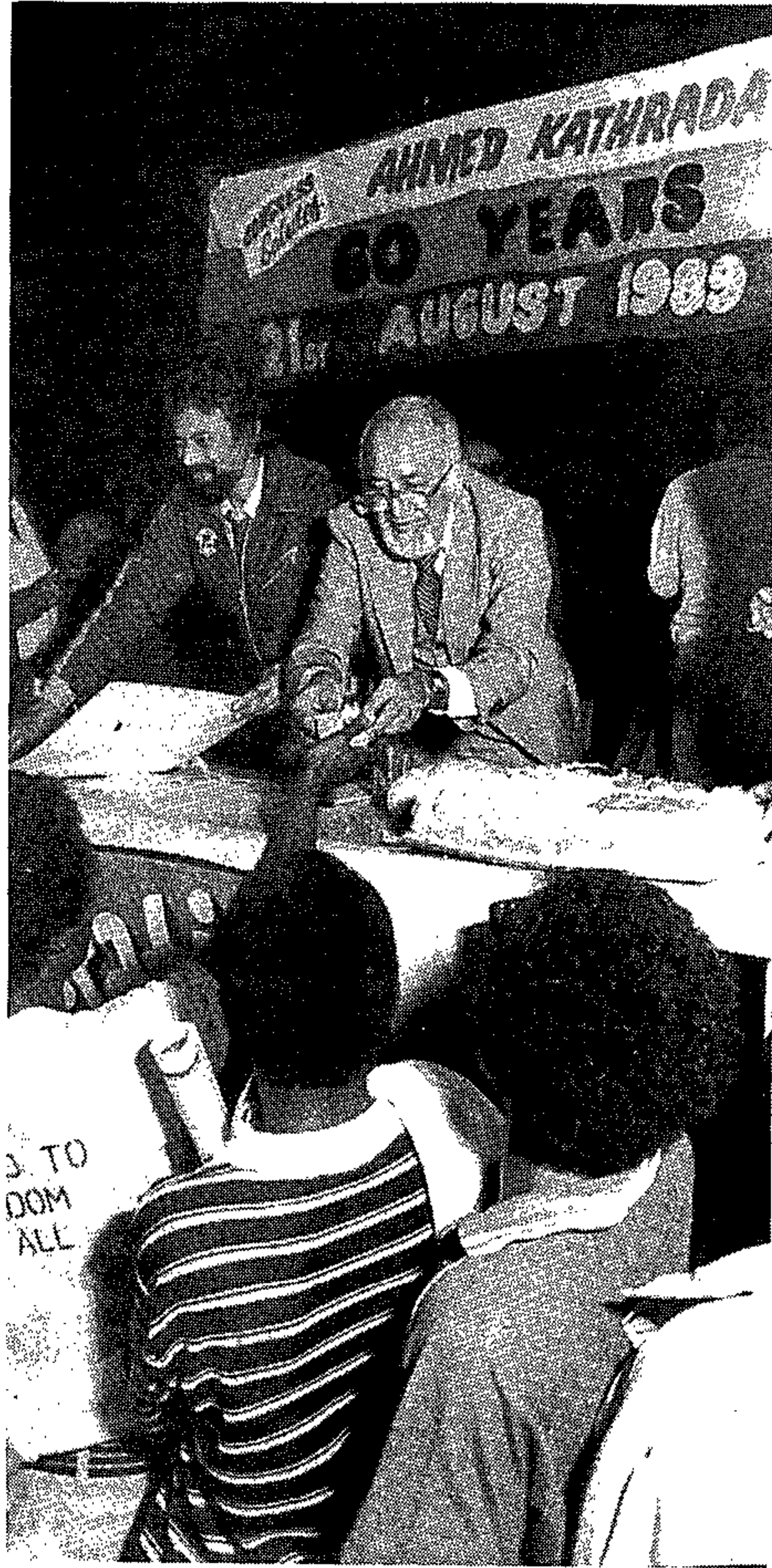
Some of the songs, sung in Urdu, were composed in honour of Kathrada and birthday greetings were sent from the South African Communist Party, the African National Congress and Transvaal president of the United Democratic Front, Albertina Sisulu, who addressed Kathrada as "son".

The celebration was organised by the Transvaal Indian Congress, and over 700 people — many of them wearing UDF T-shirts — gathered at the Selbourne Hall in Johannesburg to listen to, among others, Congress of South African Trade Unions (Cosatu) president, Elijah Barayi, UDF patron Helen Joseph and national chairperson Curnick Ndlovu speak about the elections, the defiance campaign and, of course, about Ahmed Kathrada.

A singing crowd welcomed Joseph, who came in a wheelchair and spoke about Kathrada, a great defier.

TIC vice-president Chibba, who had spent 20 years on Robben Island with Kathrada, said: "He was a powerful youth leader who formed lasting personal ties with prominent communists of our time. His dynamism and militance is a reflection of the same qualities in our youth today."

"We embrace you in our imagination with love and reverence, and await your return," he added.



Cutting the cake: Transvaal Indian Congress officials hand out goodies

Picture: CEDRIC NUNN, Afrapix



# Trevor Manuel detained

Staff Reporters

LEADING Western Cape activist and United Democratic Front figure Mr Trevor Manuel was detained at his home early today, lawyers have confirmed.

Mr Manuel joins fellow restrictee Mr Willie Hofmeyr in detention and, according to their families, both are on hunger strike.

The detention of well-known Guguletu lawyer and UDF executive committee member Mr Bulelani Ngcuka was also confirmed today.

Meanwhile, anti-apartheid church leader Dr Beyers Naude today began talks with American embassy officials in an effort to secure the lifting of restrictions on political activists, reports Sapa.

Dr Naude said that restrictions had badly affected the lives of many activists.

## PRESSURE

In one example, Daniel Montsitsi, a former UDF executive member, had been unable to find employment since curbs were imposed on him.

Dr Naude said he would ask American embassy officials to put pressure on the government to lift the restrictions.

Mr Montsitsi accompanied the former South African Council of Churches general secretary for the talks held at the American Consulate in Johannesburg.

● University of the Western Cape rector Professor Jakes Gerwel and Athlone principal Mr Randall van der Heever have supported a call by Archbishop Desmond Tutu to young people not to "undermine a noble struggle by being provoked into acts of violence like stone-throwing and the burning of barricades and tyres".

They also called on police to act with more restraint.

At a service in Silvertown, Athlone, yesterday, Archbishop Tutu said the struggle for justice and peace in South Africa was a religious one in which "we have to use methods that will be acceptable to God".

(Turn to page 3, col 8)

Friday August 28 1989 3

# Trevor Manuel detained

(Cont from page 1)

● Labour Party leader the Rev Alan Hendrickse meets Minister of Law and Order Mr Adriaan Vlok today for urgent discussions on the Western Cape unrest.

Mr Hendrickse said that his discussions with Mr Vlok would centre on the unrest in Cape schools.

● Brigadier Leon Mellet, spokesman for Mr Vlok, today confirmed the meeting with Mr Hendrickse. He said police were not quite sure what to expect from the MDM's defiance campaign this week.

Early signs were that no blacks had yet boarded white buses in Pretoria in a planned protest against the city's segregated bus services.

Brigadier Mellet said he expected the defiance campaign against the elections to begin in earnest only on September 2.

That is when the MDM has vowed to stage a mass march on parliament from the surrounding black townships.

He warned that police would prevent the march and vowed that the elections would "go off smoothly".

CMF-Tunis 28/8/89 (329)

## Names of 40 school detainees published

Staff Reporter

LAWYERS, parents and the Repression Monitoring Group have compiled a list of 40 school pupil emergency detainees in the Western Cape region, some as far afield as Oudtshoorn, who have been detained since July 18:

Gloria Veale, 19, of Glendale Senior Secondary; Ronald Jacobs, 17, of Glendale; Walleen Mostert, 16, of Mondale Sen Sec; Freda Mostert, 18, of Mondale; Estelle Leonard, 18, of Glendale; Jacques Baartman, 18, of Cedars Sen Sec; Siraaj Ebrahim, 18, of Glendale.

Eugene Paramour, 17, of Excelsior Sen Sec; Denver Christians, 18, of Bellville Sen Sec; Errol April, 19, Weesco office worker; Neil Mentor, 18, of Cedars Sen Sec; Emile Koopman, 17, Eslin Park Sen Sec in Worcester; Boris Nel, 18, Isak Ockhurs, 19, and Jan Swarts, 19, all of De Kruinen Sen Sec in Touws River.

Mzukisi Mdidimba, 19, of Vusisizwe Sen Sec in Worcester; Tony Jacobs, 23, of Simon Hebe Sen Sec in Paarl; Warren Carolus, age unknown, of Paulos Joubert in Paarl; Patrick Diedrich, 17, of Paulos Joubert; Basil Mtungana, 18, of I D Mkhize in Cape Town; Andre Bruce, 17, of Beacon Hill Sen Sec in Mitchells Plain.

Faiz Jacobs, 16, of Beacon Hill; Marius Koopman of Fred Duam Sen Sec in Ceres; Trevor Vergontinie, 17, of Fred Duam; Charlene Hess, 19, Pieter Buffel, 18 and Francois Jurgens, 19, all of De Kruinen.

Leonard Mgaju, 22, Thobile Jacobs, 20, Linda Saki, age unknown, Vuyo Grootboom, age unknown, and Danile Pikinini, 20, all of Simon Hebe Sen Sec in Paarl.

Iris de Kock, 17, of Paulos Joubert; Warren Julies, 16, of Cedars; Chelesta Du Plessis, 16, and Anthony Hurley, 17, of Mōrestër Senior Secondary in Oudtshoorn; Katriena Jacobs, 19, Katriena Booysen, 19, Abraham Stuurman, 16, and Henry Daniels, 16, all of De Kruinen Sen Sec in Touws River.

Two from Lavender Hill and two from Robertson, whose detentions have not yet been confirmed, were not included in the list of 40 pupils. Three Cape Town young men who are no longer at school — Desmond Stevens, 22, Brian Handel, 19, and Jerome Hofman of Elsie's River — have also been excluded.

Seven detained University of the Western Cape students — Melvyn Martin, Deon Haynes, Allan Paulse, Lloyd Fortuin, Jacobus Cornellisen, Attie Rens and Peter January — have also not been listed, as they are not school pupils.

Three teachers — Mr Timothy Ndzuzo and Mr Julius Allah of Simon Hebe and Mr Gareth Rossiter of St Francis — and UWC lecturer Mr Graeme Bloch have also been detained.

A police spokesman in Pretoria reasserted last night that police do not comment on emergency detentions.

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# Hunger strike by detainee

CMT Times 28/8/89

329

Staff Reporter

**EMERGENCY** detainee Mr Willie Hofmeyr, who was arrested outside First National Bank in St George's Street on Saturday morning, has embarked on a hunger strike inside the Sea Point police station cells, according to his lawyer, Mr Mike Evans.

Mr Hofmeyr, whose detention has been confirmed by his father, Mr Arend Hofmeyr, was one of two people detained outside the bank under the emergency regulations about 9.30am on Saturday. The other, Mr Dawood Khan, was subsequently released, according to Pretoria police liaison officer Colonel Jac de Vries.

A protest against the bank's role in sponsoring the World XV rugby tour was underway at the entrance to the city's largest branch of the bank about the time of the arrests.

Customers were turned away from the bank and told that there had been a bomb scare. Soon afterwards all bank staff had to evacuate the building and wait on a corner of Greenmarket Square.

Bank manager Mr Eddie Kriel accompanied a National Sports Congress delegation back to Church House, next to St George's Cathedral, where he telephoned the security police and asked for the release of both detained men, according to an NSC statement issued later.

Mr Kriel was asked to confirm this last night but his wife said he was reluctant to comment.

According to the NSC statement, Mr Kriel said the bank did not wish to prosecute either of the men.

Later the same morning, 25 protesters were arrested outside the President Hotel in Sea Point where the rugby visitors were staying. Colonel De Vries confirmed that 25 people were arrested, later released and warned to appear in the Cape Town Magistrate's Court this morning.

He said police would not say whether or not Mr Hofmeyr was on a hunger strike.



**GOING TO THE BANK . . .** Mr Ngconde Balfour, centre, with a handful of silver coins in packets, outside the Adderley Street branch of First National Bank on Saturday morning. Mr Dawood Khan, who was later detained and then released, is on the left. Picture: Richard Bell

CMT Times 28/8/89

## Tutu attacks World XV rugby tour

**DUBLIN.** — Anglican Archbishop Desmond Tutu yesterday sharply attacked Irish players and officials for taking part in the World XV rugby tour.

"It has given very great joy and encouragement to the perpetrators of apartheid. They have been in the seventh heaven of delight that this tour has taken place," Archbishop Tutu told Irish Radio in a telephone interview.

"We thought you were four-square behind us. We have received a blow in the solar plexus," he said.

Archbishop Tutu said he was deeply distressed that players of the calibre of Willie-John McBride, the former Irish captain who is the tour manager, had decided to take part.

"Their bank balances are going to be considerably improved by their excursion to South Africa," he said.

In an interview with the BBC, Archbishop Tutu called for the 10 Welsh players and six officials on the tour to be ostracised on their return. — Sapa-Reuter



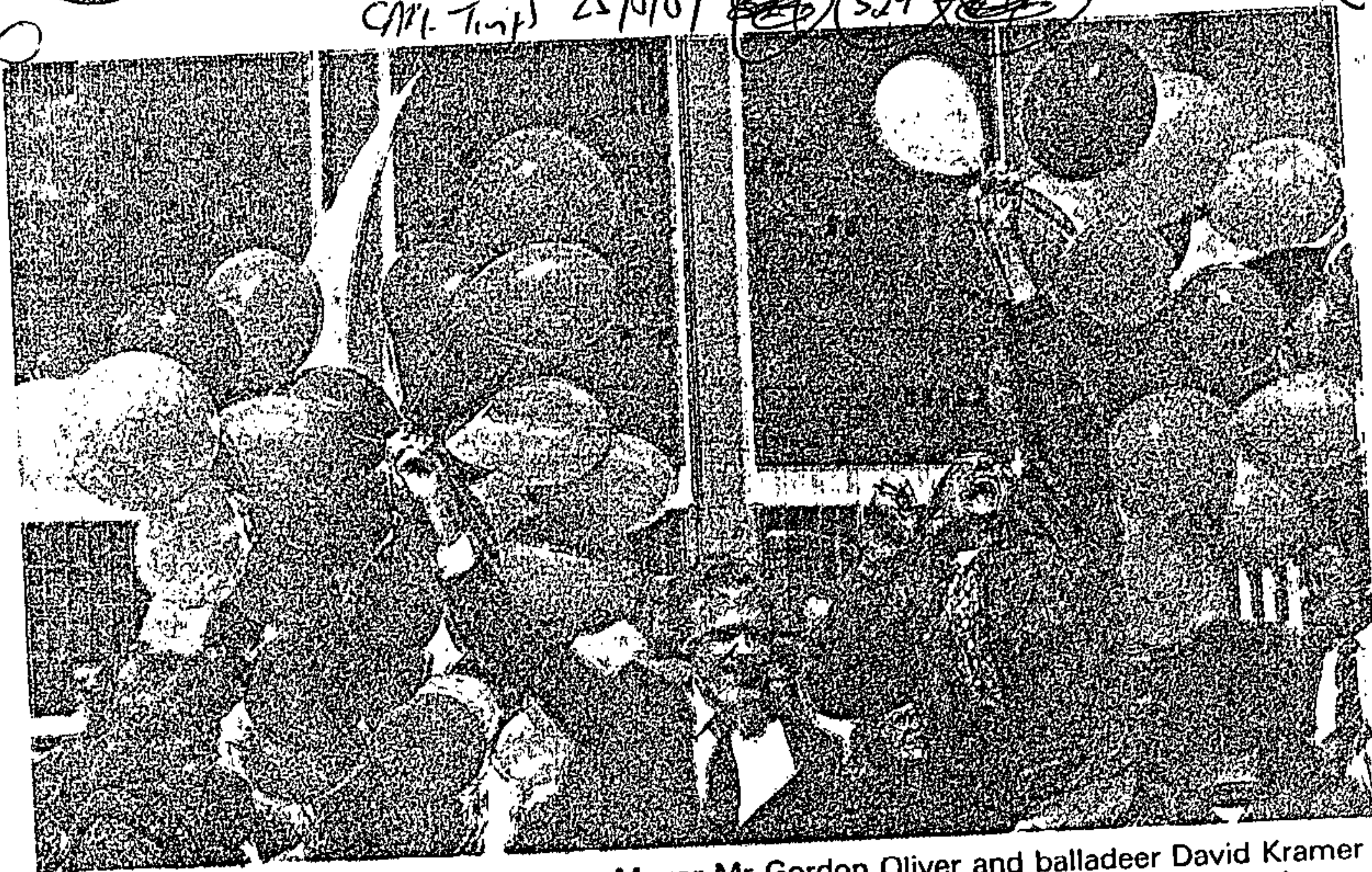
**THIRTYSOMETHING . . .** Reflecting back on past glories, members of Bok sides from the 1930s march past the grandstand.

Picture: ALAN TAYLOR



# Unrest: call to

CAPL. Timp 25/8/89 (329)



**COLOURFUL SYMBOLISM** . . . Deputy Mayor Mr Gordon Oliver and balladeer David Kramer released balloons outside the Civic Centre yesterday in sympathy with children in detention or otherwise suffering under apartheid. Balloons are used by the Free the Children Alliance as a symbol. ● Report — Page 2.

Picture: RICHARD BELL



## Manuel and Ngcuka of MDM detained

Cape Times 29/8/88 Staff Reporter 329

TWO prominent figures in the Mass Democratic Movement in the Western Cape — Mr Trevor Manuel and Mr Bulelani Ngcuka — were taken from their homes early yesterday morning and detained.

The executive of the Justice and Peace Commission of the Archdiocese of Cape Town said they were angry at the detentions. Mr Manuel had "only hours before shared very deeply his own vision and commitment to a non-racial, united, democratic South Africa at a Mass on Sunday at the Regina Coeli Catholic Church in Athlone, and later took part in a peaceful procession".

"For this reason we feel particularly close to his wife and two children and share their suffering," said a statement released by chairman Mr Joe Samuels.

• Cape Times employee Mr Azis Hartley, who attended the Cosatu/Nactu weekend trade union conference in Johannesburg in his capacity as regional treasurer of the Nactu-affiliated Media Workers' Association of South Africa (Mwasa), was held briefly at Jan Smuts Airport on Sunday evening.

He was questioned and several conference documents he was carrying with him were photostated.

# Detainees 'go hungry'

329

*Sowetan 30/6/84*  
DETAINEES held in Venda police cells are starving and are being refused access to doctors, according to a letter smuggled out of the cells.

The letter, written by the detainees last week, said food supplied by the state was so bad "even dogs could not eat it". Detainees rely on supplies from relatives but this is only brought on alternate days, leaving them with no food for the whole day at times, the letter stated.

"The police no longer take us to hospital even when we complain about illness. It is very tough and we are suffering," the letter added.

The commander of the security branch in the homeland, Major General G T Ramabulana, denied

By MATHATHA  
TSEDU

the allegations yesterday. He said detainees were constantly being taken to hospitals for treatment. Some detainees were presently in hospital for various ailments, Ramabulana added.

He said food supplied to detainees by the state was approved by dieticians and was nutritious. He said the police had recently upgraded the diet. No detainee had ever complained of assault, he added.

There are presently over 120 detainees being held in the homeland in terms of section 28 of the Maintenance of Law and Order Act. They include priests, government officials, workers, activists, students and pupils. They were detained following a call for a worker stayaway to protest earlier detentions and the "independent" celebrations.

Relatives of detainees have complained of police treatment when supplying food. They also said food containers were never returned. All families have to take food to the Thoho Ya Ndou police station from where it is transported in police

vans to the various police stations.

General Ramabulana said food containers were always given back to relatives when available. He said food distribution was centralised by the police to assist families

whose relatives were being held far from their homes. "It is only maybe in less than five cases, like the one you quoted where the family is adversely affected by this arrangement," Ramabulane said.

CUT HERE





# Youths, aged 15, on violence charges

AT LEAST seven youths aged 15 and four aged 16 have been charged with public violence in the Western Cape in recent weeks.

Five 17-year-olds have been charged, according to information compiled by the Repression Monitoring Group (RMG).

The youths, who may not be named because of their age, are

mainly from schools in Mitchells Plain.

Others facing similar charges include two 18-year-olds — Warren Hartley, a Std 9 pupil at Mondale High School, and Albert Pillay, also of Mondale — and Antonio Vileite, 21, a Std 9 pupil at Mondale High.

Schools affected include Rocklands High, Glendale High, Tafelsig High, Mondale High, Portlands High, Spine Road High, Manenberg High, Lavender Hill and Diazville Senior Secondary, Saldanha.

And as the defiance campaign and

spiral of unrest spread to rural areas in the Western Cape, Paarl's Mbekweni and coloured townships are again hardest hit by detentions.

By the middle of this week, 19 detentions had been confirmed in Mbekweni and the coloured areas in terms of the state of emergency.

The focal point of tension in Mbekweni is the Simon Hebe High School, where several teachers and pupils have been detained.

They include prominent community leader and acting principal of Simon Hebe, Timothy Ndzu.

Ndzu was full-time principal until

earlier this year when he was replaced by a white principal, Mr Gerrit Visser.

Visser's appointment has since been a source of tension and unrest at the school.

Other confirmed detainees in Paarl are teachers Attie Edmund Rens of New Orleans Senior Secondary School and Ntsikelelo Julius Allah, of Simon Hebe; students Jakobus Cornelius, Peter January, Lloyd Wessley Fortuin, Allan Anthony Paulse, Deon Heyns, Daniel Pikinini, chairperson of the Paarl Youth Congress, and pupils Melvin Godfrey Martin, Iris Dekoko 17, Skhumbuzo Mgato, a member of the SRC at Simon Hebe, Thobile Jacobs, Linda Saki, a SRC member at Simon Hebe, Vuyo Grootboom, SRC president; Tamsanqa Tiny Jacobs and Keith Jacobs, chairperson of the Paarl, Printing, Wood and Allied Workers Union.

The detention of two others had not been confirmed by the time of going to press.

Reverend Abe Maart of the Congregational Church in Paarl East said repression in Paarl had united the coloured and African communities "as never before".

"Over the years we have warned about the danger signals building up in the community and of the consequences."

The outspoken Maart, a former detainee and the target of rightwing terror activities. A smear campaign has been conducted against him and his property was attacked.

In the most recent incident, a false letter typed on an old letterhead of the Congregational Church was sent to the local newspaper, the Paarl Post.

It claimed he was "repenting" and disassociating himself from politics to concentrate on his work as a minister. He has also received several abusive letters and phone calls.

Ndzu's wife, Nondyee Sheila 28, a local higher primary school teacher and part-time UWC student, said she was annoyed by the detention of her husband and others.

At least 40 pupils have been detained in the Western and Southern Cape.

## Drama

FROM PAGE 1

tives, Allan Hendrickse, who requested Vlok to meet with the principals of schools affected by the protest action.

Several student rallies are due to take place next week and Peninsula high school students intend holding mock elections on September 4.

People have been asked to light candles in their homes between 8pm and 9pm every night next week, according to spokespersons for the MDM.

A spokesperson for Cape Democrats confirmed that an anti-elections rally will be held in the Cape Town City Hall on Monday night.

A rally organised by the Call of Islam, which was due to take place in Hanover Park on Wednesday night, was banned hours before it was due to begin.

At the University of the Western Cape, the scene of several confrontations between students and police over the past few weeks, all classes have been suspended until September 18 by the university's senate.

The senate's decision was condemned by the UWC Students Representative Council.

(Report by C Carter and M Williams, both of 95 Sir Lowry Rd, Woodstock.)



VAIN WAIT: These protesters waiting to board 'white' buses in Pretoria were ignored by busdrivers who were re-routed by transport officials

## Defiance campaign spreads across SA

PROTEST meetings and marches took place nationwide this week as the Mass Democratic Movement (MDM) intensified its defiance campaign.

In Pretoria, several campaign organisers have been threatened by right-wing vigilantes and 11 people face charges in connection with a week-long bus and taxi defiance campaign.

Drivers of buses refused to stop when they saw campaigners at bus-stops at Silverton, Unisa, Rosslyn and Koozoespoort.

In an incident in Sunnyside, two bus inspectors stopped a black man from boarding a whites-only council bus.

On Wednesday, police cordoned off a section of Church Street in central Pretoria at lunchtime on Wednesday when a large crowd refused to disperse.

A scuffle took place when members of the crowd attempted to board a Queenswood bus.

A municipal transport inspector ordered the driver to close the automatic doors and lunchtime shoppers scattered as policemen grappled with three men about to step aboard the bus.

Several people were arrested in the incident.

Meanwhile, shots have been fired at the Pretoria homes of campaign



leaders, a campaigner's car was petrol-bombed and other campaigners have received death threats.

The right-wing "Wit Wolve" organisation has accepted responsibility for the bombing and threats against campaigners.

The defiance campaign has revived many community structures in the Border region, which has been hard-hit by the state of emergency.

The border campaign began just over a week ago with a successful march to the whites-only Dutch Reformed Church in King Williams town.

Last Friday, a challenge to hospital apartheid saw more than 120 black patients being treated at East London's Frere Hospital.

On Monday, thousands of pupils from schools throughout the region issued a challenge to segregated education by attempting to march to selected white schools in the area.

In Fort Beaufort, about 3 000 students waited for more than three hours at the township's outskirts after police refused to let them pass.

Pupils from Zwelitsha township in King Williams Town were tear-gassed but managed to send a delegation to Dale College.

In Queenstown, teargas was fired at about 2 000 students after they sent representatives to Queens College.

There were violent confrontations involving students from several East London high schools.

A schoolgirl was hospitalised after she was allegedly hit by a teargas canister in the "coloured" township of Buffalo Flats.

After the disruption of Monday's marches, students held meetings at which they "unbanned" the Congress of South African Students.

A similar rally took place at a secret venue in Chatsworth, Durban, last Saturday.

One of the speakers, advice office worker Myrle Bonhomme, was detained on Wednesday morning.

Also detained in the same swoop were Trevor Bonhomme, chairperson of the Durban Housing Action Committee, and Keith Joseph of the Wentworth Advice office.

Cosatu's regional secretary, Siphoe Cele, was detained at midnight on Tuesday.

The University of Zululand was closed on Wednesday after unrest on the campus.

Students at the University of Turfloop in Pietersburg disrupted classes

this week.

The defiance campaign kicked off in the Southern Cape with a mass rally attended by about 2 000 people in the township of Brighton last weekend.

At the rally, MDM speaker Wilfred Rhodes called on the youth and civic organisations in the area to embark on the defiance campaign in a peaceful manner.

Residents were asked to fast and light candles in their houses for 48 hours in solidarity with prisoners on deathrow.

Three Oudshoorn men — Dickson Madikane, Patrick Manginda and Desmond Majola — are currently on death row.

Members of the South Cape Student Society have launched a "Save the Patriots" campaign for the Bongolethu Three and a petition is being circulated in Oudshoorn.

Oudshoorn students have said they intend marching to court where two students from the township of Morester are due to appear on charges of attending an illegal gathering.

The charges stem from a placard demonstration by students in the area last week.

(Reports by Christina Scott, 901 Tower B, Salisbury Centre, West Street, Durban; Mahaya Mani, Springbok Street, People's Corner, Oudshoorn; and Thumida Maistry, 110 Oxford Street, East London.)



# The Burgs Street protest

By DENNIS CRUYWAGEN,  
LINDA GALLOWAY and  
JOHN YELD, Staff Reporters

Churches president, Dr Allan Boesak, went home with friends.

The group was part of a bigger group of more than 170 women arrested in Burg Street yesterday.

**MRS LEAH TUTU.** Mrs Dorothy Boesak, Mrs Mary Burton, national president of the Black Sash, and an Anglican priest, Willemina Terry Jacobson, were among a group of 23 people released after appearing in a special sitting of the Cape Town Magistrate's Court early today.

Mrs Tutu left the building at 12.30am today arm-in-arm with her husband, Archbishop Desmond Tutu.

Mrs Boesak, wife of World Alliance of Reformed

The 23, like the others who

had appeared before them, were not asked to plead and released on warning, and are due to appear for a plea on October 27.

Prosecutor Mr D Moriarty told the magistrate, Mr V Gibson, that he had no objection to the 23 being released, but warned that the State would oppose bail if they were arrested on similar charges again.

Earlier, attorney Mr E Moosa, who with Mr Huxley Joshua appeared for the 23, expressed his concern and dismay that police had denied lawyers access to the accused.

"This is, as far as the accused are concerned, not only a travesty of justice, but de-layed the case."

Many of the accused did not want to co-operate with police because they did not know their rights.

"Had we been given access to them, we would not have been sitting here in the early hours of the morning."

It was not the first time that this had occurred, Mr Moosa said.

By 12.30am at least 176 people, including seven men, had appeared in two courts in front of Mr Gibson and Mr J Odendaal. Mr Moriarty and Mr J M McEwan prosecuted.

Mr B Wagley, Mr S Hockey and Mr E Moosa, of E Moosa and Associates, Mr H Joshua, Wilkinson, Joshua and Gih-wala, and Mr Alan Dodson of Mallinck, Ress, Richman and Closenburg appeared for the accused.

Yesterday, police took action against more than 100 singing and chanting women who had gathered in the city centre to protest against capital punishment.

The women were piled into vans and driven away as a crowd of several hundred people gathered in Burg Street and cheered.

The protesters, members of the Federation of South African Women (Fedsaw) and dressed in the black and green Fedsaw colours, gathered in the Metropolitan Hall at about 12.30pm.

Police sealed off Burg and Church streets and issued a warning to the crowd in terms of the emergency regulations.

Earlier, the women had issued a statement saying they intended marching to the British Embassy opposite Parliament in an appeal to British Prime Minister Mrs Margaret Thatcher to intercede on behalf of the "Ung-ton 14", the "Bongulethu Three" and other condemned prisoners.

They also intended asking Mrs Thatcher to put pressure on the South African government to curb harsh police action against protesters.

There was a strong police presence outside the hall and Burg Street was sealed off to through-traffic.

A big crowd of lunch-time workers gathered to watch.

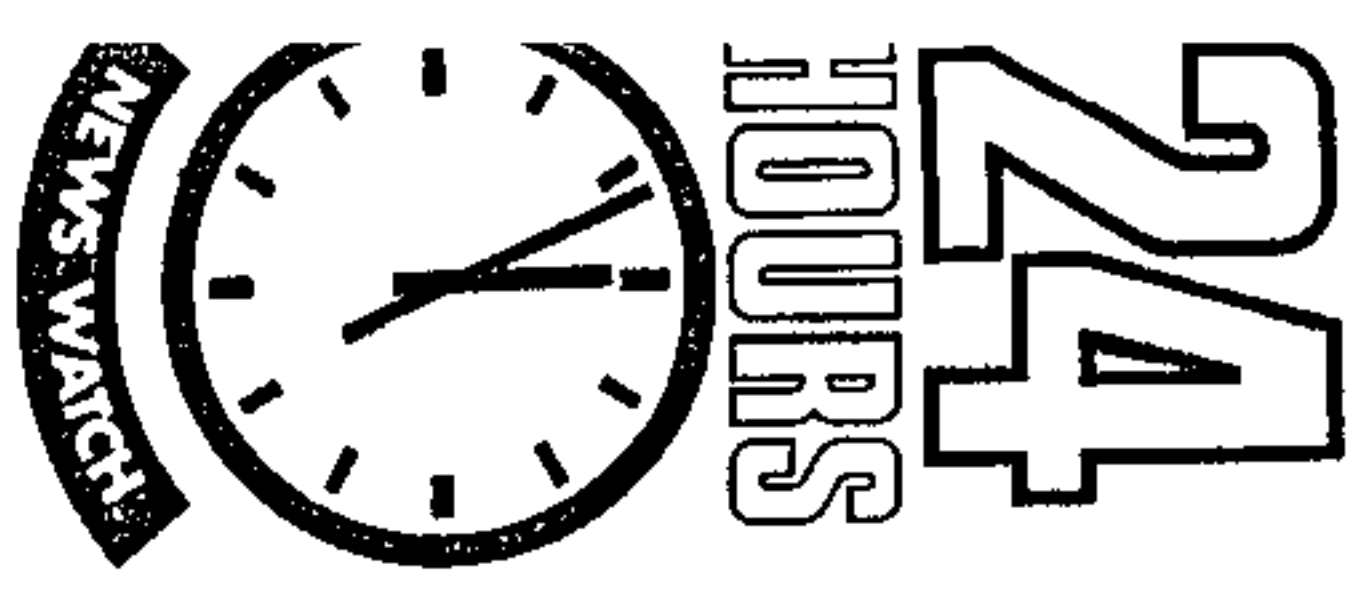
At the Central Methodist Church, a few metres away at the corner of Burg and Long-market Streets, a 48-hour fast by students in solidarity with those on death row came to an end with a service.

Yesterday afternoon, Police confirmed that about 200 women were arrested in the centre of Cape Town at 1.23pm when they failed to disperse after being given a warning.

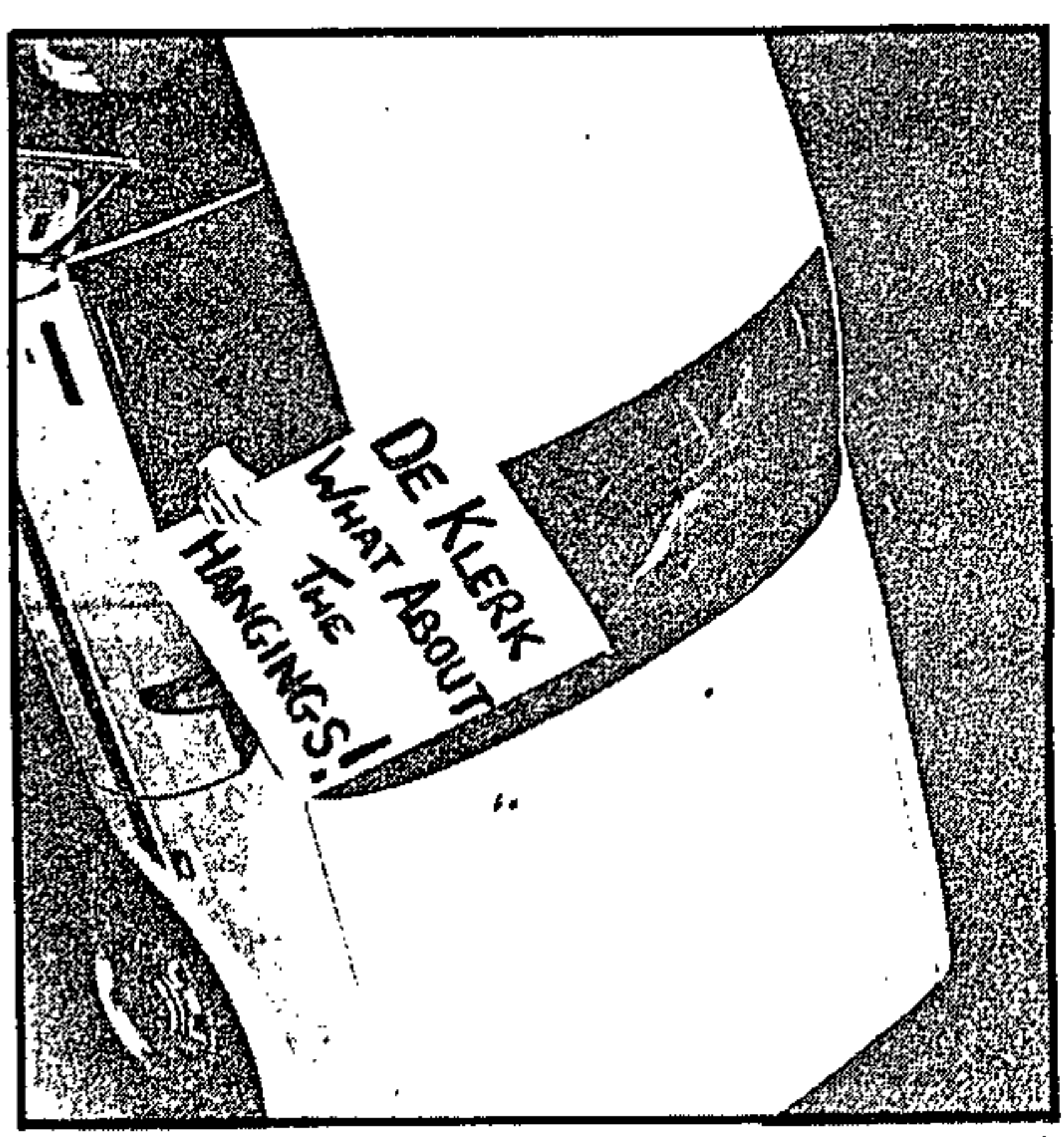
A Black Sash spokesman said yesterday the women held a short prayer service in a hall next to the Metropolitan Methodist Church.

The Black Sash spokesman said the police were "Very restrained."

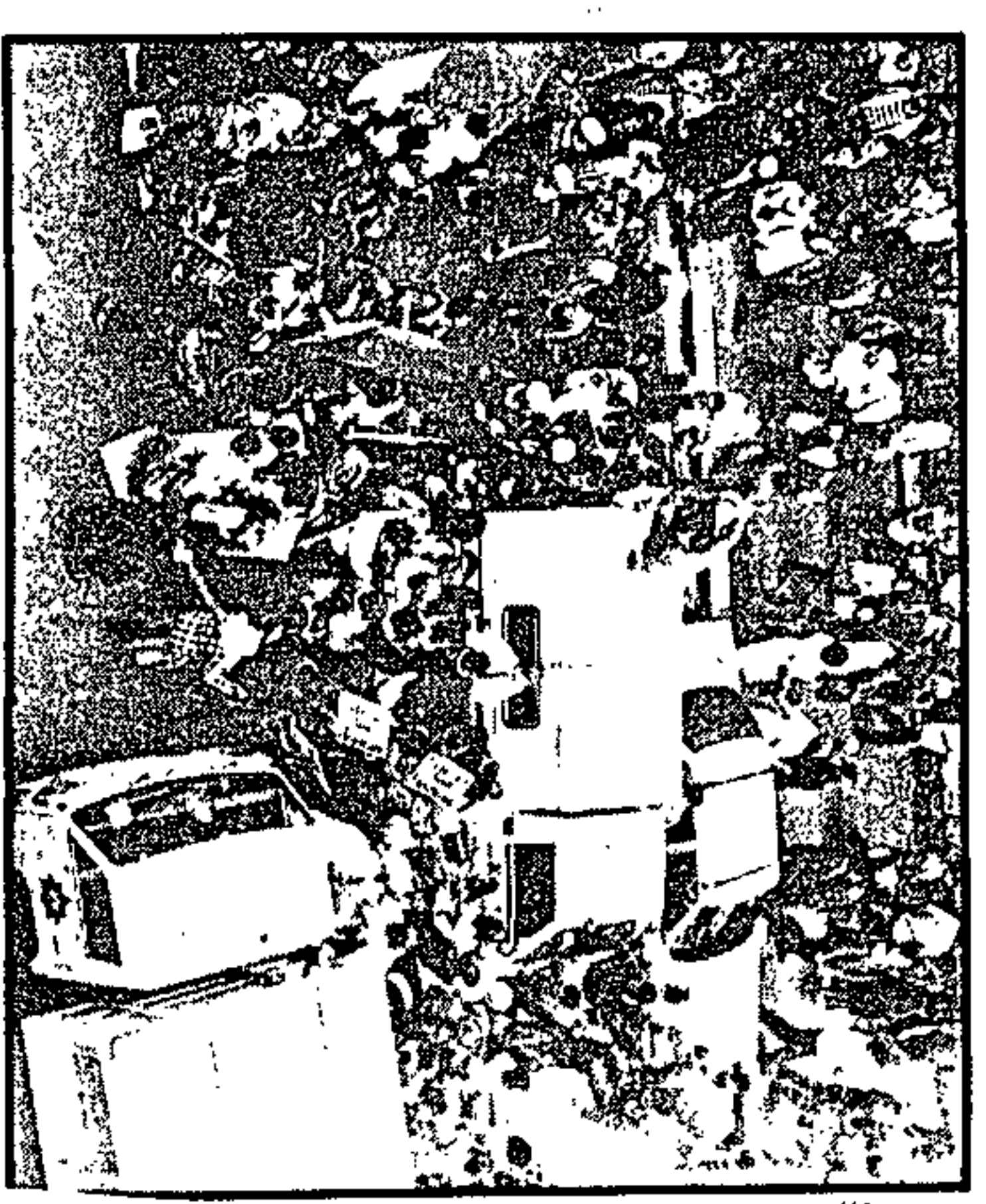
Report by Dennis Cruywagen, Linda Galloway and John Yeld, all of 122 St George's Street, Cape Town.



**PROUD OF YOU!** Mrs Leah Tutu, one of those arrested, gets a warm welcome from her husband, Archbishop Desmond Tutu, after her late-night court appearance which followed an apted march to the British Embassy from Burg Street yesterday in support of prisoners on Death Row.



**STOP THE HANGINGS:** This determined protester got her message across to the bitter end.



**STREET CHAOS:** Burg Street was sealed to traffic but scores of onlookers crowded the pavements as protesters were escorted to police vehicles.



# The Burg Street

## 24 HOURS



By DENNIS CRUYWAGEN,  
LINDA GALLOWAY and  
JOHN YELD, Staff Reporters

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Mrs Boesak, wife of World Alliance of Reformed

Churches president, Dr Allan Boesak, went home with friends.

The group was part of a bigger group of more than 170 women arrested in Burg Street yesterday.

The women started appearing from 6pm, and the batch of 23, who filed into the court at 12.10am, were the last one to appear, and were greeted by chants of *Viva Mrs Tutu* and *Viva Mrs Boesak* by a strong band of supporters who had earlier sung freedom songs and shouted *Viva UDF*, *Viva ANC*, *Viva Cape Youth Congress*, *Viva Western Cape Civic Association*.

The 23, like the others who

had appeared before them, were not asked to plead and released on warning, and are due to appear for a plea on October 27.

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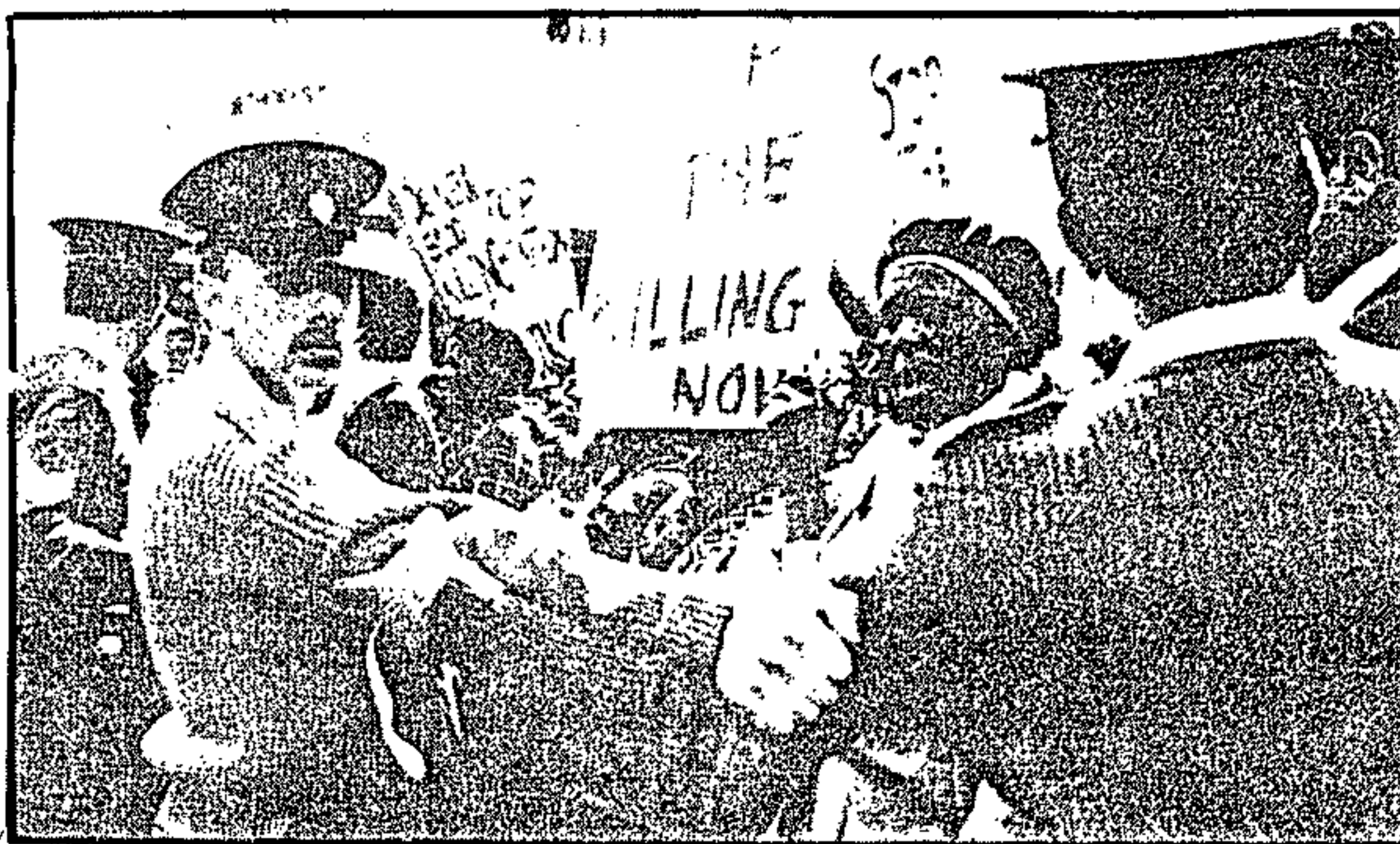
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**WE PROTEST!** Police surround some of the more than 170 women who were arrested.



# Churches undertake help detainees

THE Northern Transvaal Council of Churches has undertaken to assist families of detainees in Venda who this week smuggled out a letter in which they said they were starving and being denied medical assistance, an official of the NTCC said in Pietersburg yesterday. 329

The official said grants would be issued to families to augment food supplied to the detainees. The detainees had said in the letter that food supplied by the state was so bad "even dogs could not eat it".

The NTCC official said the council had briefed attorneys to look into legal options that could be engaged to secure the release of the over 120 detainees currently being held in terms of security legislation.

Meanwhile, as concern

BY MATHATHA  
TSEDU

over the conditions under which the detainees are being held mounted, an official of the National Union of Mineworker (NUM), one union member and an official of the Mulweli counselling centre in Louis Trichardt, were detained over the weekend in the northern part of the homeland.

They are Edward Mlondobozi based in Phalaborwa, Mr Takalani Mutsila and Mr MacDonald Netshitenzhe.



# Police jeered

329

11/9/87  
CROWDS in central Cape Town yesterday booed police as they arrested 12 journalists from *The Argus* newspaper in a placard protest against the emergency media regulations.

The journalists, all members of the Southern African Society of Journalists, stood outside newspaper house in St George's Street for about 45 minutes before the police arrested them.

They took up their stand at 4.15pm with posters reading "No To Press Regulations", "Media Regulations Gag The Truth" and "Your News is Censored."

A single police van arrived and parked nearby at 4.35pm, and at about 4.45pm more police vehicles, including a lockup van, drove up. - Sapa.



Police swoop as pre-election defiance campaign

# Marching Tutu

STAFF REPORTERS

**ARCHBISHOP Desmond Tutu was arrested yesterday amid major protest and police action countrywide only days before the general election.**

Archbishop Tutu and 35 protesters, including his wife, Leah; the rector of University of the Western Cape, Mr Jakes Gerwel; and the rector of the Peninsula Technikon and president of the Cape Teachers' Professional Association, Mr Franklin Sonn, were arrested in central Cape Town as they tried to march from St George's Cathedral to security police headquarters.

His group was bundled into a yellow police truck and released after their details had been taken.

Law and Order spokesman Brigadier Leon Mellet said the protesters faced charges of participating in an illegal gathering.

The Archbishop was among hundreds of demonstrators who have been arrested over the past two days as police swooped on organisations and trade unions participating in a campaign against the Labour Relations Amendment Act, the forthcoming general elections and apartheid laws.

## Searched Offices

The security police yesterday searched the offices of the Pretoria Council of Churches and the homes of Bishop Richard Craft and the Rev Ivor Jenkins, who have been involved in the bus campaign.

SAP spokesman Captain Reg Crewe said: "We do not comment on routine duties."

A police spokesman was last night unable to confirm arrests made over the past 48 hours, including arrests made of restricted people at police stations.

The exact number of detentions is not known.

Two members of the Johannesburg Democratic Action Committee, Mr Wilhelm Liebenberg and Ms Sandy Smit, were taken from their residences in Yeoville yesterday, according to Mrs Audrey Coleman of the Detainees Aid Centre.

The other two were Soweto former detainees, Mr Mandla Dlamini and Mr Amos Masondo, held while reporting to police in compliance with their restriction orders.

The defiance campaign by the Mass Democratic Movement is expected to climax on Tuesday — the eve of the election.

Plans for today, which include a march on Parliament in Cape Town, black occupation of whites-only beaches in Durban and a mass meeting in Soweto under the banner of the Standing for the Truth committee are in the balance as police warn they will not hesitate to act sternly.

Work stoppages to protest against labour legislation and the general election took place at dozens of plants, shops, factories and mines across the country yesterday.

## Police take up positions

At the University of the Witwatersrand, the scene of a dramatic clash between students and police on Thursday, about 60 workers marched around campus. No police were seen in the vicinity.

Riot police and vans took up positions at the University of Cape Town early yesterday as university canteen and residence workers downed tools and marched through the campus.

In Cape Town about 10 members of Media Workers of South Africa (Mwasa) protested briefly in the city centre.

A Congress of South African Trade Unions (Cosatu) spokesman said workers had been dispersed during marches in the peninsula, in one case by a water



**EYE TO EYE:** Archbishop Desmond Tutu and the police confront one another on the march between Cape Town's St George's Cathedral and security police headquarters yesterday.

## SATYR



"We're rusty, we need more international rugby — that's another good reason to get rid of the Nats."

## You can get a test ticket — for R1 000

MICHAEL SHAFTO

BLACK market tickets are freely available for the second and final test between the Springboks and the FNB International XV at Ellis Park today.

A perusal of The Star's classified ads yesterday showed that at least 68 tickets were being offered for sale — the most expensive a pair for R1 000 each.

But the real total of tickets was far higher, for several ads were of the coyly fishing kind. One simply said: "Test tickets for sale, Ellis Park..." Said another: "Ticket for Saturday's test. Highest bidder secures." And there were the inevitable "what offers?" and "best offer" kind.

One ad was most specific, giving the exact row and location of the seats — apparently a season ticket holder presently out of town, or perhaps one who has decided he isn't interested in seeing the Springboks in action in an artificially created test, against a team not representative of another country.

One speculator was offering as many as 16 tickets.

In all there were 25 advertisements, with the highest asking price of R1 000

and the lowest R150.

There have been angry complaints from the public that insufficient tickets are available to the man in the street without connections. Transvaal Rugby Union president Dr Louis Luyt has defended the union, saying it is powerless to stop black marketeering.

Perhaps some of the more greedy entrepreneurs may find themselves in the position of a biltong seller at Newlands who had placed himself right alongside one of the turnstiles.

As one approached the barrier, he called out: "Biltong, test tickets!" flashing a handful of tickets spread like a fan.

"How much?" asked one man, mostly out of curiosity.

"R10 each." The true selling price was R8.

"Too much," the man said.

Business obviously was slack.

"R5," said the biltong seller, quick as a flash, cutting the price by 50 percent in the hope of a sale.



in defiance campaign gains momentum

# Tutu arrested

Star 2/9/89



## Get a test for R1 000

MICHAEL SHAFTO

at the lowest R150.

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## Student demos march to bank

OWN  
CORRESPONDENT

CAPE TOWN — About 600 pupils from Salt River High School yesterday marched to the Salt River Branch of First National Bank to hand over a statement expressing their disapproval of the bank's sponsorship of the International XV rugby tour.

The pupils were led by the rector of the Wesley Training College, Mr Basil May, and the school principal, Mr Joseph Maree. Star 2/9/89

Police arrived in seven vans, "blocked off" the students at the back and front of the march and escorted them for 200 m down the road to the bank, Mr Maree said.

## Arrest condemned

FROM PAGE 1. 329

Canon. Employer bodies in the area have reported widespread protest action.

Mineworkers have held protest marches at gold, diamond and coal mines throughout the country, in some cases brushing with police and mine security forces, according to a National Union of Mineworkers' press officer, Mr Jerry Majatladi.

A spokesman for Anglo-America Corporation yesterday afternoon told Sapa there had not yet been reports of protests at their gold, coal and industrial divisions. A spokesman could not be reached for comment last night.

The arrest of Archbishop Tutu and the swoop on community leaders has drawn strong criticism both locally and internationally.

The United States has expressed deep concern and asked the South African Government for a full report on the incident.

The Five Freedoms Forum criticised the police for introducing violence into peaceful protest meetings.

The chief executive officer of the Anglican Church in South Africa, Canon Winston Ndungane, said it was a "further indication that the authorities will use whatever means possible to prevent a man of peace going about his work".

Prior to his arrest, Archbishop Tutu said recent raids on church buildings were an attempt to halt the Standing for the Truth committee.

Police this week banned all meetings until September 7 organised by the Riverlea Human Rights Commission and the Transvaal Anti-Presidents Committee.

Organisers of a rally scheduled to take place at the Jabulani Stadium today are determined to go ahead under the banner of the Standing for the Truth committee.

They said the rally was not affected by the banning order as was reported yesterday.





# UDF hunger striker in 'bad shape'

W/C-AR645 329  
2/9/89  
Weekend Argus Reporters

UNITED Democratic Front executive member Mr Willie Hofmeyr, who was admitted to Groote Schuur Hospital "in very bad shape" this week after starting a hunger strike after his arrest last weekend, is fighting an attempt to transfer him to Kroonstad prison.

Fellow restrictee Mr Trevor Manuel, who is also on hunger strike in detention, was moved to Grootvlei prison in Bloemfontein on Wednesday without his family being notified.

Mr Hofmeyr was being held under emergency regulations in Sea Point police station cells before being taken to Groote Schuur on Wednesday after being examined twice by district surgeons.

He was arrested during a protest outside First National Bank in St George's Street on Saturday, which he said he had been attending in his capacity as a lawyer.

His father, Mr Arend Hofmeyr, confirmed he had been admitted to hospital.

Yesterday, lawyers representing Mr Hofmeyr were negotiating with State attorneys to get an agreement that he would not be transferred to Kroonstad.

According to a statement by Mr Hofmeyr's attorney, he had complained of several "unlawful acts" by police.

Mr Arend Hofmeyr said his son ap-

parently had been taken ill during the night.

"I got a phone call at 4.30am to tell me Willie had been taken ill with very bad stomach cramps and retching.

"He had been examined by an assistant district surgeon who had recommended that he be taken to Groote Schuur immediately.

"I then contacted his attorney and he and my wife and I left in 10 minutes for the hospital to make sure Willie was going to arrive there."

However, when they got to the hospital there was no sign of him, said Mr Hofmeyr.

"The attorney then phoned around and was told Willie was not on his way, but was being taken to the chief district surgeon, Dr Coetzee, for a second opinion ... we were furious because he was obviously in extreme pain."

Mr Hofmeyr said they had immediately gone to the chief district surgeon's consulting rooms where they had found Willie being examined.

"We asked why he was not being sent to Groote Schuur and were told the order to get him to hospital immediately, confirmed by a Captain Mostert, had been countermanded by a Colonel Smit of the security police."

The chief district surgeon also said Willie had to be taken to hospital and he was then taken to Groote Schuur.

On examination there, Willie was found to be in a serious condition, suf-

■ Turn to page 3.

# UDF hunger striker in 'bad shape'

W/C-AR645 329  
2/9/89  
■ From page 1

fering from internal bleeding, dehydration, low blood pressure and hypoglaecemia (blood sugar shortage), and he was admitted.

"When last I heard, he was waiting to go for X-rays and hospital staff said they would have to do a bio-analysis."

Mr Hofmeyr said they had "virtually" had to carry Willie down three flights of stairs at the chief district surgeon's office.

"We then heard from him that a plane had been arranged to take him to Kroonstad in that condition.

"He's in very bad shape and we're extremely upset."



# Bekkersdal 11 heartily sick of 'jail to jail' life

By STAN MHLONGO

ELEVEN Bekkersdal activists are back in jail - six months after spending three years in detention.

The 11 members of Azapo and Azanyu were arrested on Friday, and will be charged with breaking their restriction orders.

They appeared in the Westonaria magistrate's court on Friday. Bail was set at R1 000. They will appear again on Tuesday.

They are Joel Molefe, 21, Thabo Glad Mofokeng, 22, Isaac Montshiwa, 21, Godfrey Ndebele, 22, Lucky Moseki, 23, David Lethlake, 21, Charlie Dikholo, 23, Lawrence Damane, 22, Michael Nong, 21, George Zama, 23, and Richard Mabina, 21.

At a Press conference in Johannesburg relatives and friends said the 11 could no longer cope with the frustrations of their "jail to jail" life.

It was alleged that police visited the restrictees at all hours of the night, waking everybody, in-



Separated again... friends and relatives of the activists are not happy about the prospect.

cluding toddlers.

Restrictees were harassed when they reported at police stations and called - it is alleged - kaffirs. Police refused to give them pens to sign, it was further alleged.

A detainee who resisted police harassment was so badly assaulted that he was referred to the National Medical and Dental Association (Namda) for attention, it was said.

The South African Po-

lice said in a statement: "We reject as false claims that police harassed those concerned, refused to give them pens to sign and called them kaffirs."

The police said they would be pleased to investigate the allegations but written affidavits should be supplied.

"Past experiences indicate that this will not be done as it is far easier to make vague generalisations which cannot be tested," the statement said.



'No nonsense' order to ensure smooth poll on Wednesday

# Police warn of tough action amid defiance

Star 4/9/89

329

By Craig Kotze

South Africa today entered a tense run-in to Wednesday's elections with the police warning of tough action against any disruptions at the polls, and spokesmen for the defiance campaign making it clear their protests would continue.

An SAP spokesman said police would act mercilessly to prevent disruption of the election.

The warning came after nearly 1 000 people were arrested at the weekend in Durban, Cape Town, Port Elizabeth and Johannesburg as the defiance campaign continued to grow.

But Anglican Archbishop Desmond Tutu has made it clear the defiance campaign against apartheid laws waged mainly by the Mass Democratic Movement will not end with Wednesday's elections for the tricameral Parliament.

"We want to tell (Acting State President) F W de Klerk that we are going to defy until we are free," he told about 1 000 people at a Bonteheuvel church service.

At the same service Dr Allan Boesak, president of the World Alliance of Reformed Churches, said millions rather than thousands should heed the call for a nationwide protest against the election.

Signalling an apparent switch in policy, he said white members of the MDM should boycott the polls.

Brigadier Leon Mellet, press secretary to Law and Order Minister Mr Adriaan Vlok, said the police had received strict instructions to deal with any disruptions on Wednesday on a no-nonsense basis.

"We are prepared to come down mercilessly and hard on anyone who wishes to disrupt the elections. We give the assurance that anyone who wishes to vote will be given protection."

Police are already guarding polling booths.

Police action against the MDM continued over the weekend with the number of leaders arrested countrywide believed to be more than 17.

It is understood that police are looking for 33 anti-apartheid leaders.

Mr Vlok said on Friday the large-



Whites walk past a long line of demonstrators on Durban's "whites-only" Ad-dington Beach yesterday.

scale disruption of schools and other services would not be allowed to continue, and "various people playing a leading role in the MDM have been arrested. Others are being sought".

Detentions are taking place against a background of mass defiance and arrests. Among those arrested then released were Archbishop Tutu and Dr Boesak.

Incidents at the weekend included:

- Thousands of MDM supporters flocked to Durban's two whites-only beaches yesterday. The protest went off peacefully.

## 48 arrested

About 48 people were arrested. Right-wing pamphlets protesting against mixed beaches circulated.

The Regional Commissioner of Police for Natal, Major-General Johann van Niekerk, praised people for their good behaviour.

Mr Warwick Webber, the DP candidate in Durban Point, congratulated the police for the approach they adopted: "I think the police are to be congratulated first. The people who came to make a point are to be congratulated, too, on the discipline they displayed on this whole matter."

But Mr Webber castigated the individuals, black and white, who tried to exploit the situation.

His opponent in Durban Point, Mr

Ashley Clark of the CP, described the peaceful protest as a "disgusting, provocative, unruly and potentially violent".

MDM leader Mr Mewa Ramgobin said: "We and the whole world believes that apartheid must die. We helped the State to kill it further."

He said minor incidents stemmed from "the provocation of right-wing whites or over-enthusiastic people on our side".

He wanted to place on record the restraint of the police. He said the fact that 48 people were arrested then released on warning was an indication of the restraint on both sides.

- On Friday about 300 demonstrators were arrested at Natal University.

- In Cape Town about 500 people were arrested in a march on Parliament on Saturday. About 52 journalists, including an SABC camera crew, were detained briefly by police, who used water cannons and purple dye to disperse protesters.

- In Lenasia, police briefly detained seven protesters holding an "illegal" gathering outside a cafe yesterday.

- In Port Elizabeth, police arrested six people yesterday, after an "illegal" gathering. Unrest was reported in Gamalakke, near Port Shepstone, where two police vehicles were stoned. A mob was dispersed with teargas.

See Pages 3 and 5.

## NP hoping to win 100 seats in the election

Star 4/9/89

3024 Political Staff

CAPE TOWN — The National Party can lose about 22 seats in the Assembly in Wednesday's general election but the opposition parties remain confident that they can win even more from the NP.

Because there are so many marginal seats won with small majorities in 1987, even a small swing in the opinion of voters can lead to a major upset.

Nationalist spokesmen and analysts today felt that the NP may win about 100 seats, but said it was one of the most unpredictable elections since 1948.

Dr Zac de Beer, co-leader of the Democratic Party, said today that the party's prospects looked good. He thought the DP could do better than the 30 seats he predicted a fortnight ago.

Mr Andries Beyers, general secretary of the Conservative Party, said the party was showing strong growth. He was confident it could break out of the Transvaal by winning seats in the other provinces.

(Report by T Wentzel, 122 St George's Street, Cape Town).

● See Pages 6, 10, 11, 13.

## Star on Reef at breakfast

Tomorrow The Star will, for the first time, be available as a morning edition along most of the Reef. Thousands more readers are buying The Star where its morning edition has already been introduced. In country areas the circulation has risen by as much as 50 percent.

Tomorrow's move means wider availability of The Star along the Reef, and more copies of the afternoon paper for the Greater Johannesburg area.

● For details see Page 13.



Dr STUART Saund-

ers has demanded that the Minister of Law and Order, Mr Adriaan Vlok, apologise to medical workers arrested during the protest march in Cape Town on Saturday and that the police officers responsible for the action be disciplined.

As vice chancellor of UCT and chairman of the board of SHAWCO Medical and Dental Association, he demanded that Vlok make his position clear.

"I expect him to apologise to the doctors,

# Call for cops to be disciplined

nursing sisters, medical students and other health workers who were so

summarily arrested and to insist on the disciplining the police officers concerned.

"Failure to do so will indicate clearly to what depth South African society has sunk. I am

outraged by these dreadful acts."

Stopping medical workers from giving first aid and life-saving attention to injured people during the protest march on Saturday was a direct contravention of the Geneva Convention and the Tokyo Declaration of which South Africa is a signatory, doctors and nurses said.

More than 21 doctors, nursing sisters, medical students and other health workers wearing Red Cross badges appeared in court after they were

arrested, beaten, teargassed, sprayed with purple dye, had first aid kits searched and ordered to move their mobile units and clinics.

Saunders said SHAWCO's mobile medical clinics, manned by doctors, nursing sisters and other health workers who had volunteered to help, were stationed in the city to give emergency medical aid to anyone who became ill or was injured.

"Medical students, clearly distinguishable by large crosses on their

chest, were also on foot carrying emergency medical packs to give emergency care. Many of them were arrested by the police.

"International conventions protect medical volunteers who give their services to help the sick and injured, and all civilised societies respect them.

"The organised medical profession needs to make its attitude plain as a matter of urgency. Internationally acceptable norms must be maintained in the interest of

SOWETAN Tuesday September 5 1989

civilised standards."

He said two commissioned police officers entered a mobile clinic parked in Burg Street after the demonstration was over and demanded identification from the doctors and nurses which they supplied.

"The doctor was in

custody for 10 hours. He and his colleagues had no food and water for seven hours, and then only when they had access to lawyers. The identity of the commissioned police officers is known," Sapa.

Meadowlands,  
Dienkloof, Kagiso,

# Arrested medics were inside mobile clinic

By Toni Younghusband,  
Medical Reporter

Medical personnel arrested in Cape Town at the weekend during a protest march through the city were treating injured protesters inside a mobile clinic when police took action, the acting Dean of the University of Cape Town said yesterday.

Professor JP van Niekerk said at least four doctors and volunteer medical workers were bundled into police vans.

They had been treating patients at one of two mobile clinics set up in the city to assist injured protesters. They were held briefly and released on their own recognisances.

It seems the mobile clinic was also sprayed with the purple dye used by police to identify pro-

testers.

Medical authorities round the country have condemned the police action strongly, and UCT principal Dr Stuart Saunders has called for an apology from Minister of Law and Order Mr Adriaan Vlok.

Professor R E Kirsch, professor of medicine at UCT, said the right to receive and administer first-aid was recognised in the declarations of Helsinki and of Tokyo, to which South Africa purported to subscribe.

"In civilised societies, such action would demand the resignation of the responsible Minister. One might well ask why nothing of the sort will happen in our country."

The Medical Association of South Africa said in a statement

that all international ethical conventions stressed the autonomy of medical personnel, whatever the situation needing their attention.

Professor van Niekerk said the health personnel arrested were members of the Students' Health and Welfare Centres Organisation (Shawco), a registered welfare organisation which provided medical assistance to the underprivileged.

329 NO TROUBLE

Mobile clinics manned by Shawco personnel, including qualified doctors, provide medical services in the townships.

He said international agreements demanded that members of medical and auxiliary professions must be given the protection needed to carry out their professional activities.

A Shawco spokesman said the organisation preferred not to make a statement as it was a registered welfare body and did not want trouble.

A spokesman for the National Medical and Dental Association (Namda) said: "These people had no arms and no stones and were inside the clinic providing services to people who had been injured. They could hardly be labelled a threat."



# 14 Cape Times journalists arrested

Fourteen Cape Times journalists were arrested in Cape Town yesterday during a picket protesting against the Press emergency restrictions.

The journalists, all members of the SA Society of Journalists (SASJ), were taken to Caledon Square police headquarters at about 8.55 am. The picket started at 8.15 am outside Newspaper House in St George's Street.

Police confirmed that 14 journalists were arrested after an "illegal gathering and protest".

They were taken to court and released on R50 bail each, said a Pretoria police spokesman.

The group was the second to be arrested in Cape Town in less than a week while protesting

against inroads into press freedom.

The SASJ yesterday issued a statement condemning the arrests.

A statement from the Western Cape branch of the SASJ said: "A free and vigorous press is essential in a democratic society."

"We believe that the crisis in South Africa is ill-served when the free flow of information is curbed by arrests, detentions, restrictions and clamps on reporting."

"Yesterday's picket, like a similar peaceful protest held by colleagues from *The Argus* last week, showed their commitment to press freedom and the free flow of information." — Sapa.

# Concern over transfer of detainees

Star 7/9/89  
CAPE TOWN — Family members have expressed their concern about the transfer of Western Cape detainees to the Orange Free State.

They were speaking at a service in honour of four hunger strikers from the Western Cape — Mr Willie Hofmeyr, Mr Trevor Manuel, Mr Bulelani Ngcuka (all United Democratic Front executive members) and Mr Sidney Moahluli of Paarl.

The service was organised by the restricted Detainees Parents Support Committee (DPSC).

Three of the hunger strikers have been transferred to the Grootvlei prison in the Orange Free State. Mr Hofmeyr is in Groote Schuur hospital.

Another detainee, Mitchell's Plain schoolgirl Miss Gloria Veale, has been transferred to Kroonstad.

In sharp contrast to the events of Monday night when police prevented people from entering the Methodist Church in Buitenkant Street, the service passed without incident.

The small gathering of about 60 people remem-

bered family members and friends in detention by singing hymns and lighting candles.

Mr Hofmeyr's sister Beatie said her brother had decided to go on hunger strike because he felt it was the only way of preventing a repeat of the large-scale detentions of 1986. (329)

She said Mr Hofmeyr was losing weight fast at a rate of about one kilogram a day and now weighed under 50 kg. But his internal bleeding had stopped.

Mrs Philma Manuel, Mr Trevor Manuel's mother, said it was heartbreaking for a mother not to know when she would see her child again.

Mr Bulelani's brother Vuyani said that the prisons had become the site of struggle just as the beaches and purple streets had been.

Members of Paarl detainee Mr Moahluli's family were not at the service, but the gathering heard that he had been detained in 1987, released after four months and re-detained early this year.

● See Page 21.



# When a fast leads to a quick demise

Detainees on hunger strike for the second time are likely to deteriorate far more rapidly than those fasting for the first time and the results may be irreversible, if not fatal.

This warning was issued today by Dr Max Price, spokesman for the National Medical and Dental Association, following information that Cape Town activist Mr Trevor Manuel immediately resumed a hunger strike after being detained again on August 28.

Mr Manuel was among the hundreds of detainees released during a wave of hunger strikes earlier this year.

United Democratic Front activist Mr Manuel has already been transferred to Grootevlei Prison in Bloemfontein.

His lawyer said he had been driven to Bloemfontein from Cape Town with manacles on his hands.

There was concern over his health, particularly as he had taken part in a previous hunger strike.

## Application postponed

There is also concern over the condition of a second Cape activist, Mr Willie Hofmeyr, who stopped eating immediately after his arrest on August 26.

Yesterday he went into the 11th day of his fast, weighing less than 49 kg and having lost more than 8 kg.

His lawyers applied to the Cape Town Supreme Court on Tuesday for a ruling restraining the Minister of Law and Order and police from transferring him out of Cape Town. The application was postponed to September 13. Police agreed to refrain from removing Mr Hofmeyr from hospital and from shackling him to his bed.

The application was made on the grounds that Mr Hofmeyr was not in a fit physical or mental state to be transferred and needed close monitoring by friends and lawyers.

Detainees who have been on a hunger strike, and strike again after being re-detained, are expected to reach critical condition very rapidly, according to doctors. Concern is being voiced over the condition of two detainees who have begun another strike, reports **DAWN BARKHUIZEN**

Mr Hofmeyr collapsed in a police cell in Sea Point on Wednesday last week and was transferred to Groote Schuur Hospital. He was diagnosed as suffering from low blood sugar and low blood pressure and it was feared that he was haemorrhaging internally.

This week he was informed that he would

## Dilemma taken to world body

OWN CORRESPONDENT

CAPE TOWN — The Medical Association of South Africa (Masa) is to raise the doctor's dilemma in treating hunger-striking patients with the World Medical Association.

In a statement, Dr Bernard Mandell, chairman of Masa's federal council, said the medical treatment of hunger strikers was the subject of a multi-disciplinary conference in Pretoria this week.

Major points of debate were the right of the individual to die, and religious and social norms that nobody had the right to end his or her own life.

The conference, presented by Masa, reviewed guidelines of the internationally accepted Declaration of Tokyo, drafted by the World Medical Association 13 years ago.

"Implicit in this declaration are the principles that doctors would have the utmost respect for life but that a hunger striker

be transferred to Kroonstad. Mr Hofmeyr was detained for six months last year, five of which were spent in solitary confinement.

Dr Price said those who had already staged hunger strikes had to a large extent used up most of their fat stores, and protein had been broken down. Relative to the condition of the hunger striker and the length of the strike, several months if not years were needed for the body to rebuild.

He said: "There is a need to impress upon people just how desperate these detainees are when they return to hunger strikes."

"Their action is a powerful indictment of the security legislation."

Dr Price challenged the State to refrain from transferring hunger strikers away

should not be forced if he is judged to be of sound mind.

"The dilemma is whether a doctor should intervene or save a patient's life once he is no longer capable of making a decision."

"Delegates agreed that persons who go on hunger strikes do not wish to die and that their actions are aimed at drawing attention to their situation. These actions cannot be rejected on ethical grounds."

"Whatever the beliefs and convictions of persons who go on hunger strikes, the doctor-patient relationship is of the utmost importance. It is the privilege of the medical profession to relieve suffering."

Dr Mandell said it was concluded that there were no simple solutions to a complex problem. The opinions expressed at the conference would be conveyed to the World Medical Association at its meeting in Hong Kong at the end of this month.

from their home cities, saying the actions was inhumane.

"It is unethical for doctors to agree to this sort of action. There should be a continuity of care, and family members and lawyers should have access to patients."

He said research had found that even first-time-around hunger strikers in South Africa deteriorated at a far more rapid rate than those who had been on strike in Northern Ireland.

While Irish Republican Army leader Bobby Sands died after 66 days without food (he slipped into a coma after losing his eyesight and memory and weighed about 40 kg) those participating in hunger strikes in South Africa reached critical levels after about three weeks.

## Severe breakdowns

Retrospective studies conducted by the Health Crisis Committee into the consequences of this year's hunger strike found the strikers suffered severe mental and physical breakdowns, 78 percent were depressed and 4 percent had suicidal tendencies.

They were also found to have become sicker sooner than expected.

Mr Tozani Taal, who staged a 33-day hunger strike in 1987, was still suffering side-effects — which were expected to be permanent. Last month he told The Star his eyesight had deteriorated, his body was weak and he was suffering fits.

Another former Soweto hunger striker and detainee, Mr Dan Montsisi, was recently admitted to hospital and treated for depression and stress.

A spokesman from the Ministry of Law and Order yesterday said all possible measures were being taken to break the hunger strike. He refused to give details on individual cases.

... informed that he would

# Dilemma taken to world body

Dr Price challenged the State to refrain from transferring hunger strikers away

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Major points of debate were the right of the individual to die, and religious and social norms that nobody had the right to end his or her own life.

The conference, presented by Masa, reviewed guidelines of the internationally accepted Declaration of Tokyo, drafted by the World Medical Association 13 years ago.

"Implicit in this declaration are the principles that doctors would have the utmost respect for life but that a hunger striker

should not be force-fed if he is judged to be of sound mind.

"The dilemma is whether a doctor should intervene or save a patient's life once he is no longer capable of making a decision.

"Delegates agreed that persons who go on hunger strikes do not wish to die and that their actions are aimed at drawing attention to their situation. These actions cannot be rejected on ethical grounds.

"Whatever the beliefs and convictions of persons who go on hunger strikes, the doctor-patient relationship is of the utmost importance. It is the privilege of the medical profession to relieve suffering."

Dr Mandell said it was concluded that there were no simple solutions to a complex problem. The opinions expressed at the conference would be conveyed to the World Medical Association at its meeting in Hong Kong at the end of this month.

5



# Hofmeyr 'losing weight rapidly'

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55m

By REHANA ROSSOUW

HUNGER striker Willie Hofmeyr was chained to his bed at Groote Schuur Hospital after being transferred there by security police when he became ill last week.

Hofmeyr brought an urgent application to the Supreme Court to stop the police from transferring him to Klerksdorp and from handcuffing him to his hospital bed.

He also asked the court to restrain the Minister of Law and Order and the security police from removing him from the hospital until his health improved.

The application was postponed to September 13 and security police have issued an undertaking not to

remove him from hospital until then or to chain him unless he is under the direct supervision of police.

Hofmeyr was detained in terms of the emergency regulations on Saturday August 26.

Hofmeyr's sister, Beatie Hofmeyr, said she had visited her brother on Saturday and discovered that he was losing a kilogram in weight a day.

He now weighed less than 50kg, she said.

"Willie was underweight when he went in and doctors were always telling him to pick up," said Hofmeyr.

"He has lost 10 percent of his body weight already and is still not eating."

Hofmeyr said she believed Groote

Schuur Hospital was the best place for Willie to be.

"There is no justification for moving him anywhere else."

There are four detainees on hunger strike, Hofmeyr's strike being the longest at 13 days.

Trevor Manuel, detained on August 28, has been without food for 11 days and is being held at Grootelei prison in Bloemfontein.

Tsidi Moahluli, who was transferred to Bloemfontein last Friday, has been on hunger strike for nine days.

UDF interim executive committee member Bulelani Ngcuka, who has not eaten for eight days, is in high spirits, said his wife.

Phumzile Ngcuka visited him at

Grootelei on Tuesday.

"I couldn't really see if he had lost weight as he was wearing lots of clothing because of the cold."

"He is being held with Tsidi and Trevor and they are determined to continue their hunger strike until they are told why they are being held."

Ngcuka said the men's removal to Bloemfontein had affected their families, who felt cut off from contact with their loved ones.

The detainees were being victimised for their stand, she said.

"It is almost as though their crime is not eating and they are being punished for that," Ngcuka said.

"But they are following events outside with great interest."

7-13/9/89

By REHANA ROSSOUW

A LETTER smuggled out of Pollsmoor Prison revealing that detainees there intended going on a solidarity fast probably led to the transfer of a Mitchell's Plain pupil to Bloemfontein, her relatives believe.

Gloria Veale, 19, a student at Glendale Senior Secondary School, was detained on August 18.

She was transferred last Saturday to Kroonstad in the Orange Free State without her family or lawyers being informed.

Gloria's mother, Mrs Eleanor Veale, said she first heard of her

# Detainee letter 'behind transfer'

daughter's transfer last weekend when she sent schoolbooks and a pair of shoes to Pollsmoor.

"They came back and told us Gloria was in Bloemfontein," she said.

"We were shocked. I called the security police but there was no answer at their offices. Eventually I contacted Gloria's lawyer who was also shocked because he was not not-

fied."

Veale said a security policeman came to tell her on Tuesday this week that Gloria had been flown to Bloemfontein.

She had asked on what grounds Gloria had been transferred and was told "something came up".

Veale visited her daughter in Kroonstad yesterday.

This is Gloria's third spell in deten-

tion. She was held for six weeks in 1987 and for six months last year. Detainees held throughout the Peninsula went without food on Tuesday and Wednesday, lawyers confirmed.

University of the Western Cape academic Graeme Bloch and teacher Gareth Rossiter, both detained under the emergency regulations, fasted on Tuesday and Wednesday.

The detainees, most of them pupils younger than 18, also smuggled out a statement on Monday condemning Gloria's removal.

They deplored the state's attempt to crush their resistance with repressive measures.

Scots 7/13/9/89



## DEFIANCE ... FROM THE BEACHES TO THE CAMPUSES

# On the beaches ... but there was no fighting in Durban

THE man in the shorts and vest flicked his decorated plastic sjambok with relish, waiting in anticipation to see how the police would "sort out" the demonstrators.

He had bought his sjambok for R2 from the women selling beads on the beachfront, and said he was keeping it "for future use". But the future he had in mind was clearly close at hand, and as he watched the illegal swimming, he muttered his longing to see some action.

He was just one of scores of far right-wing whites who came to Durban's Addington beach last weekend to show their opposition to the "free the beaches" protest organised as part of the defiance campaign.

As the estimated 5 000 "picnic protesters" arrived, they found hundreds of police along the beach and dozens of police vehicles parked next to the sand.

With the memory of tough police

action in Cape Town the day before, there was an expectation that the beach could become a battleground between the mass democratic movement and the police.

But the feared clash never materialised.

Police maintained their strong presence throughout the three hours of the protest, but did not try to whip protesters off the beach as they had near Cape Town during a similar protest last month.

In fact, some of the police appeared to have believed their job was to keep apart the picnic protesters and the

Twice over the last seven days police and protesters faced each other. The demonstration against beach apartheid was peaceful. But students encountered an angry response. By CARMEL RICKARD

whip-toting right-wing.

There have been complaints that some members of the police did not act against the rightwing when they assaulted or harassed MDM supporters, but it is likely that friction between the two groups would have

erupted without the presence of the police.

Many of the thousands of protesters wore T-shirts bearing the message, "all God's beaches for all God's children", and yellow peaked caps with the slogan "free the beaches".

The caps were handed out freely and a number of pro-segregationists managed to get their own. They turned them inside-out and covered them with whites-only slogans. Many wrote similar slogans on their clothes and bodies, and paraded past the protesters, taunting and jeering. Most protesters ignored this group

and played games, built sand castles and swam in the sea until the organisers announced they would begin withdrawing to the buses.

Afterwards police complimented the MDM on the protest, saying it was peaceful and well-controlled.

There were a number of arrests — police said 48 were held — but they were released on warning. Some were arrested following a dramatic wave-side chase when they unfurled an ANC flag.

Given the action of police at many recent Cape Town protests, their behaviour on the Durban beach was, on the whole, restrained.

There could be several explanations for the difference, among them the existence of regional variations in the approach of senior police.

The regional commissioner of the SAP in Natal, Major General Johann van Niekerk — who described the event as a little feather in the cap of the MDM — said after the protest that he had ordered the police not to use dogs or whips, since this could endanger innocent people.

Another factor was that, thanks to a legal quirk, it is not illegal for "other races" to be on the sand of a "whites-only" beach — they commit an illegal act only when they get into the water.

Most protesters on the Durban beach appeared to view the day as a "single focus" protest, and apart from a few exceptions — who were arrested — they did not carry placards or ANC flags, and when one group began to sing and toyi-toyi, they were quickly stopped by the organisers.

"We see this as a protest directed at beach apartheid first and foremost," one picnicker said.

"To bring in placards and flags will confuse the issue. We know these other issues are there, and we are taking them up in the defiance campaign, but today we want to show that these are 'our' beaches."

Another reason for police restraint must be the difference in targets. The symbolism of a march to parliament in Cape Town to demand a people's government was clearly too much for the authorities to stomach without strong action.

However, beach segregation is causing the government embarrassment both here and overseas, since it is such a blatant example of continuing apartheid. Tough police action to defend such segregation would have caused even more embarrassment — as the Strand protest had.

In addition, just days before, two cabinet ministers had criticised the conduct of the police during the Cape beach protest, and this would not have gone unnoticed in Durban.

Commenting on the beach protest, MDM spokesman Farouk Meer described the event as "a resounding success".

"Thousands of people responded to the call for protest against beach segregation. They acted peacefully and with great restraint," he said.

Methodist Bishop Khoza Mgojo, one of at least three bishops who joined the protest, said the church was fully behind the campaign to "defy all those laws oppressing God's children".

## On the campuses ... they fought with gas and guns

SHOTGUNS and teargas may be the daily stuff of township life but it is unusual on the campus of the University of Natal.

When police this week fired water cannon with purple dye, tearsmoke and shotguns on students gathered outside Howard College, it provoked an outraged reaction — there were even calls for the resignation of the minister of law and order.

Police in turn were provoked into a sharp response justifying their actions. Vlok's spokesman, Leon Mellet, said students threw "half bricks" which damaged a private car and police vehicles, and caused the officer in command to order that shotguns, tearsmoke and water cannon be used.

University officials said they had received reports that stones were thrown. But they did not accept this was necessarily the work of students.

"We believe the size of the police presence on campus, the attitude and behaviour of the police were provocations to violence," said the university's PRO, Dirk Kemp. "If the police had behaved as they did during the beach protest, there would not have been trouble."

The confrontation took place on Monday after students gathered for a meeting on the defiance campaign. They were told that police had banned the meeting, to be addressed by Faried Essack, of the Call of Islam.

Students decided to continue despite the ban. Within minutes some 20 police vehicles drove on to the campus. Given five minutes to disperse, the students hastily passed a resolution criticising the Emergency and calling for the release of political prisoners.

Then they left the union and re-gathered in front of Howard College. There a speaker continued the theme of the meeting, but as a number of police walked up the steps towards the speakers, a small delegation approached them to hand over a copy of

By CARMEL RICKARD, Durban

the resolution.

Several in the delegation were arrested, including Essack and SRC president Laurence Piper.

Before the police vans left the campus, several people sat in front of the vans containing the arrested students. They too were picked up — among them Tanya Piper, Laurence's sister. About a thousand students were still gathered on the grass, a small but vocal group among them singing and dancing, when police fired the teargas and shotguns.

University officials estimated 20 people were injured — including several who were uninjured even as spectators. Nicholas Hill, a Std 9 pupil from Uthongathi High School, was participating in a drama project at the university. He was leaving a play when he was hit by the birdshot.

At the same time as this confrontation, students across the city at the University of Durban-Westville were also facing police. There too a meeting was banned. Students were arrested after police took action. Police have not yet confirmed this.

The next day, students and staff on the Pietermaritzburg campus of the University of Natal met to condemn police action on the Durban campus.

They agreed to march to the nearest police station to hand over a resolution on the subject.

However, they had hardly left the campus when the entire procession was surrounded by police and ferried away in vans. About 300 students and 40 staff members were arrested, but were released after a bail hearing.

And at the University of Zululand university officials closed the campus last week after a prolonged class boycott which followed protest action over a variety of issues.



Peaceful protest ... A 'free the beaches' campaigner on Addington's whites only beach. Picture: WARREN PARKER, Afrapix

## More detentions after defiance, elections

By PHIL MOLEFE

IN the wake of the defiance campaign and Wednesday's elections there has been a marked increase in the number of people detained or arrested.

According to a report released by the Human Rights Commission, a group monitoring repression and detentions in the country, a total of 240 people have been detained under the Emergency since August 1. Apart from 119 Soweto College of Education students arrested on August 29 the Western Cape has the highest number of detentions — 74.

Incidents included:

●Monday, August 28: Western Cape activist and member of the restricted United Democratic Front (UDF) Trevor Manuel was detained early in the morning at his home. Manuel's detention followed shortly after that of another Western Cape activist, lawyer Willie Hofmeyr.

●Tuesday, August 29: Two schools in Lenasia, Johannesburg, join in class boycott protesting against the tricameral

elections and the takeover of Indian education by the House of Delegates.

●Thursday, August 31: Police use rubber bullets, teargas and birdshots in Athlone to disperse a crowd demonstrating against the elections.

In a day of clashes with the police, three students were reported to have been shot by police in Mitchells Plain.

At least 15 students were arrested at Wits University. They were protesting against the elections and "police harassment" of students at the University of the North (Turfloop).

UDF national chairperson Curnick Ndlovu, who was also part of the recent delegation that met United States President George Bush and British Prime Minister Margaret Thatcher, was also detained.

More than 5 000 "coloured" pupils in several Johannesburg high schools boy-

cotted classes.

Meetings organised by the Riverlea Human Rights Committee, the Transvaal Anti-Presidents Committee and the Standing for the Truth Campaign were banned until yesterday, a day after the elections, by the Witwatersrand divisional commissioner of the South African Police.

●Friday, September 1: About 25 demonstrators were "badly" beaten by police when they protested against the detention of Hofmeyr and Manuel in the Western Cape.

In Cape Town, police used force against 20 clerics who were demonstrating against state repression of dissent.

Archbishop Desmond Tutu, his wife Leah, the Western Cape University rector Professor Jakes Gerwel, and other academics were among 35 protesters arrested in central Cape Town as they tried to march from St George's Cathedral to security police headquarters. They were charged and released.

## Students break up OFS march

By GAVIN EVANS

THE first-ever anti-apartheid protest march at the University of the Orange Free State was broken up by right-wing white students on Tuesday.

The peaceful march by about 40 students, mostly "coloureds", was in protest against the university's segregated hostels.

The students, carrying placards protesting against the whites-only residences, were on their way to the University Administration building when they were confronted by an organised group of about 15 right-wing students.

"They came up and tore up our posters," said one of the marchers, Hester Monchusie. "We didn't fight back but just carried on singing. They then came back and beat us up."

Monchusie said that two of the demonstrators had to be treated by campus doctors for minor injuries.

She said that the campus security simply watched and photographed the march, but made no attempt to intervene when the right-wingers arrived.

Eventually two university lecturers stepped in and assisted the demonstrators.

"We then went to speak to the rector, Professor Retief, who assured us both the issue of residence segregation and the action of the white students would be treated as a top priority."

"But he told us that the day before the election was the wrong time to protest and said he could not guarantee our safety," Monchusie said.

The "coloured" students' protest was held on the same day as a demonstration by about 100 university workers for higher pay claims.



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# Small win for hunger-striker Hofmeyr

HUNGER-striking detainee Willie Hofmeyr won a small but important battle this week when police agreed not to transfer him to a Klerksdorp prison and said they would take off the manacles shackling him to his hospital bed.

Hofmeyr, a lawyer, is one of four Western Cape detainees known to be continuing their defiance behind bars by refusing food.

Three of them — prominent United Democratic Front activist Trevor Manuel, attorney Bulelani Ngcuka and Paarl activist Tsidi Moahluli — were last week transferred to Grootvlei Prison, near Bloemfontein.

Both Manuel and Hofmeyr are off-detained former resisters who inaugurated the defiance campaign in the Western Cape by announcing, with 20 others, that they would no longer heed their restriction orders.

Hofmeyr has been on hunger strike since his detention on August 26,

Manuel since his detention on August 28, Moahluli since his detention on August 30 and Ngcuka, who was detained on August 28, since last Thursday.

At least one other detainee — Mitchell's Plain schoolgirl Gloria Veale — was transferred to Kroonstad Prison last week. As far as is known, she is not on hunger strike.

Hofmeyr this week brought an urgent application in the Cape Supreme Court to restrain police from removing him from hospital until he has regained his health.

He was admitted to Groote Schuur Hospital last week with suspected internal bleeding, having refused food since his detention on August 26.

His attorney, Justin Hardcastle, told the *Weekly Mail* that in terms of the

## Prison hasn't stopped Western Cape activist Willie Hofmeyr from continuing his defiance campaign. GAYE DAVIS reports

agreement, Hofmeyr's shackles would be removed between 10pm and 5am at the discretion of the security police, but during the day only when Hofmeyr was under "direct supervision" of a policeman.

This meant Hofmeyr would be unshackled only when a policeman was with him in the room.

The arrangement would last until police, at their own cost, had made Hofmeyr's hospital room "escape-proof", Hardcastle said.

Hofmeyr will not be moved from Cape Town until the final hearing of

the matter next Wednesday.

His sister, Beatie Hofmeyr, said her brother's weight had fallen below 50kg but that he believed a hunger strike was the only way of preventing a repeat of the large-scale detentions of 1986.

She was speaking at a service organised by the restricted detainees' Parents Support Group this week where families and friends lit candles and sang hymns in solidarity with detainees.

Meanwhile, Johannesburg Democratic Action Committee executive members Wilhelm Liebenberg and Sandy Smit have been transferred to Eastern Transvaal and Karoo prisons, according to their legal representative Odette Geldenhuys. She says Liebenberg is in De Aar and Smit in

Barbeton.

According to the Cape Town-based Repression Monitoring Group, at least 77 people are currently being held under Emergency regulations, but other detainee groups put the figure as high as 90.

They include 60 high school and university students and seven teachers and university lecturers from Cape Town, Stellenbosch, Paarl, Robertson, Ashton, Montague, Bonnievale and Paarl.

At least three of the detainees are 16 years old and 12 are aged 17.

Law and Order spokesperson Brigadier Leon Meller said it was policy to transfer hunger strikers to prisons with the necessary facilities with which to treat them.

However a detainee did not have to be on hunger strike to be transferred. "We can transfer people anywhere we want to," he said.



# Chaining detainees is 'medieval'

THE practice of manacling some detainees in hospital has been highlighted by hunger striker Willie Hofmeyr, who has allegedly been chained for six days to a Groote Schuur Hospital bed. Human-rights groups

By HAMISH McINDOE

slammed the practice as "medieval".

This week, attorneys for the police and 33-year-old Mr Hofmeyr, an articulated clerk and UDF activist, signed an agreement drastically limiting the conditions under which he may be shackled.

The slightly-built Mr Hofmeyr, who went on hunger strike immediately after being detained under emergency laws on August 26, was taken to hospital four days later.

After visiting her brother on Wednesday, Miss Beatie Hofmeyr said: "He's now getting incredibly thin and beginning to lose his powers of concentration."

"But he's absolutely determined to continue with the hunger strike, which he sees as the only means of ending his detention."

It is understood that Mr Hofmeyr's feet were initially handcuffed to his bed before slightly more comfortable leg irons were used.

Groote Schuur authorities refuse to comment on his

manacling or the hospital's policy on the treatment of emergency detainees in its care until after a Supreme Court hearing scheduled for next Thursday.

The court will hear an application made by attorneys acting for Mr Hofmeyr aimed at preventing him from being moved from Cape Town to the Transvaal or Free State by the police.

Mr Hofmeyr was arrested outside a branch of First National Bank where a protest against the bank's sponsorship of the World XV rugby tour was under way.

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# Detainees freed, held again

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FOUR detainees in Venda were released on Friday and immediately re-arrested despite a successful court application challenging their detention orders.

Lutheran church deputy dean for the Devhula circuit, the Reverend M P Phosiwa, the Reverend W Sihlangu, the Reverend N Ranzwa and Mr Gundo Lidovho, filed the application in the Venda Supreme Court two weeks ago.

They said the detention warrants were invalid in that they did not state, among other things, reasons for their detention.

The respondents, the

By MATHATHA  
TSEDU

Minister of Justice and the Commissioner of Police, did not oppose the application, thereby conceding that the detainees were right.

## Opposition

The four are among more than 150 detainees currently being held in terms of Section 28 of the Maintenance of Law and Order Act.

The detentions

followed widespread opposition to ritual killings and the 10th anniversary independence celebrations.

Meanwhile, as the court drama unfolded, a struggle of another kind was going on outside where the festivities got off to a damp start.

Most people boycotted the celebrations.

Despite day-long exhortations by Radio Thohoyandou, which said the main stadium was full, only a handful of people, mainly school-children bussed in from outlying areas, watched the official kick-off of the

celebrations.

Although government services, except courts, came to a standstill to allow civil servants to attend the opening ceremony, most stayed at home.

The highlight of the celebrations will be on Wednesday.



## Detainees suspend their hunger strike

CAPE TOWN — Four hunger strikers at Grootvlei Prison, Bloemfontein, have suspended their strike after a senior police officer from Security Police headquarters visited them last Thursday.

Miss Cheryl Carolus, of the Mass Democratic Movement, yesterday said that after the policeman's visit, and in consultation with the MDM, Mr Trevor Manuel, Mr Bulalani Ngcuka, Mr Tsidi Mhlauli and another detainee decided to suspend their strike, pending developments around their continued detention.

However, hunger striker Mr Willie Hofmeyr — who is being held in Groote Schuur Hospital — is continuing with his fast.

He is now in the 17th day of his hunger strike and weighs less than 50 kg.

An application for a court interdict would be made by Mr Hofmeyr on Thursday, concerning his conditions of detention.

"We fully support Mr Hofmeyr in his courageous stand. We call on Mr F W de Klerk to put his election rhetoric into practice, and to break the impasse with regard to Mr Hofmeyr," Ms Carolus said. — Sapa.

# Vlok must see to detainees' plight — DP

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By ANTHONY JOHNSON  
Political Correspondent

THE DP spokesman on law and order, Mr Tian van der Merwe, yesterday appealed to Law and Order Minister Mr Adriaan Vlok to give his "immediate attention" to the plight of Western Cape detainees.

Mr Van der Merwe said that if Mr F W de Klerk was "at all sincere about his commitment to a SA, which is just to all its people", the acting State President would also give his attention to the predicament of detainees in the area.

Mr Van der Merwe said: "A number of people have been detained in this area without any suggestion of a trial being in the offing, or without any indication of why their detention should have been necessary."

"The question is whether these people will have to languish in detention for as long as it is found convenient by the National Party government."

## Focus on hunger striker

"I want to particularly draw attention to Mr Willie Hofmeyr, a lawyer who was detained a fortnight ago, and who has been on a hunger strike ever since his detention."

"Should a man of Mr Hofmeyr's undisputed talent and commitment to peaceful change in this country die in detention, it will be a blot on the name of South Africa."

Mr Van der Merwe said: "Clearly Mr Hofmeyr has decided from bitter experience that the only way of drawing attention to his plight was by engaging in a hunger strike."

Mr Van der Merwe said he also wished to draw attention to the detention of Mr Gareth Rossitter, a prominent figure in organised education circles in the Western Cape, who has also been in detention for two weeks.



CAM Traits 11/9/89

# Four suspend hunger strike

Staff Reporter

FOUR hunger strikers at the Grootvlei Prison, Bloemfontein, have suspended their strike after a senior police officer from security police headquarters visited them last Thursday.

Ms Cheryl Carolus of the Mass Democratic Movement yesterday said that after the policeman's visit and in consultation with the MDM, Mr Trevor Manuel, Mr Bulalani Ngcuka, Mr Tsidi Mhlauli and another detainee decided to suspend their hunger strike, pending further de-

velopments around their continued detention.

However, hospitalised hunger striker Mr Willie Hofmeyr — who is being held in Groote Schuur Hospital — is continuing with his hunger strike.

He was now in the 16th day of his hunger strike, which began when he was detained on August 26.

"He is particularly upset about the fact that he was detained while attempting to assist a client at the protest outside First National Bank.

"On admission to Groote Schuur, Mr Hofmeyr was suffering from hypoglycemia

and dehydration, and his condition was deteriorating daily. He had lost more than 10% of his body weight and now weighs less than 50kg," Ms Carolus said.

There was also an interdict application being brought on Thursday by Mr Hofmeyr, concerning his conditions of detention.

"We fully support Mr Hofmeyr in his courageous stand. We call on Mr F W de Klerk to put his election rhetoric into practice, and to break the impasse with regard to Mr Hofmeyr. We also call for the unconditional release of all detainees," Ms Carolus said.

By MATHATHA  
TSEDU

TWO members of the students' representative council at the University of the North were released from security police detention on Friday.

This is according to a statement from the university's public relations officer.

The release of SRC president Ernest Khoza and vice-president Abbey Dlavane, followed "extensive negotiations with police chiefs", the statement said.

Senior university officials had also visited all the Turfloop detainees on Tuesday, it added.

The statement said the police had told university officials that the detainees, who include at least three more students, two staff members and a former staff member, will be released.

No date was mentioned.

The detentions had become one of the major stumbling blocks to the

# Turf SRC pair freed

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resumption of classes.

Students have been boycotting lectures for four weeks.

"The fate of the 1989 academic year is an extremely worrying factor.

"Management insists on the immediate return of students (to classes) as it is fast becoming too late to resume the academic programmes," the statement said.

Referring to police action on Wednesday when students staging a peaceful anti-election campaign on campus were teargassed and allegedly assaulted, the university said the police action could "only complicate an

already difficult campus situation".

Four students arrested during the "dog fight between the students and the police" have since been released, the statement said.

The police action has been bitterly criticised by the Azanian Student Movement (Azasm), which called on the authorities to remove the police from campus.

A notice issued by the commander of the Lebowa Police Reaction Unit, Brigadier L P Molata, directed to staff and students, said the police had moved onto campus "to maintain law and order.

"Very firm action will be taken against any form of lawlessness.

"To the timid, we are soft and to the very tough we are toughest", the notice said before ending with the salutation "peace be with you".

Lebowa police now fall under the direct control of Chief Minister Nelson Ramodike.



## Hunger strike goes on

Staff Reporter

EMERGENCY detainee Mr Willie Hofmeyr enters the 17th day of his hunger strike today in Groote Schuur Hospital.

Although he is still in good spirits, he is "incredibly thin" and weakening physically, according to his father, Mr Arend Hofmeyr.

Mr Hofmeyr said his son, a UDF executive, had set up an office in the hospital to prepare for his application to the Supreme Court on Thursday.

He is seeking an order preventing security police from removing him from the hospital until he has recovered fully, and from removing him from Cape Town.

# Leg irons to stay

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THE South African Police, citing prisoner escapes, have defended the practice of manacling prisoners to hospital beds.

In a lengthy statement yesterday the police also accused some hospitals of facilitating escapes by "impeding police in the execution of their duties."

"It must be emphasised that although shackling is regrettable, in certain circumstances it is unavoidable," it said.

The statement said escapes from hospitals by detainees had reached "alarming proportions". It added that prisoners feigned illness with the intention of fleeing from

## Shackling to hospital beds "unavoidable"

hospital.

"In a number of hospitals, co-operation from the medical fraternity with the police is virtually non-existent."

"On the contrary, the impression is created that in some cases hospital staff are intent on impeding the police in the execution of their duties," the police statement said.

Earlier this year a number of detainees, including hunger strikers, fled from hospital after

being admitted for treatment."

Police have come under fire for manacling patients to their hospital beds and one newspaper called the practice "medieval."

The statement said the measure was aimed at preventing escapes of prisoners who included "highly trained terrorists."

"Shackling is not a form of torture, it is simply designed to restrain the patient who is considered dangerous and/or to prevent escape," it said.

The police statement added that the practice was not peculiar to South Africa. Sapa



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# 'Spy was not on police payroll, say cops



By PETER DENNEHY

Mr Gregory Flatt

POLICE confirmed yesterday that a former journalist, Mr Gregory Flatt, 21, of Mitchells Plain, was one of their paid informers from early 1987.

Brigadier Leon Mellet, a spokesman for the Ministry of Law and Order, said yesterday that Mr Flatt was not a policeman on the payroll of the police, but was a "plain informer".

"The SAP, like any police force in the world, has numerous informers," he said.

Mr Flatt, code named "Mark" and number "CW 935", who used to work for Cape Town-based weekly newspaper South, said at a press conference in Athlone yesterday that he was recruited by police in January 1987 while in indefinite detention under Section 29 of the Internal Security Act, facing a possible charge of terrorism.

His decision to confess his spying activities for the security police was triggered by Lieutenant Gregory Rockman's public statements last week about police brutality. Another factor was the fatal and other shootings by police on election night last week.

Brigadier Mellet said Mr Flatt was arrested in 1986 at the Ramatlabane border post with Botswana while on his way — according to police information — to undergo ANC military training.

However, the attorney-general had "declined to prosecute" on January 29, 1987, and Mr Flatt had been released.

"After his release, he himself came and offered to supply the police with information for a fee," Brigadier Mellet said. But Mr Flatt said he had broken in detention, agreed to provide information, and had then been released.

Mr Flatt said he received an average of R500 a month for the information he supplied. He had taken pictures and filmed meetings and funerals, and identified the people in photographs and films.

He had stolen computer discs from organisations so they could be copied and had provided information which could have indirectly contributed towards the detention of "hundreds or even thousands" of people.

The brigadier also denied Mr Flatt's allegations about a "Jump Street squad" of young-looking policemen who would go to "radical" schools to start incidents of unrest with the purpose of drawing out student activists and detaining them.

MDM spokesman Ms Cheryl Carolus said: "No retribution from our organisations will be forthcoming."

Manacles  
'unavoidable'

PRETORIA. — The South African Police, citing prisoner escapes, has defended its practice of manacling prisoners to hospital beds.

In a lengthy statement yesterday the police also accused some hospitals of facilitating escapes by "impeding" police in the execution of duties.

"It must be emphasised that although shackling is regrettable, in certain circumstances it is unavoidable," the statement said.

It said escapes from hospitals by detainees had reached "alarming proportions". It added that prisoners feigned illness with the intention of fleeing from hospital.

"In a number of hospitals co-operation from the medical fraternity with the police is virtually non-existent." — Sapa



# Police defend shackling of prisoners to hospital beds

329 Star 13/9/87

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illness with the intention of fleeing from hospital.

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## HUNGER STRIKERS

"On the contrary, the impression is created that in some cases, hospital staff are intent on impeding the police in the execution of their duties," the police statement said.

Earlier this year a number of detainees, including hunger strikers, fled from hospital after

being admitted for treatment.

Police have come under fire for manacling patients to their hospital beds and one newspaper has called the practice "medieval".

The statement said the measure was aimed at preventing escapes of prisoners who included "highly trained terrorists".

"Shackling is not a form of torture; it is simply designed to restrain the patient who is considered dangerous and/or to prevent escape," it said.

The practice was not peculiar to South Africa, the statement added. — Sapa.

Star 14/9/89

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# Masa protest on shackling of prisoners

By Toni Younghusband,  
Medical Reporter

329

The shackling of prisoner patients was "inhuman and degrading" and not acceptable in medical ethics, the chairman of the federal council of the Medical Association of South Africa (Masa), said yesterday.

In a statement, Dr Bernard Mandell said his view was supported by the World Medical Association.

He was reacting to an SAP statement that while shackling prisoners brought for hospital treatment might be regrettable, it was "unavoidable" in certain circumstances.

Police said escapes from hospitals had reached "alarming proportions", and accused medical staff at certain hospitals of "non-existent co-operation".

"Shackling is not a form of torture. It is simply designed to restrain the patient who is considered dangerous, and/or to prevent escape."

Dr Mandell said it was accepted that where the safety of the public was at risk, the police had a duty to take precautionary measures.

"However, after reports in April that hunger strikers were being shackled to their beds, Masa was assured that such restraints were used in exceptional circumstances only.

He said doctors' duties to imprisoned and detained patients did not differ from those to any other patient.

Dr Mandell said conflict between medical personnel and the police was best resolved through communication.



10 cases were re-  
id.

WORK: An operation proceeds on a young soldier shot in the leg during the Cunzumbia River battle. The soldier had to wait three days before reaching the operating theatre.

## Zimbabwe crippled by railway spares shortage

Argus Africa News Service

HARARE. — A coal crisis, caused by a shortage of transport, is threatening many Zimbabwean industries and even institutions like hospitals.

The crisis has arisen through a lack of railway locomotives, in particular, to move the coal from the Wankie colliery.

Even the lucrative tobacco industry is threatened because the large commercial farmers need coal in the drying operation of their crops.

Harare's central hospital is performing emergency operations only. The hospital uses coal to feed boilers which provide steam for its sterilising process.

Because of a shortage of coal over the past four weeks, routine and minor operations have been suspended and a number of theatres have been shut. At one time last week all five operating theatres were closed.

The company which supplies the Harare and other hospitals with Wankie coal says it is getting only 20 per cent of its total needs.

Zimbabwe's manufacturing industry is another major coal user and production of certain goods could be seriously affected if the crisis continues.

The chairman of the Wankie colliery company, Mr Douglas Kadenhe, said yesterday the colliery was producing enough coal to meet local demand but could not deliver enough because of railway problems.

As a result of a shortage of locomotives and wagons, Mr Kadenhe said, the company had been unable to deliver 364 025 tons — 9 839 wagon-loads — over the last six months and had lost about R5.3-million.

At the root of the rail problem is a shortage of spare parts. Road haulier companies have been hit in the same way.

More than half the diesel locomotives owned by the National Railways of Zimbabwe are out of commission.

The NRZ recently hired 10 locomotives from South Africa. However, four are reported to have been involved in accidents and two more are out of service for other reasons.

## Police manacle prisoners to hospital beds to 'stop escapes'

PRETORIA. — The South African Police, citing prisoner escapes, has defended its practice of manacling prisoners to hospital beds.

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### FEIGNED ILLNESS

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The statement added that the practice was not peculiar to South Africa.

— Sapa.

14-20/9/89

## **Willie Hofmeyr** 329 **'getting weaker'** *South*

HUNGER striker Willie Hofmeyr, now entering the third week of his hunger strike, is deteriorating, says his family.

And at the Grootvlei Prison in Bloemfontein, Trevor Manuel, Bulelani Ngcuka and Tsidi Moahluli have suspended their hunger strike.

Hofmeyr's sister, Beattie Hofmeyr, said he was getting weaker, although his mental state was still strong.

"He is dizzy most of the time, he can't concentrate anymore and is suffering from bad headaches. He knows that the others have suspended their hunger strike but he is not prepared to suspend his strike until they speak to him about his release," she said.

Manuel's wife, Lynne Matthews, confirmed that the three detainees held at Grootvlei had suspended their hunger strike on Tuesday.

"I saw Trevor on Tuesday and they are all very well," she said.



# 'Harsh' sentences for ANC activists

GRAHAMSTOWN. — Eleven Port Elizabeth activists were sentenced to jail terms ranging from two to 16 years after being found guilty on various charges related to terrorism and the unlawful possession of weapons.

The trial lasted more than a year and saw the entire defence team withdraw after plea-bargaining between the state and the accused failed.

The sentences were described as "harsh" by some lawyers.

A former vice-president of the Port Elizabeth Black Civic Organisation (Pebco), Lizo Pityana, was one of

the accused.

Pityana, who is the brother of the exiled Barney Pityana, an official of the World Council of Churches, was sentenced to an effective two years in jail after being convicted of aiding and abetting known ANC members.

The charges arose from incidents in Port Elizabeth during 1987 and included an attack on SAP members and a limpet mine explosion on a PE Tramways bus during strike action at the firm.

Six of the group were convicted of terrorism after the magistrate, Mr C Fouche, found that they had participated in the attacks. The others were

convicted of aiding and abetting known ANC members.

Lauretta Mengezeleli, who had received training as a nurse and assisted in securing a doctor for an ANC member after he had been injured in a shoot-out, was sentenced to four years.

During argument in extenuation, counsel for some of the accused said that what they had done would be viewed with sympathy by many South Africans.

The magistrate, however, found that there were few extenuating circumstances. He said the court was not convinced that violence was a

justified response by members of a community experiencing social injustice.

Fouche said that while it was probably true that the accused initially got involved in ANC activities by accident, they had later "participated heart and soul" in these activities.

In sentencing, he said that he took into consideration the two years the accused had spent in detention awaiting trial.

He sentenced Linda Fibi, Gumyazile Marubungwana and Zuko Adam to an effective 16 years imprisonment, after finding them guilty of terrorism. — ANA



329

South 14-20/9/89.

# Hofmeyr 'caught in the crossfire'

By RONNIE MORRIS

EMERGENCY detainee Mr Willie Hofmeyr embarked on a hunger strike soon after his detention because he felt he had been victimised by security police, the Supreme Court heard yesterday.

This was said by Mr D P de Villiers QC, counsel for Mr Hofmeyr, in an application for an order forbidding security police to move Mr Hofmeyr from Groote Schuur Hospital without certification by the district surgeon and the consultant in charge of the ward.

Mr Hofmeyr also asked for an order interdicting security police from removing him to Klerksdorp and chaining him to his bed.

Mr De Villiers described Mr Hofmeyr as "someone caught in the crossfire in the process of change in our country".

Mr Hofmeyr had been banned, detained and restricted but never convicted of any charge in court.

The decision to manacle him to his bed was an arbitrary one. According to the uncontested testimony of Mr Hofmeyr, he was under the supervision of two or three policemen day and night, Mr De Villiers said.

He could not get out of the windows and was physically incapable of attacking his guards. He had also stated that he had no desire to escape and that "it was not within his own perception of his role in society", Mr De Villiers said.

Mr W van Deventer SC, for the respondents, said there had been an "exercise of discretion" to manacle Mr Hofmeyr to his hospital bed because there was "a reasonable suspicion" he might escape.

Mr Justice J H Conradia presided. Mr De Villiers appeared with Ms Barbara Gessner and was instructed by Mr Justin Hardcastle of Mallinck, Ress, Richman and Closenbergh Inc. Mr Van Deventer appeared with Mr J A le Roux and was instructed by the state attorney.



# Student allegedly detained

WITS University fourth-year medical student Michael Avidan, 22, of Johannesburg was allegedly detained by security police on main campus yesterday, a Wits SRC spokesman said.

Two other Wits students, Springbok cyclist Gary Wilson and Abraham Rantao are expected to be among four people due to appear in the Johannesburg Magistrate's Court today on charges of public violence, alternatively assault.

## Condemn

The SRC spokesman said Wilson and Rantao had been held at Sandton Police Station since August 31, when they were detained on campus during police action against protesting students.

Yesterday police could not confirm Avidan's detention.

TANIA LEVY

The Transvaal Indian Congress, the National Union of Mineworkers of SA (Numsa), the Detainees Aid Centre and the Five Freedoms Forum have condemned the detention of UDF executive member Titus Mafolo.

SAP Col Vic Haynes said Mafolo was not being held under security legislation. He said he could not confirm detentions in terms of the emergency regulations.

Mafolo is the second senior UDF official to be detained since joining a delegation in talks with President Bush two months ago.

The Detainees Aid Centre said it would not be fooled by President F W de Klerk's ambitious talk on peaceful solutions while the state continued arbitrary detention of anti-apartheid activists.

There were more than 250 peo-

ple in detention, among them 17 children of school-going age, the centre said, calling on De Klerk to unconditionally release all detainees and political prisoners.

Numsa condemned Tuesday's police raid on the Alexandra home of Numsa general secretary Moses Mayekiso, during which two of his brothers were detained. One had subsequently been released.

B10am 15/9/89

## Hunger strike

Numsa said the raid followed the detention last Monday of Obed Bapela and Paul Tshabalala, who were found not guilty of treason together with Mayekiso earlier this year.

The statement said Numsa lawyers were trying to see the two who are reported to be on hunger strike in the OFS.

QUEEN VIC ... 'Delighted to be here.'

they will be seen at various formal occasions throughout their visit. Alice de Mellet will wear an exact

South Africa so many happy said Alice.

15/9/89 3:24  
**Four detained**

JOHANNESBURG. — Mr Obed Bapela and Mr Paul Tshabalala, of the National Union of Metalworkers of SA, found not guilty of treason along with Numsa general secretary Mr Moses Mayekiso earlier this year, were allegedly detained on September 4.

According to a Numsa statement, police also visited Mr Mayekiso's home on Tuesday and held two of his brothers — one of whom had been released — and confiscated documents. — Sapa

15/9/89  
**'Passive' cops fined R250**

PRETORIA. — Three policemen, guilty of being accessories to an assault with intent to do grievous bodily harm, have been fined an effective R250 each by a Regional Court magistrate here.

Mr D J Pieterse yesterday found Simon Sello Mahlakoana, 28, of Mamelodi East, Khazamba Andrew Maluleka, 32, of Soshanguve, and Deon van Rensburg, 24, of Schubart Park, guilty of being accessories to an assault on Mr E Mofoleng on January 23, 1987.

One of Mr Mofoleng's eardrums was damaged and the back of his head and lower back were bruised.

Mr Pieterse said the three were to blame for being passive and neglecting to intervene when Mr Mofoleng was being assaulted, not for physically taking part in the assault.

He fined each man R1 000 (or 200 days) of which R750 (or 150 days) was suspended for five years.

He said their future as policemen was in the hands of the Commissioner of Police. — Sapa

15/9/89  
the police in the country. — Sapa



# Hofmeyr asks court to prevent transfer

By LINDA GALLOWAY  
Supreme Court Reporter

A DETAINEE on hunger strike in Groote Schuur Hospital has brought an application to the Supreme Court for a review of the security police decision to send him to Kroonstad prison, and to prevent him being manacled to his hospital bed.

Mr Willie Hofmeyr, who has been on hunger strike for 21 days, was detained during a Mass Democratic Movement protest in the city three weeks ago.

He has brought an application against the Minister of Law and Order, the commander of the security police in Cape Town, the district commissioner of police and the station commander of Sea Point police station, not to remove him from Cape Town to Kroonstad, not to remove him from Groote Schuur Hospital without the consent of the district surgeon and the consultant in charge of his ward, and not to chain him to his bed in hospital.

Mr D P de Villiers QC, for Mr Hofmeyr, told the court Mr Hofmeyr had been "caught in the crossfire of the processes of change in our country" and had been banned, detained and restricted, but never convicted of any charge in a court of law.

He had been detained under the emergency regulations and was being held at Groote Schuur Hospital for treatment and observation as he was on a hunger strike and had an acute stomach complaint.

Mr De Villiers said there was "strong concern" about the psychological effects of his removal from Cape Town to a prison in Kroonstad.

The decision to manacle him to his bed was "an arbitrary order from a superior to an inferior".

Mr De Villiers said that according to Mr Hofmeyr he was under the supervision of two and mostly three policemen day and night. His physical condition would prevent him from attacking his guards.

He had also stated that he had no desire to escape as this



Picture: DANA le ROUX, The Argus.

**DETAINEE LEGAL TEAM:** Detainee Mr Willie Hofmeyr's family and legal team emerge from the Supreme Court during the hearing. They are, from the left, his father Mr Arend Hofmeyr, attorney Mr Justin Hardcastle, and advocates Mr David de Villiers, QC, and Ms Barbara Gassner.

did not fit in with his own perception of his role in society.

Mr W A van Deventer, SC, for the Minister of Law and Order and other respondents, said the decision to manacle Mr Hofmeyr to his bed was in keeping with fixed policy on prisoners in hospitals and it was not possible to exercise discretion on the matter.

Mr Justice J H Conradie said there had to be a discretion because each case was different and had to be decided on its merits.

Mr Van Deventer said it was a recent decision of the police to centralise all white hunger striking detainees at Kroonstad prison in the Free State, but Mr Hofmeyr would not be removed from hospital without the consent of the district surgeon, in keeping with the relevant regulations.

Mr Van Deventer was assisted by Mr J A le Roux, instructed by the State Attorney. Mr De Villiers was assisted by Ms B Gassner, instructed by Mr J Hardcastle of Mallinck Ress Richman and Clo- senberg Inc.



# Wits student detained

By Carina le Grange 329

A medical student at the University of the Witwatersrand, Mr Michael Avidan, was detained by security police while walking on the campus yesterday, said Wits Students' Representative Council president Mr Anton Roskam.

Mr Avidan, a fourth-year student, is a former Wits SRC member and lives in a university residence. He was described by Mr Roskam as a "well-known and respected campus leader who has worked tirelessly in building non-racialism though Nusas".

His detention follows the continued detention of Wits lecturer Mr Wilhelm Liebenberg and three other students, Mr Gary Wilson, Mr Kgontle Sebopedi and Mr Abraham Rantau.

Mr Roskam said: "The Wits SRC strongly condemns the latest wave of repression and detentions. The detention of Wits students must be seen in the light of the Government's continued attempts to undermine legitimate and peaceful anti-apartheid opposition.

He said State President-elect Mr F W de Klerk's "alleged support for peaceful protest can only be greeted with scepti-

cism when viewed against the detention of Mass Democratic Movement leaders such as Mohammed Valli Moosa, Titus Mafolo, Obed Bapela and Mzwanele Mayekiso.

"If he is really concerned about lasting peace in the country, then he should release all political prisoners and detainees, unban all organisations, lift the state of emergency, remove troops from the townships, end political executions, and stop police brutality.

"The Wits SRC commits itself to fighting for the release of Wits students and all other detainees, while working towards an end to apartheid and a non-racial democratic South Africa."

● The Detainees' Aid Centre (DAC) yesterday expressed its "disgust and contempt at the State's continued arbitrary detention of anti-apartheid activists".

The DAC said it wished to make it clear to Mr de Klerk and the whole world that it was "not going to be fooled" by Mr de Klerk's "brave and ambitious talk on peaceful solutions when in reality his Government is bent on using brutal repression against activists and organisations".



# MDM leader Ngcuka freed

By DENNIS CRUYWAGEN  
Staff Reporter

MASS Democratic Front leader Mr Bulelani Ngcuka has been freed from detention and restricted.

However, another MDM leader, Mr Trevor Manuel, who was held in Bloemfontein with Athlone attorney Mr Ngcuka, has not been released.

Based in Athlone, Mr Ngcuka has been confined to the Wynberg magisterial district, placed under house arrest at night, ordered to report to Guguletu police station twice a day, prohibited from taking part in the activities of the United Democratic Front and addressing any meeting not in compliance with government regulations.

"I can't even go to the Supreme Court," he said.

other person received burns on the face and neck.

*CASE 7-15/9/89*  
**Wits student 'detained' 329**

JOHANNESBURG. — Wits University fourth-year medical student Mr Michael Avidan, 22, of Johannesburg, was allegedly detained by security police on the main campus yesterday.

Reports by Staff Reporter, Own Correspondent, Sapa-Reuters-AP and UPI.



## 5 detainees on hunger strike

Weekly Mail Reporter

AN EASTERN Cape priest, Zolile Mkentane of Adelaide, has gone on a hunger strike to protest against his detention, according to the chairman of the Border Council of Churches, Rev Bongani Finca.

Finca said Mkentane told him in a message that four other Adelaide detainees joined him when the strike began last Thursday.

The others are: Bandlie Mangali, Bejile Masweli, Nosa Mana and Evangelist Magwa. They were detained on September 2 under the emergency regulations.

Finca said Mkentane's parents were refused permission to visit their son this week. — Veritas

(329) wmail 15-21/9/89

15 to September 21 1989

# Free to protest but they still detain people

329  
15-25/9/89

WHILE the government allowed a march through the streets of Cape Town, police were detaining people for their involvement in the same kind of peaceful protest, says the mass democratic movement.

Thus Mafofo, executive member of the United Democratic Front (UDF), was detained after he had addressed a meeting at the University of the Witwatersrand yesterday. He is the third member of the MDM's national leadership to be held under Emergency regulations in recent weeks.

UDF acting general secretary Mohammed Valli Moosa and executive member Curmick Ndlovu were detained before the elections.

Yesterday Michael Avidan, a National Union of South African Students (Nusas) leader, was detained at the Witwatersrand University campus shortly after midday by plain-clothed men.

Police headquarters in Pretoria refused to confirm reports of Mafofo's detention. "According to our present records, Mr Mafofo is not being held

## The detention of another UDF leader has cast doubt on the government's tolerance for protest. By VUSI GUNENE

under the Internal Security Act. As this office does not confirm Emergency Regulations detentions, enquiries in this regard were not made."

Most of those held are part of a team that is planning the Conference for a Democratic Future to be held in October. Mafofo was also part of a UDF delegation that met United States President George Bush and British Premier Margaret Thatcher two months ago.

The Five Freedoms Forum this week said the number of detentions had "risen rapidly over the past month, and now stands at over 250, in addition to 170 detained under the security legislation of South Africa and 'independent homelands'."

MDM representative Murphy Mobero said it was "quite clear that what the government is selling to the world

as reform initiatives could not be believed as it was waging a low-intensity war against leaders of the UDF".

A joint statement released by the Ateridgeville/Saulsville Residents' Organisations and the Saulsville/Ateridgeville Youth Organisation condemned the detention of Mafofo.

"His detention comes at a time when the De Klerk government purports to be different from the Botha administration seeking international and national support for its so-called peace initiatives.

"We find it deplorable that while De Klerk allows peaceful marches organised by the MDM under its broad defiance campaign programme, Tlusu, Curmick and Valli get detained exclusively for these peaceful protests."

Meanwhile two of the "Alexander Treason Trialists" — acquitted five months ago — were re-detained last week in pre-dawn raids. They are Obed Bapela and Paul Tshabalala.

The home of National Union of Metalworkers (Numsa) general secre-

tary Moses Mayekiso was also raided. He is presently in Sweden as a guest of the Swedish Metalworkers' Union.

Bapela and Tshabalala are reported to be on hunger strike and to have been transferred to a police cell in the Orange Free State. Numsa said police are looking for two other trialists, Mzwanele Mayekiso and Richard Mdaane.

Other activists detained in the past three weeks include: Amos Masondo, Transvaal education officer for the Congress of South African Trade Unions (Cosatu); Joyce Mabudafnisi, National Education Crisis Committee member, Louis Mguni, UDF Northern Transvaal president; Trevor Mamelus, executive member of the UDF; Willie Hofmeyr, UDF executive member in the Western Cape; Sandy Smit, Johannesburg Democratic Action Committee executive member; Graeme Bloch, National Education Crisis Committee member; and Mandela Dlamini, a Soweto youth leader.



# Hofmeyr out of hospital today

CM-  
1/7/8  
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329

Staff Reporter

**FREED** detainee Mr Willie Hofmeyr is expected to be discharged from Groote Schuur Hospital this morning.

This was confirmed by hospital sources and his mother, Mrs Estelle Hofmeyr, who said her son had eaten his first "normal" meal at lunch-time yesterday.

Mr Hofmeyr ended a 28-day hunger strike on Friday after negotiations between his family, legal advisers and the Minister of Law and Order, Mr Adriaan Vlok, last week.

Mrs Hofmeyr said her son's recovery was "going very well" and that he had already gained 4½ kilograms.

"Once he began eating again we started him off on a special fortifying vitamin drink and although it was only half-strength he gained one kilogram the first day."

A spokesman for Groote Schuur described his condition as satisfactory and said he expected Mr Hofmeyr to be discharged this morning.

# Detainee Hofmeyr unchained

W/EARCWS 16/9/89  
Supreme Court

Reporter 329

**DETAINEE** Mr Willie Hofmeyr will not be chained to his bed while he is in Groote Schuur Hospital after a ruling in the Cape Supreme Court.

Mr Justice J H Conradie gave the interim order after reserving judgment in the main application by Mr Hofmeyr against Mr Adriaan Vlok, the Minister of Law and Order, and other respondents, that he not be moved from Cape Town to a prison in Kroonstad, that he not be removed from Groote Schuur Hospital without the consent of the district surgeon and the ward consultant and that he not be manacled to his hospital bed.

Mr Hofmeyr has been on a hunger strike for 21 days.

The 'interim' order came after Mr W van Deventer, for the minister and other respondents, said he was not able to give "an undertaking in open court" that Mr Hofmeyr might possibly be released this weekend.

Mr Van Deventer said he was "stymied by bureaucracy" and had not been able to establish whether Mr Hofmeyr's release had been sanctioned by the minister himself.

Mr D P de Villiers QC, for Mr Hofmeyr, asked for an interim order restraining the minister "and his servants" from tying him to his bed while he is being held in hospital.

Mr De Villiers was assisted by Ms B Gassner, instructed by Mr J Hardcastle of Mallinck Ress Richman and Cloenberg Incorporated.



2 Cape Times, Saturday, September 16, 1989

# Hunger striker Hofmeyr may be free this weekend

By RONNIE MORRIS  
Supreme Court Reporter

HUNGER-STRIKING detainee Mr Willie Hofmeyr may be released this weekend — and police have been ordered not to chain him to his hospital bed.

Mr Hofmeyr, an article clerk with a city legal firm, has been on hunger strike for 21 days. He brought an application that the decision to move him to a prison in Kroonstad be reviewed and that police be restrained from chaining him to his bed.

The application was brought against the Minister of Law and Order, the officer commanding the Western Province division of the security branch and the Sea Point police station commander.

Earlier yesterday Mr W van Deventer, for the respondent, said Mr Hofmeyr was likely to be released this weekend. Because of that it was not necessary to pursue the application, but only to argue for costs, he said.

Mr D P de Villiers, QC, for Mr Hofmeyr, said

Mr Hofmeyr had brought the application not because he was on hunger strike, but because he was held in isolation.

Shortly before the lunch adjournment, Mr J H Conradie reserved judgment.

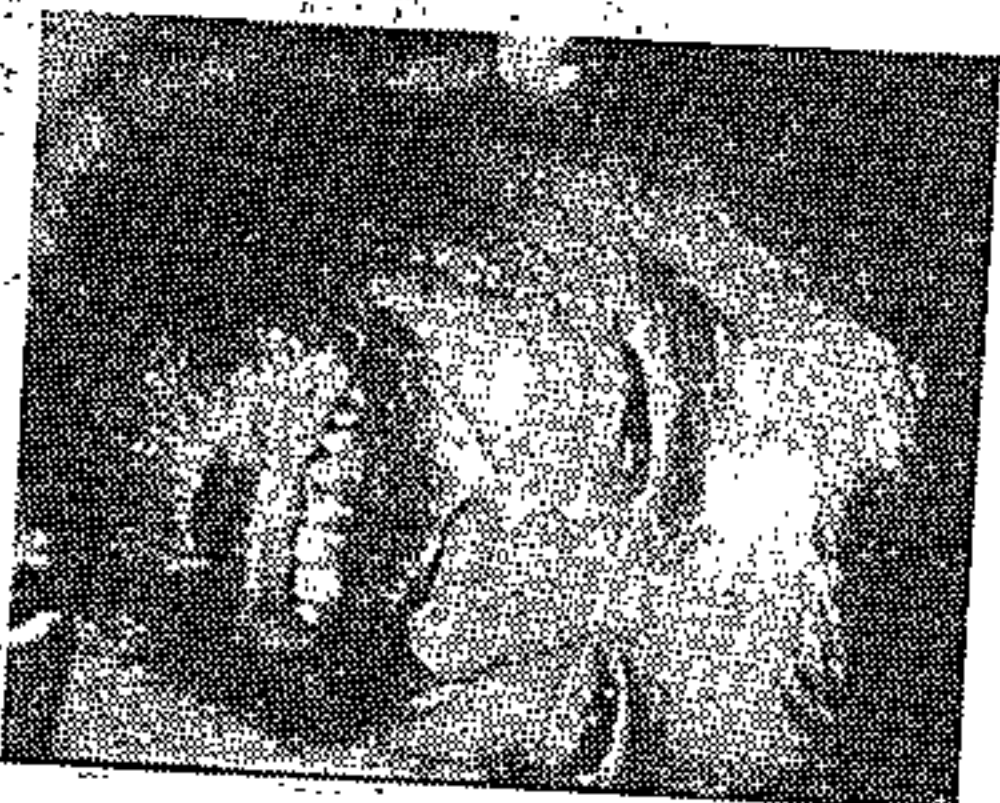
However, after lunch, the parties returned to court and Mr Van Deventer said he could not get hold of those in authority and was not able to give the court an assurance that Mr Hofmeyr would be released this weekend.

"We have walked headlong into walls of bureaucracy. Maybe it's humanitarian and

proper for the court to give an interim order," Mr Van Deventer said.

Mr De Villiers said the defence team had received a message that Mr Hofmeyr would be released this weekend, but no official notice had been received.

Mr Justice Conradie said he was happy to make an interim order and accordingly ordered that, pending the delivery of final judgment, the respondent and its servants were restrained from chaining Mr Hofmeyr to his bed for as long as he remained in hospital.



Mr Willie Hofmeyr



# The cruel limits of repression in SA

1/6/85 18/9/89

329

By Professor S R BENATAR, Head of the Department of Medicine at UCT; Professor D DAVIS, Associate Professor of Commercial Law at UCT; Professor T L DOWDALL, Director of the Child Guidance Clinic at UCT, and Professor B ROBERTSON, Head of the Department of Psychiatry at UCT.

**E**MERGENCY detainee Willie Hofmeyr has been on a hunger strike for 23 days. He is in Groote Schuur hospital under police guard and was being chained to his bed at night. He has lost weight rapidly and will face irreversible damage to his kidneys and other organs within the next three weeks. If he continues his hunger strike for more than 40 days, he may die.

## RIGHTS

The wall of silence that the state has constructed around detentions makes it difficult for the person in the street to understand why a young man would take such risks with his life.

The answer lies in the enormous power that the state has to restrict, detain and control its opponents. The victims have no legal way of challenging state action. In 1976, Hofmeyr was banned for five years by the then Minister of Justice, Jimmy Kruger. He was detained without trial in 1987 and 1988, and from February 1988 was restricted and placed under virtual house arrest through an order issued by the Minister of Law and Order, Mr Adriaan Vlok. On August 26 he was again detained.

Hofmeyr has never been convicted of any offence and none of the ministers has ever had to publicly justify the punishment they have meted out to him.

The apartheid system in South Africa, with its colossal costs in human misery, and the increasing public resistance to this system, is the background to the hunger strikes we are now seeing. The state's response has been the declaration of states of emergency and the assumption of increasing powers to detain people indefinitely without trial.

According to the Human Rights Commission, over 73 000 persons have been detained since 1960, most without trial and many for prolonged periods.

The conditions under which detainees are held have repeatedly been described as punitive, harsh, and unrelated to the purpose of securing public safety.

Despite some modifications to the rules, emergency detainees are still subjected to solitary confinement, which is considered to be a cruel and inhuman form of punishment. There is clear evidence that some detainees have been abused and even tortured.

## Persecution

Health workers who have treated ex-detainees are well aware of the physical and psychological toll which the detention process has taken of its victims.

The hunger strikers have invariably taken the ultimate stand after suffering years of harassment, repeated detention without trial and massive restrictions of their freedom of movement and association, amounting to personal persecution.

The tragedy is that the devastating effects are not confined to the detainees, but wreak havoc to the lives of their families. Spouses, brothers, sisters and young children become victims to the chronic stress disorders for which there is little hope of cure.

Each detainee is part of a community — often in a trusted role of leadership — and damage extends into the social structures as well.

Sadly, the law offers little, if any, protection to a person detained under the emergency regulations.

## Regulations

The government has caused regulations to be drafted which deny detainees the right to medical care of their own choice, the right to consult a lawyer and which place no obligation on the Minister of Law and Order to afford the detainee an opportunity to a hearing before his detention is extended beyond the

initial period of 30 days.

Many lawyers consider that such regulations should have been declared invalid by our courts on the grounds of going far beyond the intention of the enabling Public Safety Act, but the Appeal Court, in Omar versus State President, has indeed extended the scope of the regulations so that a detainee is not even entitled to be informed of the reasons for his continued detention.

## Attention

Thus, after the Omar case, a detainee effectively has no legal rights. Even if the police had detained the wrong Hofmeyr, Willie would have had great difficulty in preventing the minister legally from extending his detention.

Detained by an autocratic executive and granted no rights by the legislature and little protection by the judiciary, a detainee has little choice. Hunger strikes are a last resort to draw public attention to their desperate plight.

Nevertheless, hunger striking is an option never lightly undertaken. Hunger strikers are fully aware of the possibility of a fatal outcome, but this is not the reason for their extreme action.

They are not suicidal and are in full possession of their mental faculties when considering such a step.

## Infections

The process of death by starvation is not a pretty one. Rapid weight loss during the first few days of fasting is followed by a slow, progressive loss of weight as fat and then muscle tissue breaks down to provide energy requirements.

Hunger disappears in a few days and headaches, lethargy, insomnia and dizziness increase.

The body can be racked by abdominal cramps and gums may begin to bleed. Intolerance of cold increases and at a later stage as the body dehydrates, loss of thirst occurs.

The hunger striker becomes increasingly prone to infections and bleeding disorders increase. In the later stages episodic confusion is

followed by blindness and coma. Most individuals will die after 40 to 50 days of total fasting.

The doctor's position in this situation is complex. The Declaration of Tokyo, to which the Medical Association of South Africa is a signatory, states:

"Where a person refuses nourishment and is considered by the doctor as capable of forming an unimpaired and rational judgment concerning the consequences of such a voluntary refusal of nourishment, he or she shall not be fed artificially."

## Consequences

The decision as to the capacity of the prisoner to form such a judgment should be confirmed by at least one other independent doctor. The consequences of the refusal of nourishment shall be explained by the doctor to the prisoner."

Pressure cannot ethically be put on the patient by the doctor to break the fast beyond informing the patient factually of the physical and mental consequences of starvation and the provision of such supportive care as the prisoner accepts.

It is painful and difficult for doctors, trained to the preservation of life, to stand by passively as their patients die. But this is the ethical course embodied in the Declaration of Tokyo.

## Shocking

This, then, is the road on which the detainees embark when they decide on voluntary total fasting, using their only power left with which to protest — the power over their own life or death.

This is a shocking thought, but it is the truth, and it is meant to shock. It is meant to draw attention to the extent to which freedom of speech and belief has been destroyed in South Africa.

And to test out the limits of the destructive process, will the hunger striker be allowed to die? Will repression go so far as to condone death in cold blood? The world waits to witness the outcome.



# No release for Willy Hofmeyr

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By MARIUS BOSCH

HOSPITALISED detainee Mr Willie Hofmeyr, who enters the fourth week of a hunger strike, has still not been released from detention after apparently refusing to sign a new restriction order governing his release, his father said last night.

Mr Arend Hofmeyr said that an "unbelievable sequence of events" had left his family, and specially his son, "traumatised and very disappointed".

Last week lawyers brought a Supreme Court application that a decision to move him to a prison in Kroonstad be reviewed and that police be restrained from chaining him to his hospital bed.

On Friday, counsel for the state said Mr Hofmeyr would be released at the weekend, arguing that it was not necessary to pursue the application.

Later on Friday the state said they had "walked headlong into the walls of bureaucracy" and could not assure the court of Mr Hofmeyr's release at the weekend. An interim order that Mr Hofmeyr may not be chained to his bed was granted.

# Num protests against officials' detention

*Source 20/9/87* 329 1

AN official of the National Union of Mineworkers has been detained under emergency regulations, a Num spokesman said yesterday.

He is Mr Jerry Majatladi, the union's press officer. He was arrested in Johannesburg last Saturday, according to the Num.

Num general secretary

**By LEN MASEKO**

Mr Cyril Ramaphosa said Majatladi's detention followed raids at the union's offices in Kimberley, Natal, Namaqualand and

~~REDA~~ Rustenburg over the past weeks. Seven Num organisers were also being held, he said.

A police spokesman said police did not confirm or deny detentions through the Press under emergency regulations.



# 2 on hunger strike

TWO executive members of the Alexandra Action Committee, who were detained a fortnight ago under emergency regulations, have been moved to prisons in the Orange Free State after embarking on a hunger strike.

## Alex men moved to OFS, says union

By MOJALEFA MOSEKI

detention of the men". He said the AAC officials' attorney would know if they had been on hunger strike or been moved to other prisons.

This was said by a spokesman for the National Union of Metalworkers of South Africa (Numsa) whose general secretary, Mr Moses Mayekiso, is also AAC chairman.

A police spokesman in the office of the Minister of Law and Order in Pretoria, Lieutenant P Bothma, said he "could not confirm or deny the

The two are the AAC's liaison officer, Mr Obed Bapela and organiser, Mr Paul Tshabalala.

They have been transferred to Kroonstad and Grootevlei prison (Bloemfontein) respectively after embarking on a hunger strike recently.

They demanded that they either be charged or released. Both activists were taken from their

homes on September 5 at 3.30am.

Police have seized several AAC documents and have been searching for the three other executive members who included Mayekiso, his brother, Mr Mzwanele Mayekiso, and Mr Richard Mdakane.

The AAC members said the clampdown on

the organisation's activities was spearheaded by the Joint Management Security Committee responsible for Alexandra.

They said the clampdown followed the AAC's successful revival in the township after the acquittal of five executive members who faced treason charges early this year.

Numsa has called for the release of the two AAC officials and requested the police to stop acting as if the AAC was an unlawful organisation.

The union states that the AAC was a civic organisation and had the right to organise openly.



Moses Mayekiso . . . AAC chairman

# Detention of leaders is deplored

Labour Reporter

The National Union of Mineworkers (NUM) yesterday deplored the detention under the state of emergency of its press officer, Mr Jerry Majatladi, and accused the Government of secretly silencing and isolating black leaders.

NUM general secretary Mr Cyril Ramaphosa said Mr Majatladi was held in Johannesburg on Saturday and called for his release. *Star 20/9/89*

"During the past few weeks NUM offices in Kimberley, Natal, Namaqualand and Rustenburg have been raided. At present seven NUM office-bearers are being held," said Mr Ramaphosa.

He said "the new Government of (State President) F W de Klerk, while on the surface calling for talks with black leaders, is in fact conducting a secret war of attrition".

● Lawyers for Human Rights has expressed its "dismay" at the detention of United Democratic Front executive member Mr Titus Mafolo.

The LHR national directorate said the detention of Mr Mafolo and others was "calculated to frustrate the organisation of the Conference towards a Democratic Future".



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## LESIA RENEWS HUNGER STRIKE

HARARE — Leslie Lesia was "looking drawn" after a week of renewed hunger strike in Chikurubi maximum security prison outside Harare, SA Trade Mission head Nico Nel said yesterday.

Nel had been allowed to see the detained black SA businessman earlier.

Lesia, 53, from Bloemfontein, was "determined that the world should know that he is being kept in prison after he was freed by the courts of the land", Nel said. The State dropped charges last year that Lesia gave the ANC a booby-trapped television set which exploded, killing the wife of an official, after it had been taken from Maputo to Harare.

Nel was allowed 30-minute interviews with Lesia, who is being held by ministerial order under the state of emergency, and with Odile Harington, the former Wits arts student who is serving a 12-year

MICHAEL HARTNACK

sentence for spying on the ANC.

Nel said Harington was "looking well and in fine spirits".

She has been held since January 1988, when her cover as anti-apartheid "refugee" was "blown".

Nel said he had had no official communication regarding the group of South Africans now in Harare seeking intervention from President Robert Mugabe in getting their sons, facing death sentences, reprieved.

The relatives, including Doris McBride, mother of ANC agent Robert McBride, are hoping Mugabe will assist in obtaining clemency for the three former members of the Rhodesian security forces under sentence of death for the fatal bombing of an ANC house.

**SHARP**  
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# Legal academics protest to FW on detention

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SEVENTEEN members of the University of Cape Town's Faculty of Law and seven of their Stellenbosch colleagues have sent a letter to the State President-elect, Mr F W de Klerk, expressing their "dismay" at the continued use of detention without trial, UCT said yesterday.

The letter, dated September 15, said the signatories "view with dismay the continued use of detention without trial against opponents of the government".

The UCT signatories are: Professor Dirk van Zyl Smit (Dean-designate), Mr Clive Thompson (Director Labour Unit), Associate Professor Dennis Davis, Miss C M Murray, Prof Hugh Corder (Head of the Department of Public Law), Miss Ina Ackermann, Mr Simon von Draanen, Prof G Doezalek, Mr Paul Eden, Prof M S Blackman (Head of Dept of Commercial Law), Prof E J Whitaker QC (Dean), Prof I Leeman (Head of the Department of Criminal and Procedural Law), Miss B J Clark, Associate Professor I W Bennett, Mr W Scharf, Miss R Keightley and Mr J W Roos.

The Stellenbosch signatories are: G F Lubbe, A A Jordaan, M A Rabie, M G Erasmus, L Roos, L M du Plessis and C W H Ackermann. — Sapa



## Police to monitor Strand gathering

29/9/89/STMR (329)  
Own Correspondent

CAPE TOWN — Police will be present to maintain law and order at the Mass Democratic Movement's planned all-race gathering at the Strand tomorrow, a police spokesman said.

The gathering is to be held to protest against beach apartheid laws.

A similar demonstration earlier this month resulted in

clashes between police and demonstrators after police sealed off the area and announced it was closed to the public because a dog-training exercise was being held there.

"I confirm that the SAP is aware of an organised visit to Strand on Saturday by people of all races. The police will maintain law and order," the spokesman said.

## Govt to announce beach policy soon

29/9/89/STMR (329)  
Political Staff

The Government would soon be announcing its policy on racially exclusive beaches and amenities, the new Minister of Planning and Provincial Affairs, Mr Hernus Kriel, said yesterday.

In a statement issued in Pretoria he requested people to wait for the announcement "in a calm and peaceful manner".

Mr Kriel was responding to

reports that a protest was planned for tomorrow against the racial allocation of beach amenities at the Strand. "I would like to point out that the problem surrounding the use of beaches and other amenities is already receiving the urgent attention of the Cabinet," he said.

"The Government's standpoint on this issue will be announced soon."

# NUM says top official detained

6/10am 2d 7/89  
NATIONAL Union of Mine Workers (NUM) media officer and mass democratic movement (MDM) spokesman Jerry Majatladi has been detained in terms of the emergency regulations, NUM general secretary Cyril Ramaphosa said yesterday.

Majatladi's detention brings to seven the number of NUM office bearers in police custody, said Ramaphosa.

Majatladi was detained at a friend's apartment in Johannesburg at the weekend.

A spokesman for the Police Public Relations Directorate in Pretoria declined to confirm Majatladi's detention, saying police do not comment on emergency detentions.

In a statement deploring Majatladi's incarceration, Ramaphosa said:

"The new government of F W de

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SIPHO NGCOBO

Klerk, while on the surface calling for talks with black leaders, is in fact conducting a secret war of attrition aimed at silencing and removing from the public arena mass democratic movement activists and spokesmen for the trade union movement."

Majatladi joins UDF leaders Mohamed Valli Moosa, Curnick Ndlovu, Titus Mafolo, and others, behind bars.

Ramaphosa said during the past few weeks NUM offices in Kimberley, Natal, Namaqualand and Rustenburg had been raided.

Mafolo was in an MDM delegation that recently held talks with US President George Bush and British Prime Minister Margaret Thatcher.



Three city detainees released 329

THREE city people were yesterday unconditionally released without charge after 29 days in emergency detention, including Mr Graeme Bloch, 33, vice-chairman of the Western Cape Education Front.

This brings the number of Western Cape state of emergency detainees down to 59.

Family lawyers named the other two released as high school pupils Mr Jerome Hoffman, 18, of Elsie's River, and Mr Ricardo Koopman, 17, of Bishop Lavis.

And in Johannesburg, Mr Paul Tshabalala, 33, was released on Tuesday from emergency detention after an 11-day hunger strike.

Mr Tshabalala, a member of the Alexandra Action Committee, started eating again last Friday after assurances from the police that he would be released.

# IPI slates Vlok over arrests

21/9/89  
The Star's

Foreign News Service

GENEVA — The International Press Institute has condemned Law and Order Minister Mr Adriaan Vlok for the arrest of scores of journalists during the run-up to the recent election.

In a telegram to Mr Vlok yesterday, IPI's director, Mr Peter Galliner, said the Institute was deeply concerned at "recent actions by your government against journalists during the weeks prior to the national election."

 HARASSED

"Dozens of arrests were made, police confiscated equipment and film, and journalists have been constantly harassed."

In Cape Town alone on September 2, 53 journalists were arrested, including correspondents for CBS, ABC, NBC, Reuters, Associated Press, Tokyo Broadcasting Systems, World Television News, Visnews and Norwegian Broadcasting.

"The institute, representing leading journalists throughout the world, strongly protests against these disgraceful measures which violate fundamental internationally recognised principles of press freedom and the free flow of information."

Mr Galliner added: "We urge you to drop all charges against our colleagues, return all confiscated material and cease your attempts to silence the media in South Africa."

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### 3 activists released

CAPE TOWN — The authorities yesterday released from detention three anti-apartheid activists, including 33-year-old lecturer Graeme Bloch.

Family lawyers confirmed high school pupils Jerome Hoffman (18) of Elsies River and Ricardo Koopman (17) of Bishop Lavis had been freed after 29 days in detention.

Mr Bloch is the vice-chairman of the Western Cape Education Front.

Fifty-nine activists in the Western Cape remain in detention.

An "exhilarated" Mr Bloch, a lecturer in economic history at the University of the Western Cape, said his release had been a "cheap election stunt" and was "pointless without people like Willie Hofmeyr and Trevor Manuel — and all the others also being released".

His prison experience had confirmed for him the "senselessness and brutality" of the detention of youths and schoolchildren whose education was severely hampered.

There could be "no chance" of a return to normal schooling on the Cape Flats until all the school leadership in detention had been released.

He was "shocked" that people like Mr Willie Hofmeyr had to "lay their lives on the line to draw attention to these iniquitous laws".

Mr Bloch's biggest regret was that he had been unable to partake in historic events of defiance such as the peace march by 30 000 people in Cape Town. — Sapa.

# Willie Hofmeyr's dad to meet Vlok

By CHRIS BATEMAN

WEAKENING human-rights lawyer Mr Willie Hofmeyr, 34, today enters his 27th day of a hunger strike as his father and two family lawyers fly to Pretoria to meet Law and Order Minister Mr Adriaan Vlok.

Last night his father, Mr Arend Hofmeyr, told the Cape Times that he had received a telephone call from Mr Vlok's office to invite him to Pretoria for discussions.

He would be accompanied on the trip by advocate Mr "Lang Dawid" de Villiers and attorney Mr Justin Hardcastle.

Mr Hofmeyr said his son's condition in Groote Schuur Hospital, where he is under police guard, was deteriorating and he had developed nausea, stomach pains and a markedly reduced concentration span.

According to Mr Hof-



**PICKET** ... Members of the Gardens Cape Youth Congress picket at the turn-off to Groote Schuur Hospital yesterday for the release of detainee Mr Willie Hofmeyr.

Picture: BENNY GOOL

meyr, doctors had said that "things are getting near the danger line with possible organ damage within days".

His family were supporting his son in his decision to pursue his hunger strike but "nevertheless we're not

sleeping so well at night".

Mr Hofmeyr denied a contention by a spokesman for Mr Vlok's office that his son was on a drip, saying his son was taking water only at present.

Mr Willie Hofmeyr was

detained under the emergency regulations on August 26 and immediately began a hunger strike. After four days he was moved to Groote Schuur Hospital where he was shackled to his bed under police guard.

During an urgent interdict brought last week before the Cape Supreme Court asking for him not to be moved to Kroonstad prison and to have his shackles removed, Mr W A van Deventer, SC, for the state, said he would be released at the weekend.

However Mr Van Deventer later returned to inform the court that he had run into a "wall of bureaucracy" and could no longer stand by his earlier statement.

An interim order was granted that Mr Hofmeyr's shackles be removed while he is in hospital.

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Subsequently, security police arrived and asked him to sign an order saying he would abide by his restriction. Mr Hofmeyr had refused on the grounds that this could compromise any future court actions by him.

Meanwhile, it is reported from Johannesburg that a leading figure in the Mass Democratic Movement and former treason trialist, Mr Obed Bapela, 30, is seriously ill in emergency detention at Kroonstad Prison after going on a hunger strike, according to claims by a

spokesman for the Alexandra Action Committee (AAC), Mr Mzwanele Mayekiso.

Mr Bapela has been on a hunger strike for 15 days.

No information could be obtained from the Police Public Relations Directorate in Pretoria on Mr Bapela's condition yesterday.

Mr Bapela, who is also a leading member of the AAC, was recently acquitted of treason charges in the marathon Alexandra treason trial in which top unionist Mr Moses Mayekiso was also an accused.



# Oscar's family visits curtailed

OSCAR MPETHA's visiting rights have been made more stringent, according to relatives.

His daughter, Esther Mpetha, said the family's almost daily access to him at Groote Schuur Hospital has been severely curtailed.

The stringent visiting conditions were imposed shortly after Mpetha's 80th birthday last month when a large group of demonstrators attempted to see him.

His daughter said permission to visit the veteran trade unionist now had to be obtained from Pollsmoor Prison.

"The cumbersome procedure entails taking members of the family wishing to visit my father to Pollsmoor to register their names.

Mpetha, jailed in 1984 after being convicted on terrorism charges in the Cape Town Supreme Court, has served most of his sentence in a ward at Groote Schuur Hospital because of bad health.

Asked for comment a spokesperson for the Prisons Service in Pretoria said it was the policy of the South African Prisons Service not to comment on individual prisoners.

"Family members are welcome to approach the head of the prison in connection with any practical problems."

Meanwhile, relatives and legal representatives of Rivonia trialist Wilton Mkwayi, first held on Robben Island and now at Pollsmoor Prison for the past 25 years, said he was "confident" that he would be released soon.

Mkwayi and fellow Rivonia trialist, Walter Sisulu, have been named as the ANC stalwarts most likely to be released by FW de Klerk's new government.

Their release is expected to be announced before next month's crucial Commonwealth conference in Kuala Lumpur, Malaysia.

The move is expected to allow Thatcher to stand firm against an intensification of the sanctions campaign against South Africa.

Recent visitors to the Victor Verster prison "home" of Nelson Mandela near Paarl said the ANC leader was not expecting to be released this year.

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# REPRESSION DOSSIER

## 250 still held

ABOUT 250 people were still held under emergency regulations this week.

They include 140 in the Transvaal PWV area, 10 in the Northern Transvaal, three in the Western Transvaal, one in the Eastern Transvaal, six in Natal, six in the Northern Cape, seven in the Eastern Cape and 69 in the Western Cape. Those detained in the Western Cape include:

Ronald Jacobs, 17, Glendale Senior Secondary, detained on 18 July; Walleen Mostert, 16, Mondale Senior Secondary, 28 July; Freda Mostert, 18, Mondale Senior Secondary, 28 July; Estelle Leonard, 18, Glendale Senior Secondary, 28 July; Jacques Baartman, 18, Cedars Senior Secondary, 28 July; Siraa Ebrahim, 18, Glendale Senior Secondary, 28 July; Eugene Paramoer, 17, Excelsior Senior Secondary, 3 August; Denver Christians, 18, Belhar Senior Secondary, 3 August; Errol April, 19, Western Cape Schools Congress, 3 August; Neil Mentor, 18, Cedars Senior Secondary, 13 August; Isak Ockhurs, De Kruinen Senior Secondary, 13 August; Jan Swarts, De Kruinen Senior Secondary, 13 August; Marius Koopman, 17, Fred Duam Senior Secondary, 17 August; Trevor Vergotine, 17, Fred Duam Senior Secondary, 17 August; Francois Jurgens, 19, De Kruinen Senior Secondary, 17 August; Allan Paulse, 24, University of the Western Cape, 21 August; Lloyd Fortuin, 26, University of the Western Cape, 21 August.

Jacobus Cornellijsen, University of the Western Cape, 21 August; Peter ... 20, University of the Western Cape, 21 August; Jerome Hofmann, ... 22 August; Warren ... 16, Cedars Senior Secondary, 22 August; George Oliver, 18, Mitchell's ... 22 August; Ricardo ... 17, John Ramsey Senior Secondary, 22 August; Desmond ... 22 August; Brian Handel, 19, Inter-church ... 23 August; Katriena Jacobs, ... 23 August; Katriena Booysen, 19, De Kruinen Senior Secondary, 23 August; ... 23 August; Henry ... 16, De Kruinen Senior Secondary, 23 August; Oswald ... 16, Luckhoff Senior Secondary, 23 August; Eugene Morgan, ... 23 August; ... 23 August.

Fabian Wanza, 18, Luckhoff Senior Secondary, 23 August; Abie Vrieslaag, ... 24 August; Garth Joans, ... 25 August; Jonathan Tobias, Langeberg Senior Secondary, 26 August; Rosaline Davids, Langeberg Senior Secondary, 26 August; Willie Hofmeyr, attorney/restrictivee, 26 August; Trevor Manuel, restrictivee, 28 August; Jonathan James, Ashton Senior Secondary, 28 August;

Brian Williams, Ashton Senior Secondary, 28 August; Cedric Abrahams, Ashton Senior Secondary, 28 August; David Joans, Ashton Senior Secondary, 8 August; Lionel Human, Ashton Senior Secondary, 28 August; Henry Pre ... Ashton Senior Secondary, 28 August; William Pietersen, Ashton Senior Secondary, 28 August; Ignatius Davids, 19, Robertson Youth, 28 August.

Tabo Visagie, Langeberg Senior Secondary, 28 August; Tobie Kleinbooi, Langeberg Senior Secondary, 29 August; ... 29 August; Karel Fortuin, ... 29 August.

Langeberg Senior Secondary, 29 August; Benjamin Wanza, teacher, Luckhoff Senior Secondary, 31 August; Charles Hendrick, teacher, Luckhoff Senior Secondary, 31 August; Jerome Langenhoven, teacher, Luckhoff Senior Secondary, 31 August; Brandon Baron, 18, Ceres, 1 September; Richard Fryer, 18, Ceres, 1 September; George M'Bula, Ceres, 1 September; H Cloete, Koekenaap, 4 September; Roger Jackson, 16, Cape Town, September 6; Bernard Fick, Lambertsbay, 8 September; Nico Waldeck, Lambertsbay, 8 September; Henry Links, Lambertsbay, 8 September; Nicholas Waldick, Koekenaap, 8 September; Heinrich Magerman, 20, UWC student, 9 September; Anneline Flink, 19, Paarl, 8 September; Nazeem Meyson, 24, Robertson, 6 September; Francois Swartz, 21, Touwsriver Senior Secondary, 4 September; Ronnie Afrikaaner, 20, Touwsriver Senior Secondary, 4 September; Gerald Visagie, 21, Touwsriver Senior Secondary, 4 September; Dirk Koopman, Worcester, 4 September.

## Freed but still jailed

CAPE Town attorney Bulelani Ngcuka has been severely restricted on his release last week after 20 days in detention.

Ngcuka embarked on a hunger strike shortly after he was detained, and was transferred with United Democratic Front leaders Trevor Manuel and Tsidi Moahluli to Grootvlei prison, near Bloemfontein.

Manuel and Ngcuka suspended their hunger strike on Tuesday last week after being visited by police officials who assured them that their release was imminent.

However, Ngcuka's restrictions were made a condition of release, authorised by Law and Order Minister, Adriaan Vlok.

He was restricted in terms of regulation 3 of the security emergency regulations. He was not restricted before his detention.

In terms of the order, he cannot take part in the activities of the UDF and leave the boundaries of the Wynberg magisterial district.

He is also ordered not to leave his Malunga Park home between 8pm and 6am and to report twice daily to the Guguletu police station.

Ngcuka said he felt "lousy" about his order, which inhibited his ability to represent his clients. He now has to ask police permission before appearing on behalf of his clients in the Supreme Court, or any other court outside the boundaries of the Wynberg magisterial district.

"But it's good to be home again, although I miss Trevor (Manuel) a lot and feel very bad that he has been left behind."

By REHANA ROSSOUW

THE Mass Democratic Movement's defiance campaign led to hundreds of arrests, detentions and charges when police acted against marches and demonstrations throughout the country.

Conservative estimates by monitoring groups indicate that at least 1 500 people were arrested in the past month at "illegal gatherings".

These figures were boosted by mass arrests in the week before the September 6 elections when 170 women were arrested on a march in Cape Town, 500 medical students and lecturers were arrested when they marched in Pietermaritzburg and more than 500 were charged after the Cape Town march to parliament.

In the Western Cape, hundreds of students have been charged with public violence and arson after clashes with police.

Lawyers quickly organised "night courts" where hundreds of accused were processed, charged and released.

Several MDM leaders were detained under the emergency regulations during the defiance campaign.

At least 255 people, particularly pupils in the Western Cape, are presently being held in detention.

At the end of the first week of the defiance campaign in the Western Cape, 35 people were arrested and charged and 23 were detained. At least 30 pupils were arrested and 20 were detained. Twenty-five Mitchell's Plain pupils were charged with public violence.

By the end of the second week, on August 13, 55 people had been detained under the emergency regulations — 47 of them pupils. Fifteen were under 18 years of age.

By the third week of the defiance campaign, the crackdown on MDM leaders began.

Graeme Bloch, University of the Western Cape lecturer, was detained

## The cost of defiance

on August 22, followed by Willie Hofmeyr, Trevor Manuel and Bulelani Ngcuka.

By the end of the week, 77 people in the Western Cape and Boland were detained. There were now 60 pupils and seven teachers in detention.

The defiance campaign was also marked by several meetings being banned by police.

A "people's rally" organised by the Western Province Council of Churches on August 20, was banned under the emergency regulations.

A rally organised by the National Sports Congress to protest against the "international" rugby tour, was banned on August 25.

An education summit, which was to be held at the University of the Western Cape, was banned on August 26.

A northern suburbs rally, scheduled for the Dorothy Boesak Centre in Bellville South, was banned on August 28.

A Call of Islam "Don't vote rally", to be held at the Hanover Park civic centre, was banned on August 30.

A Cape Democrats "Free and Fair elections rally", to be held on September 4, was banned hours before it was due to start.

A church service which was to be held the same night was also banned, but lawyers overturned the ban later that night.

On September 5, the commissioner of police banned all meetings organised by UCT's United Front from

taking place during the next two days.

Although the Western Cape was the most active part of the country during the defiance campaign, with militant pupils involved in daily clashes with police, repression and detentions were widespread in other parts of the country, the Human Rights Commission reports.

The Commission monitored 739 arrests of people engaged in defiance campaign and anti-election action between September 4 and 6, and 15 arrests of journalists protesting against the media restrictions.

All meetings in the Transvaal under the banner of "Defy Apartheid Elections" were banned.

By September 6, the Commission reported 252 detentions throughout the country, with the highest total in the Transvaal where 140 were held.

In the Western Cape, the area with the second highest amount of detainees, 69 are still being held.

Journalists and media workers were also a target of harassment during the defiance campaign, with 108 arrested in the Western Cape alone while covering the protests.

The editor of the Cape Times, Mr Koos Viviers, was warned by security police that he might be charged after publishing a picture of a water cannon spraying purple dye over protestors during the march to parliament.

But the act of repression which horrified South Africa and the world, was the killing of at least 16 people in the Western Cape on election day, September 6.



Bulelani Ngcuka (right) is greeted by friend Ngconde Balfour after his release last Friday.



## Num slams detention

THE National Union of Mineworkers of South Africa (Num) this week issued a statement strongly condemning the detention of the union's press officer, Jerry Majatladi.

According to the Num, Majatladi was detained under emergency regulations last weekend.

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# Robben Islanders win their freedom

GRAHAMSTOWN. — Two Robben Island prisoners won an appeal against their convictions and sentences on charges of terrorism and other related counts in the Grahamstown Supreme Court last week.

The men, Fikile Owen Gwadana, 36, and Mzwabantu Errol Dapula, 27, were arrested in July 1986 and convicted on August 12 1988 in the East London Regional Court by magistrate Mr David Cronje.

Gwadana, who was convicted of terrorism, attempted murder and for the unlawful possession of hand grenades, was effectively sentenced to 17 years' imprisonment.

Dapula was convicted on the terrorism charge and sentenced to three years' imprisonment.

In the appeal court hearing, the judges, Mr Justice Franklyn Kroon and Mr Justice Johan Jansen, set aside both the conviction and sentence of the two men.

Gwadana's conviction was overturned on the basis of his confession not being made freely and voluntarily.

Dapula's conviction was overturned on the basis that he was convicted for an act which was committed outside of the jurisdiction of South Africa, in Ezibeleni in the Transkei.

21-27/9/89.

South



## Vlok discusses

### Hofmeyr strike

THE 28-day-long hunger strike by lawyer Mr Willie Hofmeyr was discussed at a meeting in Pretoria yesterday between Law and Order Minister Mr Adriaan Vlok and Mr Hofmeyr's father Mr Arend Hofmeyr.

It lasted nearly two hours. Mr Vlok issued no statement.

At his city home this morning Mr Hofmeyr declined to comment, saying that the situation was "sensitive".

# Family fears for life of jailed hunger striker

DETAINED civil rights lawyer Willie Hofmeyr entered his 27th day of hunger strike yesterday amid fears for his life.

But a ray of hope was raised last night by his attorney, Justin Hardcastle, who accompanied Hofmeyr's father, Arend Hofmeyr, to a meeting with Law and Order Minister Adrian Vlok. Emerging from the meeting, he said "The minister is considering Willie's position."

Meanwhile, his fat reserves depleted, Hofmeyr's body was starting to consume muscle to meet its energy needs. He has lost 20 kilograms since he began a hunger strike immediately after being detained on September 6.

By GAVIN EVANS and VUSI GUNENE

Members are still being held in the Free State and Venda. All were detained between September 6 and 8.

Among them are NUM organisers Shadrack Bongani, Edward Mlondobuzi and M Hleko, Northern Transvaal secretary Evans Novunga and Free State secretary Ikaneng Matlala.

Other MDM leaders detained over the past five weeks include UDF national chairman Curnick Ndlovu, UDF acting national secretary Mohammed Valli Moosa, UDF national executive member Titus Mafolo, UDF Northern Transvaal president Louis Mnguni, UDF Western Cape leaders Trevor Manuel and Willie Hofmeyr, Cosatu Transvaal education officer Amos Masondo, National Education Crisis Committee member Joyce Mabudafhasi, Johannesburg Democratic Action Committee leaders Wilhelm Liebenberg and Sandy Smit, Soweto Youth Congress leader Mandla Dlamini, Northern Transvaal student leader Ben Malandobzi and Wits Nusas leader Mike Avidan.

According to the legal firm, Cheadle Thompson and Haysom, one of their Emergency detainee clients, Zachariah Majola, went on hunger strike on September 13.

Two other hunger strikers were released this week. Obed Bapela was freed on Tuesday and Paul Tshabalala was on Monday.

Yesterday morning four University of Witwatersrand students and members of the Students Representative Council were detained,

"His condition is deteriorating daily," says his sister, Beatie Hofmeyr. "He now faces possible permanent damage. Eventually he will experience kidney failure, blindness and the collapse of other organs. After that, he will go into a coma and die."

As calls mounted for Hofmeyr's release, the detainees at Victor Verster Prison in Paarl announced their intention to embark on a concerted hunger strike if not released by month-end.

Attorneys acting for the detainees said they were also investigating allegations of "serious assaults during interrogations" and other alleged abuses.

**Detainee Willie Hofmeyr faces organ failure, blindness and possible death as his prison fast reaches a critical phase.**  
By GAYE DAVIS

According to Cape Town's Repression Monitoring Group, 69 people, at least 12 of them under the age of 18, are in detention in the region.

United Democratic Front activist Trevor Manuel, who suspended his hunger strike after 10 days on September 7 after being told his release was imminent, is still being held in Blomfontein's Grootevlei Prison.

Two people imprisoned with him, Paarl activist Tsidi Moahluli and Cape Town attorney Bulelani Ngcuka, suspended their hunger strikes at the same time and have since been released — Ngcuka under a stringent restriction order.

Graeme Bloch, vice-chairperson of the Western Cape Education Front (WCEF), was released on Wednesday, two days after the release of WCEF member Gareth Rossiter.

Both spent almost 30 days in Cape Town's Pollsmoor Prison.

Four days after being detained Hofmeyr was admitted to Groote Schuur Hospital with internal bleeding, dehydration and low blood pressure.

Although he was under police guard, he was manacled by the ankle to his bed-frame. The chains were removed in terms of an interim court order handed down last Friday, a by-product of an application for an urgent interdict brought by Hofmeyr to prevent his transfer to Kroonstad Prison in the Orange Free State.

It is official state policy to transfer hunger-strikers to prisons with "adequate facilities". The effect is to isolate them from family, lawyers and fellow detainees: black male prisoners go to Grootevlei, white males to Kroonstad.

In the Cape Supreme Court last Friday advocates appearing for the state in Hofmeyr's interdict hearing said he would be freed "by the weekend".

On Friday afternoon he was visited by security police who said he would be released with a new restriction order and demanded he sign an undertaking to abide by it.

"Willie refused to do this on the grounds that he could not be expected to consent to his own restriction and that the minister had the power to impose the order whether he consented or not," his sister said.

Hofmeyr, 34, who was served with a five-year banning order in 1976, was detained in 1987 for a fortnight while a member of the UDF's Western Cape executive. He was first served with a restriction order in February last year, detained two months later and held in solitary confinement for six months. He was served with a new restriction order in October.

Despite his restrictions he completed a law degree at the University of Cape Town and began serving articles this year.

Hofmeyr and Manuel were among 22 people in the Western Cape who launched the defiance campaign in the region on August 6 by publicly announcing they would defy their restriction orders.

Five restriction orders were subsequently arrested, released on bail, and warned to re-appear in court today. Hofmeyr is one of them.

## Detentions reach record high

A FRESH wave of Emergency detentions has brought the number of detainees being held in South Africa to a five-month peak.

Human Rights Commission representative Dr Max Coleman said the number of people being held under the Emergency regulations had risen by about 500 percent over the past month, and now stood at least 251.

Since mid-August 20 key Mass Democratic Movement leaders have been detained — most of them involved in talks on next month's Conference for a Democratic Future.

"It seems that on one hand the government is using the rhetoric of negotiations but at the same time has launched a wave of detentions aimed at the MDM leadership," said Coleman. "Several of those detained have been centrally involved in coordinating the conference, which is aimed at formulating positions on negotiations."

The HRC estimates that at least 441 people are currently being held without trial, including 57 under the Internal Security Act and at least 133 under the security legislation of the "independent homelands".

MDM leaders have made urgent appeals to several embassies, calling on them to consider joint action around the current spate of detentions. They indicate their representations have met with positive responses.

National Union of Mineworkers national press officer, Jerry Majatlad, who was detained under the Emergency regulations last Saturday, was released yesterday morning.

Ten other NUM leaders and mem-



# '245 emergency detainees held in SA' \*

STAFF 21/9/89  
Staff Reporters

(329)

About 245 people are being held in South African jails without trial under the emergency regulations, according to the Human Rights Commission (HRC) and anti-apartheid organisations.

A spokesman from the HRC said the figure was only an estimate based on information supplied by various monitoring groups and organisations.

There are 155 detainees from the PWV area on the list, two from the northern Transvaal, three from the western Transvaal, one from the eastern Transvaal, seven from Natal and 77 from the Cape.

There are at least eight university members and students being held under the state of emergency, including University of the Western Cape students Mr Jacobus Cornellsen, Mr Alan Paulse,

Mr Dion Heyns, Mr Augustine Williams and Mr David Mothoa.

At Rhodes University student Mr Chule Papiyane is being held, along with a Rhodes University worker and shop steward, Mr Elijah Ntentile.

Wits student Mr Michael Avidan has been detained since September 14.

## CONDEMNED

The Johannesburg Democratic Action Committee (Jodac) has condemned the detentions and the Government's inconsistency in allowing a peaceful protest march and then detaining UDF executive member Mr Titus Mofolo while he was addressing a Jodac meeting last week.

Two executive members of Jodac, lecturer Mr Wilhelm Liebenberg and Ms Sandi Smit, are both in detention.

Five Vaal Triangle activists have been detained, according to a statement issued by the Vaal Detainees' Welfare Society, Vaal Youth Congress and Vaal Students' Congress.

Those being held at various police stations are Mr Vavi Zwelinzima, Mr Abbey Mbangeni, Mr Slovo Majola, Mr Lebohang Mahata and Mr Oupa Modiko.

The statement said Mr Majola had embarked on a hunger strike and it is believed he had been transferred to the Free State.

"We condemn the harassment of Vaal activists and attempts to recruit our members as well as raids made on the Rev Richard Mokolo, in which video cassettes and church property were confiscated."

The South African Police Public Relations Division said it did not confirm detentions under the state of emergency. \*





# Jubilation as Hofmeyr is released

w/t ARGUS 23/9/89

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By JACQUELYN SWARTZ  
and MAGGIE ROWLEY  
Weekend Argus Reporters

SCENES of jubilation among family and friends greeted the release of detainee Willie Hofmeyr, who has been on a hunger strike since his detention 27 days ago.

According to his lawyer, Mr Hofmeyr has been released subject to a restriction order.

The order compels him to refrain from participating in any way in the activities of the United Democratic Front and "other such organisations".

He is also confined to the Cape Peninsula and must be indoors between 8pm and 6am every day.

Mr Hofmeyr has also been prohibited from speaking to the Press or preparing any publications. The order also restricts him from attending any gathering where government policies are criticised.

His sister, Beattie Hofmeyr, said his family and friends were "absolutely overjoyed" at his release.

## "Regain appetites"

"It's just tragic that it had to take 27 days of a hunger strike to get it," she said.

"I think the first thing we'll do is rest and regain our appetites. It was difficult to think of food while he was on hunger strike."

She said that her brother had



**Freed detainee Mr Willie Hofmeyr with his sister Beattie. He was released last night after being on a hunger strike for 27 days.**

started drinking formula liquids yesterday morning.

This followed a 90-minute meeting between Minister of Law and Order Mr Adriaan Vlok, Mr Hofmyer's father and attorneys in Pretoria on Thursday.

Both parties have agreed not to comment on the talks.

Mr Arend Hofmeyr said his son was served with his release papers and the restriction order at 7.30pm last night.

In a statement on the release of Mr Hofmeyr, the MDM

spokesperson Ms Cheryl Carolus said: "We hope that he will be able to recover fully and that the government will leave him in peace so that he can take up his rightful place in our society."

A bottle of champagne was uncorked to celebrate Mr Hofmeyr's release, although he was not allowed to have any.

Joyful family members and friends hugged and kissed him.

A card lying on Mr Hofmeyr's bed read "Yay Yay Yay, welcome back Willie!"



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**HOFMEYR RELEASED . . .** UDF leader Mr Dullah Omar, right, hugs a gaunt Mr Willie Hofmeyr at Groote Schuur Hospital last night soon after Mr Hofmeyr was released from detention. Mr Hofmeyr lost 10kg during his hunger strike. His mother, Mrs Estelle Hofmeyr, is in the background.

Picture: ANDRE KOOPMAN

## Natal: 'We are ready for Province'

By MARDEEN MULLER

THE Banana Boys are in town — and determined to end their season on a high note by beating Western Province in today's Santambank Currie Cup rugby match at Newlands.

Natal captain Craig Jamieson said last night that his side had come to Cape Town to pick up two points from the game.

"We are ready for Province. We played well against North-

# Hofmeyr starts to eat again

By ANDRE KOOPMAN

AN emaciated Mr Willie Hofmeyr — the city activist on hunger strike since he was detained 28 days ago — was released from detention at 7.30 last night.

The slightly-built UDF executive member, who has lost 10kg, has been in Groote Schuur Hospital since he collapsed on the fourth day of his hunger strike.

His release was announced by his family and a government spokesman, a day after Mr Hofmeyr's father met Minister of Law and Order Mr Adriaan Vlok in Pretoria.

Mr Arend Hofmeyr said at the hospital last night that his son started eating early yesterday morning and was

on a "special diet", but would stay in hospital for another three days.

Mr Hofmeyr snr said his son had started eating because "the reasons which caused him to go on a hunger strike to a large extent do not exist any more".

Mr Hofmeyr is still restricted, and may not to speak to the press.

Doctors told Mr Hofmeyr snr last night that his son "turned around in time", and did not think he would suffer permanent body damage from his fast.

Mr Hofmeyr snr said his son's "detention and hunger strike has been a terrible ordeal for him and very unpleasant for the family.



LOUIS LUYT ... 'Expulsion is n

# Police arrest 150 in day of demos

By DE WET POTGIETER,  
DAVID JACKSON and  
CHARIS PERKINS

MORE than 150 people were detained by police as violence flared at the end of a day of protest in Pretoria yesterday.

Earlier in the day:

• An illegal march by women supporters of Women Against Repression petered out after police cordoned off the starting point at St Alban's Cathedral and intercepted demonstrators as they entered the city.

• A legal AWB meeting on Church Square drew only a small crowd and police intervened in a fracas between blacks and khaki-clad whites.

• Another legal meeting by a breakaway AWB group drew fewer than 100 people and passed without incident.

After the three organised demonstrations were over, violence erupted at Cosatu offices. Bystanders saw a number of blacks, their clothes bloody, loaded into vans.

## Warned

Police closed the Blood Street taxi rank and later dispersed people in nearby Marabastad.

The SAP's General Bert Wandrag, in a surveillance helicopter, gave instructions that all journalists be cleared from the area.

Lieutenant Hennie Crowther, police liaison officer for Northern Transvaal, said 154 people had been detained. They were released after being warned to appear in court this week.

The spokesman said three people were injured in the various incidents. No shots were fired and police used only batons and dogs.

The women's march had been planned all week, but the organisers refused to seek permission. They said they expected 35 000 marchers. On Friday, the march was banned in an order handed down by the Supreme Court.

A few hundred women

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51 Times 24/19/89

# Hunger striker breaks 28-day fast

By HAMISH McINDOE

(329)

HUNGER striker Willie Hofmeyr, who broke his fast after 28 days, has been released from detention — but silenced with a severe restriction order.

Mr Hofmeyr's first mouthful of food since going on hunger strike as soon as he was detained on August 26 followed only hours after his father and a legal team led by Mr DP "Lang Dawid" de Villiers QC met Law and Order Minister Adriaan Vlok.

Mr Hofmeyr was released from detention on Friday night but, in terms of his restriction order, he may not leave the Peninsula and must remain indoors between 8pm and 6am. He may also not speak to the Press.

*S/Times* 24/9/89  
The slighty built Mr Hofmeyr, 34, a law clerk and UDF activist, has lost over 10kg since starting his hunger strike.

It is understood he will remain in Groote Schuur Hospital until the middle of next week as doctors monitor his reaction to taking solids after nearly a month of drinking only water and fruit juice.

Mr Hofmeyr's mother, Estelle, said: "Willie's doctors are very optimistic that he will make a full recovery."



# 150 arrested in Pretoria's day of civil turmoil

From Page 1

nevertheless turned up at the starting point. There they were confronted by barbed wire cordons, waiting police and a helicopter overhead — with the Minister of Law and Order, Mr Adriaan Vlok, in attendance.

Mr Vlok said the police were ensuring that the ruling of the Supreme Court was being upheld.

"We cannot allow people to break the law and defy the ban. All we are trying to do is prevent chaos and violence in the streets of Pretoria."

From early yesterday morning, police intercepted buses — one carrying Mrs

Winnie Mandela — entering the capital.

Only a few hundred women finally made it to the centre of the city and, their march thwarted, about 600 assembled on the lawns below the Union Buildings where policemen gave them five minutes to disperse.

"We sang Nkosi Sikelel' iAfrika — then the police moved in with their dogs and sjamboks," said a shaken participant.

Organisers said at least 10 people were arrested.

The AWB drew only a few hundred people to its Church Square demo.

But police had to intervene when a fracas developed between AWB supporters and curious black bystanders who had assembled to watch proceedings at Paul Kruger's statue, bedecked in swastika-like banners and posters reading "Smash the ANC".

There was almost a carnival atmosphere until a few whites responded to inflammatory oratory and advanced on blacks standing

nearby.

After first calling for a peaceful meeting, Mr Piet Rudolph of the Boerevolkstaatsbeweging said there were people present "who are not members of the Boerevolk" and called on the police to remove them.

At this, black spectators moved back of their own accord and khaki-clad men directed racist remarks in their direction.

Then, as Mr Terre Blanche began his speech, a group of AWB supporters broke ranks and began chasing blacks out of the square.

About 50 blacks stood their ground, but police moved quickly to separate the two groups.

A policeman angrily ordered the AWB men to retreat, but there were isolated incidents of fisticuffs.

Police acted with restraint in a potentially explosive situation and managed to isolate troublemakers.

## Order

As the AWB meeting ended, a police officer ordered Church Square closed to all pedestrians.

At this point the Boer Freedom Group (an offshoot of the AWB) arrived to begin a second meeting at noon. After consultation with a brigadier, the former deputy leader of the AWB, Mr Jan Groenewald, and his group were given access to the square.

The meeting, attended by no more than 100, passed off without incident.

## Joy as hunger striker takes sip of yoghurt

<sup>Star</sup> 25/9/89 By Jacqueline Myburgh 329

When hunger-striker Mr Willie Hofmeyr was arrested in Cape Town on August 26 he had not eaten at all that day because he had been too busy.

He told his father, Mr Arend Hofmeyr, that he immediately went on hunger strike over his detention because it was the only legal form of protest open to him.

Mr Hofmeyr had been arrested in front of the First National Bank branch in St George's Street, Cape Town, during a demonstration against the bank's sponsorship of the International XV rugby tour.

Mr Arend Hofmeyr told The Star yesterday that his son's first meal after his release on Friday at 7.30 pm was a small amount of yoghurt.

Mrs Estelle Hofmeyr is said to have "wept for joy" when her son took his first mouthful of food.

Weighing only 47 kg, Mr Hofmeyr is 21 kg under the average weight for a person of his height.

Nearly 40 friends, members of the family and the press visited Mr Hofmeyr on Friday night and celebrated in the television room.

"Willie's room is so full of flowers and cards that three people can hardly get in there," said his father.



# De Klerk's record

MORE than 200 people have been detained and hundreds more briefly held, since Mr F W de Klerk came to power.

According to the latest available figures of the Human Rights Commission, the only organisation which monitors detentions, 233 people have been detained since August 22.

On the other hand, the Human Rights Commission said only 42 people had been released from prison between August 6 and August 22.

At his inauguration as the country's second executive State President last week, De Klerk vowed to continue the process of releasing political pri-

soners and create a climate for the lifting of the state of emergency.

But human rights campaigners and extra-Parliamentary organisations expressed concern about De Klerk's sincerity, warning that continued detentions would not contribute to creating a climate for negotiations.

De Klerk became Acting State President on August 14.

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# Arrests contradict FW's promises

Stav  
25/9/89 By Esmaré van der Merwe,  
Political Reporter

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A glance through newspaper clippings since August 14, the day Mr F W de Klerk became Acting State President, reveals a grim picture of a steady stream of detentions and arrests under the leadership of the man who has vowed to release political prisoners and lift the state of emergency as soon as possible.

Here are some of the incidents:

- On August 16, the Ministry of Law and Order announced that at least 25 restricted people who had defied their restriction orders in terms of the emergency regulations were arrested. They faced criminal charges in terms of the Criminal Procedures Act and many received "stiff sentences".
- On the same day, Mr de Klerk said he hoped the Mass Democratic Movement's defiance campaign would not make it necessary to place "great numbers of people in custody".
- On August 18, leading activist Mr Mahomed Valli Moosa was detained under Section 3 of the emergency regulations. He is still being held.
- On August 19, 16 people were arrested in Durban while protesting against First National Bank's sponsorship of the World XV rugby tour.
- On August 22, at least three Cape Town activists, including Mr Graeme Bloch, were detained.
- The following day, 10 people were arrested during a demonstration in Johannesburg against Mr Valli Moosa's detention.
- On August 26, leading Cape Town activists Mr Willie Hofmeyr and Mr Dawood Khan were arrested while taking part in a World XV rugby tour demonstration. Mr Hofmeyr was released on Friday, the 28th day of his hunger strike. His release is subject to restriction orders.
- On August 28, three men were arrested in Pretoria on a charge of "conspiracy" while participating in a bus defiance campaign. Two press photographers were briefly held. On August 31, eight more protesters were arrested.
- On August 28, Cape Town activist Mr Trevor Manuel was detained. He is believed to be on a hunger strike. Also believed to be on a hunger strike is Guguletu lawyer and UDF executive member, Mr Bulelani Ngcuka, whose detention was confirmed on the same day.
- On August 29, the Ministry of Law and Order confirmed the arrests of about 50 activists who had broken their restriction orders.
- On August 30, four activists were detained in Natal. On the same day, 170 women protesters, including the wife of Archbishop Desmond Tutu, Leah, and the wife of Dr Alan Boesak, Dorothy, were arrested but later released after a special court sitting. The women, who had been marching to the British Embassy to deliver a message about capital punishment and children's arrests, are due to appear again on October 20.
- On August 30, 11 members of the Congress of South African Trade Unions were arrested in Johannesburg during a protest about police action against Cosatu general secretary Mr Jay Naidoo.
- On August 31, Springbok cyclist and Wits student Mr Gary Wilson was detained. He was subsequently released after much publicity about his intended participation in the Rapport Tour.
- On September 1, 35 people were arrested in Cape Town while marching from St George's Cathedral to security police headquarters. Among them were Archbishop Tutu, University of the Western Cape rector Professor Jakes Gerwel and the rector of the Peninsula Technikon, Dr F Sonn.
- On the same day, Wits lecturer Mr Wilhelm Liebenberg, an executive member of the Johannesburg Democratic Action Committee (Jodac), was detained. Also detained was Ms Sandy Smit of Jodac.



# Long haul back for hunger-man Hofmeyr

By JOHN YELD, Staff Reporter

THE family and friends of emergency detainee Mr Willie Hofmeyr are watching anxiously as the slightly built activist faces the long haul back to physical fitness after breaking his hunger strike of 28 days on Friday.

The 35-year-old lawyer, who came perilously close to permanent physical damage as a result of his hunger strike, has paid a dear price for his deep concern for the under-privileged and disfranchised in South Africa.

Although never convicted of any offence, he has been held or severely restricted for long periods — including a five-year banning and a five-month period of detention.

His angry family commented in a recent letter to the Press: "He has been subjected to a long series of acts of persecution ... he has become a marked man against whom the State has been waging a 13-year vendetta."

## UDF executive

In 1976, Mr Hofmeyr was banned for five years for his involvement in Nusas's Wages Commission. He became involved in the United Democratic Front almost from its inception in 1983; was appointed regional co-ordinator in 1986 and was elected to the Western Cape executive in 1987.

In February last year, the UDF was among 17 anti-apartheid organisations outlawed by the government and Mr Hofmeyr was one of 18 people served with restriction orders. He was detained on April 22 and held for 166 days before being released — just days before Supreme Court action for relief from effective solitary confinement.

The State paid his legal fees for the planned action and he is suing the State for R100 000 damages as a result of his detention.

After working for an insurance company for several years while serving out his harsh banning — he was only able to see one person at a time —



Mr Willie Hofmeyr

Mr Hofmeyr started studying part-time for a BA (Lib) through Unisa and returned full-time to UCT two years ago.

His political involvement is not surprising, given his background. The Hofmeyrs are part of the distinguished family which has been at the Cape for 270 years — and are directly related to statesman, editor and humanitarian "Onze Jan" Hofmeyr.

Mr Willie Hofmeyr was born in Cape Town and is the eldest of four children.

His sister is a research co-ordinator at the University of Cape Town and one brother is a mechanical engineer. The other brother — Mr Hendrik Hofmeyr — is a classical guitarist and composer now working in Italy.

## Brilliant scholar

Mr Hofmeyr matriculated at Nassau High School (now no longer in existence) and was a brilliant scholar, achieving seven distinctions and coming 4th overall in the Cape Province.

He graduated from the University of Cape Town with a BA degree in economics and maths and went on to complete a master's degree in economics.

However, his final year of study last year was severely disrupted by his five-month detention. On his release in October a further restriction order prevented him from returning to campus, effectively barring him from taking his final exams.

Although UCT offered to allow him to write at home, Mr Hofmeyr believed there was "no substitute to having access to campus" and he applied for a relaxation of the restriction order to allow him to write exams on campus. However, because of his prolonged detention, he decided to postpone writing the exams until February, when he passed "easily", his father said.

## Arrested during demo

He then started articles with a Cape Town firm of attorneys and was acting in his capacity as a lawyer when arrested during a demonstration outside First National Bank in St George's Street on August 26.

He immediately embarked on a hunger strike, and was admitted to Groote Schuur Hospital five days later.

His detention last year was described as a tragedy by the then acting vice-chancellor of UCT, Professor J V O Reid, who said Mr Hofmeyr was "a young man of exceptional promise".

# Over 100 arrested in illegal protest march

A TOTAL of 139 people arrested in Pretoria on Saturday — when police prevented a Woman Against Repression (WAR) march from St Alban's Anglican Cathedral to the Union Buildings — were expected to appear in court today, a police directorate spokesman said yesterday.

Police said in a statement to Sapa the particulars of those arrested were taken and they were released on own recognisance.

It was not clear how many women arrived to take part in the march as police action prevented them from grouping at St Alban's and the Union Buildings.

Police, manning a road block on the main route into Pretoria from Johannesburg, informed people in buses of a Supreme Court interdict banning the march and asked them to turn back.

An entire city block in Schoeman Street outside St Alban's was cordoned off with 2m-high barbed wire coils to prevent marchers from entering the church for a service scheduled to begin at 10am.

Police said they baton-charged a group who had "gathered illegally".

WAR, a coalition of about 30, mainly woman's, organisations, had not asked

RIAAN SMIT and  
SIPHO NGCOBO

for permission to stage the march and the Pretoria Supreme Court granted Justice Minister Kobie Coetzee an urgent interdict on Friday preventing it.

Two blocks away about 500 people attended an AWB meeting and 200 an Afrikaner Volkswag meeting.

The gatherings — held to protest the "desecration" of Church Square by about 2 000, mainly black, protesters over a week ago — were sanctioned by the Pretoria Chief Magistrate.

## Marched

□ In Johannesburg yesterday about 60 hawkers and Spaza shop owners, all members of the African Council of Hawkers and Informal Businesses marched to celebrate of government's proposed scrapping of trading licenses.

The informal sector entrepreneurs, followed by traffic officers and riot police, marched about six blocks from Achib's offices in Jeppe Street and stopped in Harrison Street.

On police request march leaders produced a permit allowing the march, a police spokesman said.

## DEATHS

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## Defamation: Rajbansi wants charge quashed

Own Correspondent

DURBAN — National People's Party leader Amichand Rajbansi brought an application on Friday for a charge of criminal defamation against him to be quashed.

Appearing before Magistrate J J Augustyn in the Durban Regional Court, Rajbansi was not asked to plead to the charge of defamation.



## Doctors 'arrested during clash'

By Toni Younghusband,  
Medical Reporter

at a first aid station set up near  
the Union Buildings. 329

Doctors and health workers called to give aid to supporters of the planned Women Against Repression peace march in Pretoria on Saturday were arrested and charged with demonstrators, a spokesman for the National Medical and Dental Association (Namda) said yesterday.

Of the 10 sent, six doctors and two health workers were arrested when march supporters clashed with police, he said.

The Namda spokesman said one doctor was arrested while attending to a patient and the others were picked up by police

He said all health workers were wearing large red crosses.

They were held for five hours before being released on their own recognisances and ordered to appear in court yesterday.

"The actions of the police are in direct contravention of the Tokyo Declaration which states that first aiders are neutral in a situation of conflict," he said.

He said the doctors who had been arrested had treated at least 15 people while in the police cells for injuries "compatible with baton injuries".

# Minister tells of his detention

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KWANDEBELE'S Minister of Citizen Liaison and Information, Mr Lucas Mthimunye, nearly missed out on last year's elections after he was detained two days before nomination day, the Parsons Commission of Inquiry into the 1986 unrest and alleged mismanagement in the self-governing state has heard.

Giving evidence at the commission's first sitting at the Supreme Court buildings in KwaMhlanga yesterday, Mthimunye said he was detained on October 5 last year and released 15 minutes before the nomination court closed in October. *Sowetan 26/9/89*

"My release from detention was secured after representations to the South African Minister of Law and Order, Mr Adriaan Vlok."

Mthimunye, who scored 12300 votes during the election last year while his opponent scored 110, told the commission that the previous government abused the police force and the state of emergency.

The former chairman of the Public Service Commission and businessman told the inquiry that the government deliberately detained potential political candidates prior to the general elections last year.



# Prisons deny using shocks

THE Prisons Service has strongly denied using electric "cattle prods" to control prisoners - including emergency detainees - but has confirmed using "stun guns" on a trial basis.

The Service has also dismissed allegations that detainees have been denied exercise rights.

The allegations emerged at a Press conference last week at which Mr Huxley Joshua, a spokesman for the National Association of Democratic Lawyers (Nadel), said attorneys were investigating several allegations of serious assaults on detainees.

Joshua said some detainees at Victor Verster Prison in Paarl had complained recently that they had been denied all or part of their exercise rights in prison.

Emergency detainees are legally entitled to one hour's exercise in the open each day, although this is sometimes broken into two half-hour periods.

Joshua said detainees had not been permitted their morning exercise session. When they had attempted to insist on taking the full hour in the afternoon, electric "cattle prods" had been used to force them back into their cells after half an hour.

"This resulted in one of them, who is very young, falling and badly damaging his knee," Joshua said.

In response to queries by *The Argus*, a Prisons Service liaison officer replied:

"It is the policy of the SA Prisons Service not to comment on the behaviour and treatment of prisoners.

"The Prisons Service is responsible for the safe custody of prisoners and for the maintenance of

## SOWETAN Correspondent

discipline and order in prison.

"In terms of the Prisons Act, heads of prisons are authorised and required to use lawful means with the minimum force to control unmanageable situations which may arise.

"To ensure the more effective maintenance of order and the protection of staff and inmates in situations which are difficult to control, an investigation was launched into more effective methods and procedures.

"As a result of this investigation, the use of the stun gun - which is used in comparable situations elsewhere in the world - has been implemented on a trial basis.

"The device which was specifically developed for this purpose had been subjected to extensive forensic tests before implementation.

"It resembles a baton, however with qualities that do not make it necessary to use it with force and it can in no way be compared to a 'cattle prod'.

"There are very strict guidelines for the use of this device which is only used as a last resort to prevent the possible application of more severe forms of physical force.

"It must also be borne in mind that warders do not carry firearms in contact situations with prisoners."

The Service also said prisoners at Victor Verster had received their regular exercise and that the alleged incident had been handled "professionally and in a responsible manner".





Pictures: DOUG PITHEY, The Argus

**WELCOME HOME:** A jubilant crowd of supporters pack the arrivals section of D F Malan Airport to welcome UDF executive member, Mr Trevor Manuel, who was released from Grootvlei Prison in Bloemfontein. He is holding his four-month-old son, Pallo.

## M643 57/9/89 Hundreds at airport greet freed, restricted Manuel

By EDWARD MOLOINYANE  
Staff Reporter

HUNDREDS of jubilant supporters packed the arrivals section of D F Malan Airport last night to welcome Western Cape UDF member Mr Trevor Manuel who had been released from detention at Grootvlei Prison in Bloemfontein.

The huge toyi-toying crowd, which held banners proclaiming, "Viva Trevor" and "Welcome Home", sang as Mr Manuel, who appeared cheerful, entered the airport building.

There were no incidents as airport security officials watched the crowd, which included Mr Manuel's mother, Mrs Philma Manuel, Mrs Leah Tutu and members of the Federation of South African Women.

Mr Manuel was joined at the Press conference by his wife Lynne and lawyer, Mr Ebbe Mohammed, who had visited him in Bloemfontein not knowing that he would be released.

### HUNGER STRIKE

Mr Manuel, with other detainees, embarked on a hunger strike shortly after their detention on August 28.

Mr Mohammed said that he was told by prison officials about 6am on Friday in Bloemfontein that Mr Manuel was going to be freed.

He said that Mr Manuel had been restricted. The restrictions included:

- Being barred from speaking to the Press.

- Being prohibited from taking part in the activities of the UDF and the Cape Areas Housing Committee.

- He may not leave the magisterial districts of Cape Town and Wynberg.

- He may not address more than 10 people.

- He may not grant an interview to a journalist.

- He may not assist in any way in the production of any material for publication, and

- He may not leave his home between 8pm and 6am.

Mr Manuel's wife, Lynne, however, said she wondered when her husband was going to be free as the restrictions were nothing but another form of detention.

- Mr Manuel, who has spent more time in detention or under restriction orders in the past four years than he has been free, had his first brush with detention in 1986. He was held again in 1987, twice in 1988 and was back in detention in August this year after he and other prominent UDF activists in the Western Cape "unbanned" themselves.

He immediately embarked on a hunger strike and was transferred to Bloemfontein without his family's knowledge.



# Cape hunger striker freed

Sowetan 27/9/89

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**BRIGHT** sunshine greeted former hunger striker Mr Willie Hofmeyer as he left Grootte Schuur Hospital with his father, Mr Arend Hofmeyr, yesterday.

Carrying a brown suitcase and two plastic bags, and occasionally readjusting his slipping trousers, Willie Hofmeyer stood by, silenced by his restriction order, as his father talked to the Press on his behalf.

Willie, he said, would be resting at home for a few weeks before returning to his work as an articled clerk with a Cape Town legal firm.

"At this stage we have not arranged a welcome-home party.

"I'm sure some of his friends will be along tonight," Hofmeyr said.

His family was indignant that Willie had been subjected to a campaign of persecution over the past 13 years, he said.

Asked how he felt that Willie had had to go on a hunger strike to secure his release from detention, Hofmeyr said: "Because he's restricted he now has no legal avenues of protest left other than this last desperate measure."

Father and son laughed when Hofmeyr said that the favourite meal Willie has in mind was "chops".

But he'll have to wait until he has regained his strength before he will be able to eat them.

"He's still weak after his hunger strike and is not allowed to eat everything yet. He had mashed potatoes and vegetables on Sunday night and mince and rice yesterday," said Hofmeyr.

Willie lost 10kg during his 27-day hunger strike

By DENNIS CRUYWAGEN

which he broke last Friday after his father had had talks in Pretoria with the Minister of Law and Order, Mr Adriaan Vlok, the previous day.

"He's regained 5kg. We hope that he will recover fully. He's still thin and not very strong."

While he was very happy and grateful that his son had been freed, Hofmeyr declined to discuss his meeting with Vlok.

"I can't say anything. But we have had an open letter published in a Cape Town newspaper and I'm sure that it must have been read by Vlok."

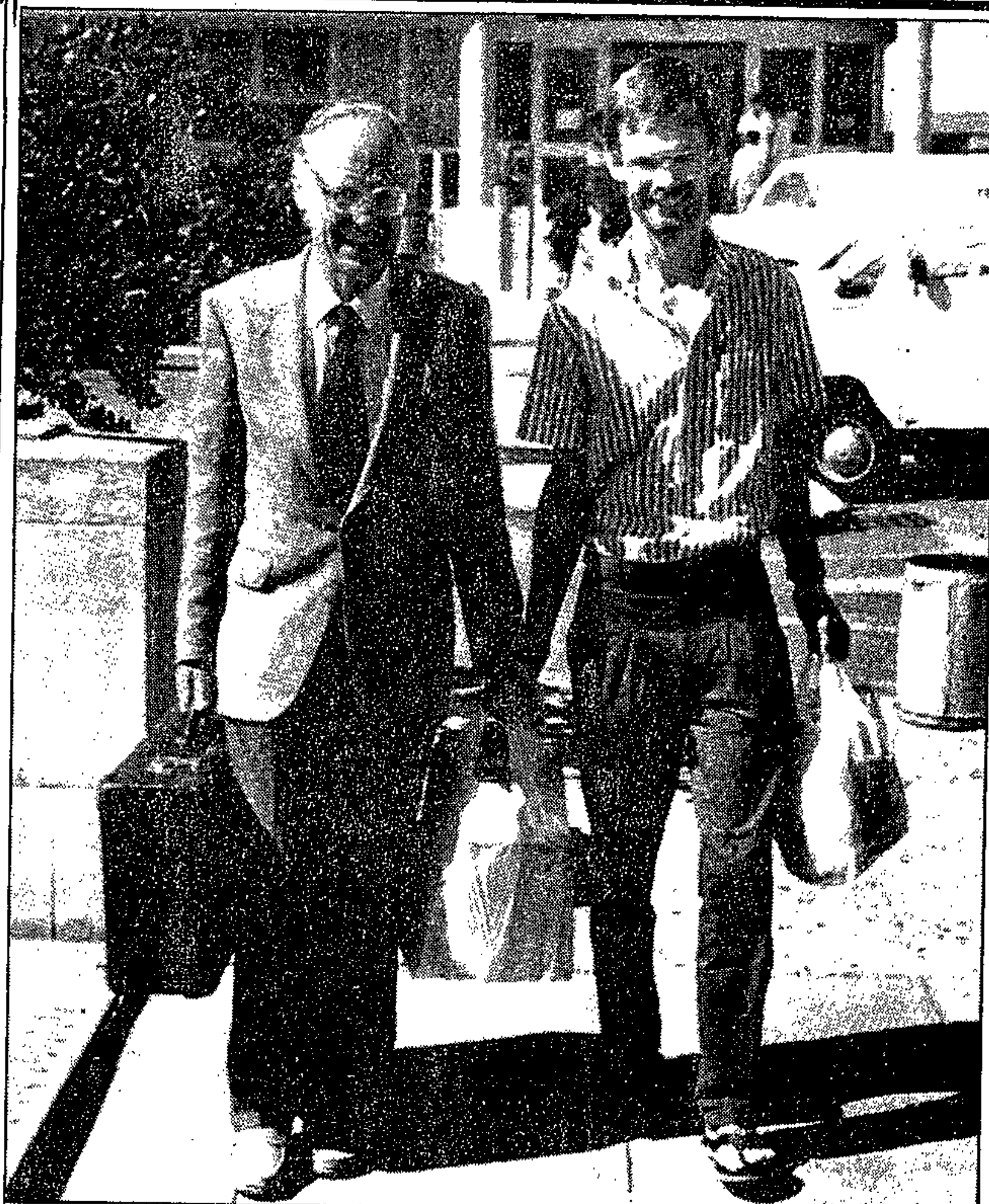
\* Willie Hofmeyer has been placed under house arrest at night, banned from speaking to the Press or preparing any publication, confined to the Peninsula and compelled to refrain from taking part in any of the activities of the United Democratic Front and "such organisations" and prohibited from attending any meeting where the policies of the Government is criticised.

News in Brief

*Corr. Times 27/9/58*  
**Seven arrested in Joburg**

JOHANNESBURG. — Seven people, five men and two women, were arrested in terms of the Internal Security Act after 200 workers of the Wynberg branch of Dions here were involved in a clash with police earlier this week.





Former hunger striker Mr Willie Hofmeyr (right) and his father Mr Arend Hofmeyr leaving Cape Town's Groote Schuur Hospital yesterday.

## Hofmeyr regains some lost weight

Own Correspondent

CAPE TOWN — Bright sunshine greeted former hunger striker Mr Willie Hofmeyr yesterday as he left Cape Town's Groote Schuur Hospital with his father, Mr Arend Hofmeyr.

Carrying a brown suitcase and two plastic bags, and occasionally readjusting his trousers which kept slipping off his shrunken body, Mr Willie Hofmeyr stood by, silenced by his restriction order, as his father talked to the press on his behalf.

Willie, he said, would be resting at home for a few weeks before returning to his work as an articled clerk with a Cape Town legal firm.

"At this stage we have not arranged a welcome home party ... but I'm sure some of his friends will be along," Mr Hofmeyr said.

His family was indignant, he said, that Willie had been subjected to a "campaign of persecution" over the past 13 years.

Asked how he felt about Willie going on a hunger strike to secure his release from detention, Mr Hofmeyr replied: "Because he was restricted he had no legal avenues of protest left other than this last desperate measure."

Willie lost 10 kg during his 27-day hunger strike which he broke last Friday after his father held talks in Pretoria with the Minister of Law and Order, Mr Adriaan Vlok, the previous day.

"He's regained 5 kg. We hope that he will recover fully ... he's still thin and not very strong," Mr Hofmeyr said.



# Bouyant but thin Hofmeyr leaves hospital

EMACIATED but buoyant, Mr Willie Hofmeyr was yesterday discharged from Groote Schuur Hospital after ending a 27-day hunger strike to protest against his detention.

Mr Hofmeyr has been released subject to a restriction order which confines him to his Observatory home between 8pm and 7am.

Emerging smiling from the hospital about 10.30am with his father, Pinelands engineer Mr Arend Hofmeyr, the slightly-built lawyer appeared pale and gaunt.

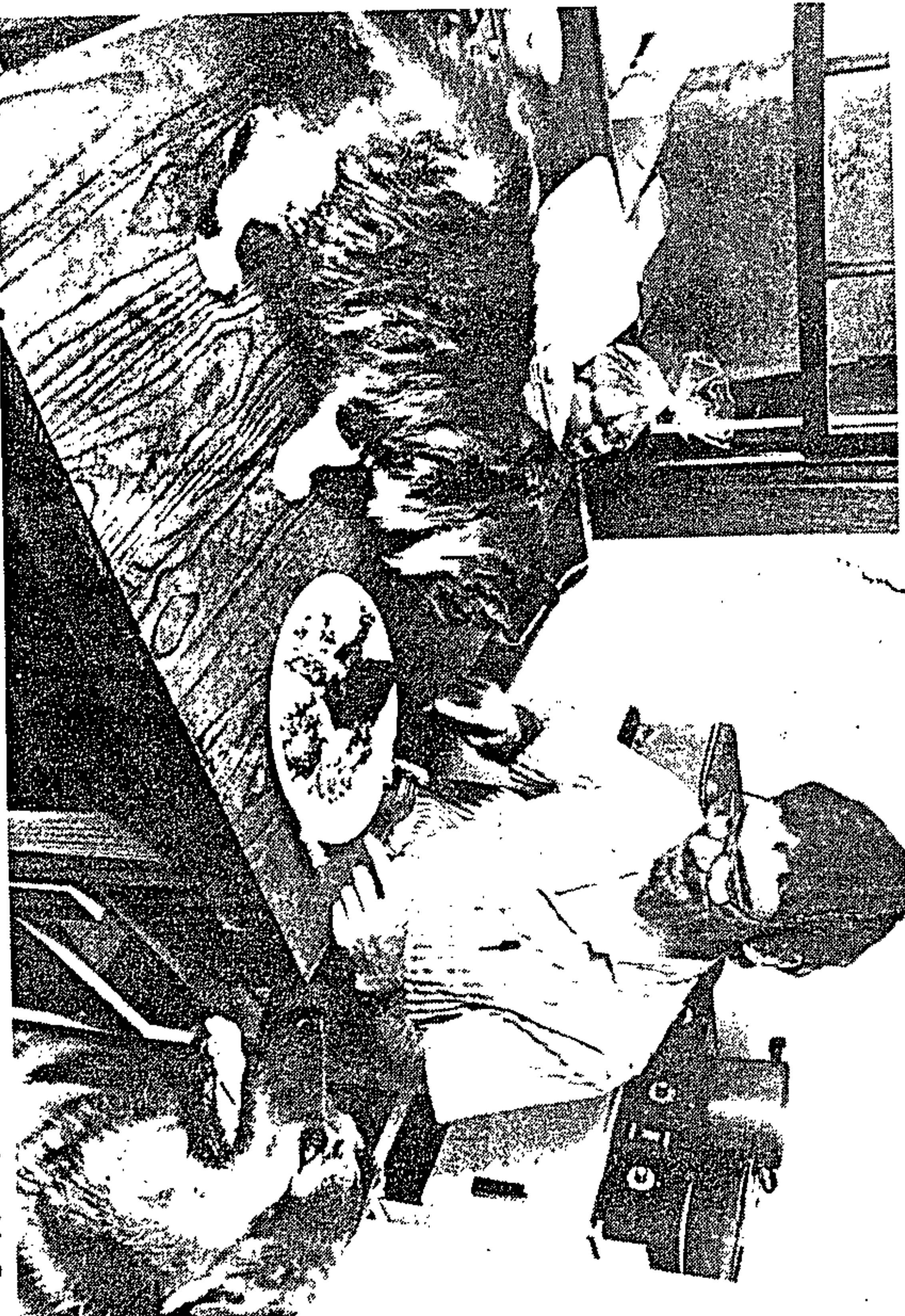
Standing in for his son, who is barred from speaking to the press, Mr Hofmeyr sen said: "We are delighted to have Willie back with us, but think it's horrendous that it required 27 days of hunger-striking to secure his release."

Efforts would be made to have the restriction lifted — the third imposed on Mr Willie Hofmeyr, 34, in the past two years, Mr Hofmeyr said.

His son, who has served a five-year banning order and has been detained without trial for more than six months, earlier refused to sign a document linking his agreement to a restriction order with possible release.

The current order also bars him from taking part in any of the activities of the United Democratic Front or attending any gathering where government policies are criticised.

His detention and fast were marked by the Supreme Court ordering police not to move him to prison in Kroonstad and to undo manacles chaining him to a hospital bed.



**BREAKING THE FAST . . .** City lawyer and former UDF leader Mr Willie Hofmeyr enjoys his first home-cooked meal after braving a 27-day hunger strike, most of it under police guard in a hospital ward, to secure his release from detention. ANC trialist Mr Chris Giffard's dog, Joshua, shares the meal with Mr Hofmeyr's cat, Basher.

Picture: ALAN TAYLOR



## UDF leader released from detention (329)

By Stan Hlophe

5/27/87  
Restricted United Democratic Front leader Mr Trevor Manuel was released from detention in the Free State yesterday and is expected home tonight.

Mr Manuel, the secretary of the UDF's Western Cape region, went on a hunger strike after he was detained without charge under the emergency regulations last month, his attorney, Mr Essa Moosa, said.

### HEALTH

Mr Moosa said there was concern over Mr Manuel's health, particularly as he had taken part in previous hunger strikes.

Mr Manuel was detained on August 8 after savouring freedom for less than 80 days.

He was freed on July 7 after spending almost two years as an emergency detainee.

## 9 detained pupils<sup>329</sup> official released

Staff Reporter

NINE school pupils and the Western Cape Students' Congress administrator, Mr Errol April, were released from detention early yesterday afternoon, according to their lawyers.

The names of seven of the nine pupils were given by their lawyers as Mr Errol April, 21, detained on August 2; Mr Ronald Jacobs, detained on July 18; and Mr Jacques Baartman, 18, Ms Walleen Mostert, 17, Ms Frieda Mostert, 18, Mr Siraj Ebrahim, 18, and Ms Estelle Leonard, 18, all detained on July 28.

The identities of the other two were still being ascertained last night.



# Hubby lured away - claim

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28/9/89

THE pregnant wife of Shallcross doctor Rajandren Pillay, 34, confirmed to have been detained after police had announced they had smashed an alleged African National Congress and South African Communist Party cell in Chatsworth, said she was mystified.

Mother of three Mrs Rishilla Pillay, 30, of Peak Street, said her husband, registrar at RK Khan Hospital's gynaecology department, was detained last Tuesday night and was being held in terms of Section 29 of the Internal Security Act.

He has not yet appeared in court.

Dr Pillay's lawyer, Miss Saloshana Moodley, confirmed he was being held in terms of the Internal Security Act.

Shortly after Pillay's detention, the Commissioner of Police, General Hendrik de Witt, said in Pretoria that a suspect had been detained (he did not name the person) and explosive devices seized.

Police claim an arms cache and a printing press together with ANC/SACP and Natal Indian Congress documents were found at a house in the suburb.

Mrs Pillay, who is four months' pregnant with her fourth child, claimed that her husband had been lured out of his home last Tuesday at 9.30pm.

## Diabetic died during hunger strike

**By Celeste Louw**

A prisoner died as a result of refusing to take insulin against diabetes and for going on a hunger strike, a Johannesburg Magistrate's Court has found.

Mr C de Lange found yesterday that no one was responsible for the death of Johannes Hoshwa (42) in a clinic on August 10 last year after his refusal to re-

ceive medical treatment and food in the Johannesburg Prison.

A prison employee, Mr David Zwelakhe, said in a written statement that Hoshwa had refused to take his urine test on August 5 last year. This was reported to the prison authorities. He later also refused to take any medication or eat his food. No reasons were given.



# Seven <sup>186</sup> students <sup>29/9/88</sup> released <sup>329</sup>

Staff Reporter

SEVEN students detained under emergency regulations have been released from prison.

They include heart patient Eugene Paramoer, who along with six other people had been held for nearly 54 days.

The news was given to Eugene's family by attorney Christine Burger, who on a routine visit to Victor Verster prison was told that he and three other men were being released on Wednesday afternoon.

The other three are Mitchell's Plain students Denver Christians, Siraj Ebrahim and Ronald Jacobs.

Wednesday was special to them for another reason — it was Ronald's birthday.

The other three detainees held at Pollsmoor prison were also released on Wednesday. They are Estelle Leonard, Frieda Mostert and Walleen Mostert.

## Breaking the fever

Timing of the release of ANC leader Nelson Mandela depends on the progress President F W de Klerk makes towards "creating the right climate" — including the formulation of plans to deal with all the implications his freedom would bring. At this stage release before the end of the year seems unlikely,



according to a government source.

Media and diplomatic speculation about Mandela's release is again reaching fever pitch. Government-supporting daily newspapers reported this week that he may even be out of prison by the weekend. They said rumour had it that Mandela would be the main speaker at the reburial in Transkei on Sunday of his nephew and Xhosa tribal leader, Chief Sabata Dalindyebo.

Mandela's wife, Winnie, said this week however she was not aware of plans for an imminent release. She also said not too much should be read into reports that Mandela had asked a friend who visited him at his house at

Victor Verster prison, near Paarl, to bring him a raincoat.

In a BBC interview broadcast this week De Klerk said it was incorrect to interpret recent government statements as meaning Mandela's release was imminent. He confirmed, however, that the issue was receiving government's "continual attention."

### Weighing implications

A government source tells the *FM* considerable groundwork is still necessary before Mandela can be set free. Though government is giving priority to paving the way for his release it cannot happen "overnight" and without considering all the implications.

The Afrikaans Sunday newspaper *Rapport* said at the weekend there were suggestions in government circles that a ministerial working group would be established to plan the detail of Mandela's release.

□ Unconfirmed British newspaper reports of a planned visit to SA in April by PM Margaret Thatcher seem to indicate Mandela is likely to be free before then. Thatcher has repeatedly insisted Mandela should be set free and that progress towards reform be evident before she would consider visiting SA.

29/1/89



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WEEKLY MAIL, September 29 to October 5 1989

# Two hang as two others are reprieved

By IVOR POWELL

TWO condemned prisoners at Pretoria Central Prison's death row received an eleventh hour reprieve yesterday in the midst of worldwide protest against the latest wave of South African executions.

The brother of former Natal policeman Alfred Ndlela, Peter Ndlela, secured a five-week stay of execution in Pretoria when leave to petition for clemency was granted.

Also included in the deal was Ndlela's co-accused Naphalele Mchunu. Ndlela's other co-accused had his sentence commuted last week after a judge had requested clemency in his case.

Despite increased pressure on the government to call a moratorium on executions, the other two prisoners who received notices of execution on Monday will almost certainly have been hanged as planned at dawn this morning.

One, Madgena Jeffrey Boesman, was convicted in connection with an unrest-related "necklace killing" in the Eastern Cape township of Sterkstroom in 1985. Boesman's final appeal for clemency was denied by Ju-

stice Minister Kobie Coetsee on Thursday morning.

Yesterday afternoon urgent appeals were being made on behalf of the other, Jacobus Freeman, convicted in Uppington on murder and robbery charges in February 1988.

The executions come at a time when many abolitionists had been hoping — in view of the relatively long period which had elapsed since Pretoria's last executions in mid-July — that a *de facto* moratorium was in force while the state reviewed the issue of the death penalty.

It also comes at a time when the ANC has specified as a precondition for negotiations with the South African government a moratorium on executions in relation to politically motivated actions.

The two stays of execution bring to six the number of people who have been saved — either definitively or temporarily — from the gallows.

In what one commentator called "a bizarrely even-handed gesture" at the same time as four notices of execu-

tion were handed down, clemency was granted to four convicts, whose sentences were duly commuted to varying terms of imprisonment.

Among them were Boesman's two co-accused in the Sterkstroom killing of a suspected police informer.

Also this week, on Monday, two condemned prisoners scheduled for execution on Wednesday in Bophuthatswana were granted stays of execution. The two are Alphus Lebokane and Peter Sechoole, convicted together on murder and robbery charges in GaRankuwa in 1985.

To date this year, the number of stays and commutations in South Africa (proper) exceeds that of executions. With this week's adjustments the totals are 50 and 39 respectively. But abolitionists are refusing to be satisfied with anything less than a complete moratorium while the state reviews the system of capital punishment.

Among protests this week against the death penalty in South Africa were:

• The suspension of a sitting of 60 members of the Socialist Group of

the European Parliament in conjunction with 60 leaders of developing countries, while urgent telegrams were sent to both State President F.W. de Klerk and European Community President Francois Mitterrand.

• The handing over at Pretoria's Union Buildings of a Save the Patriots Campaign petition — with more than 1 000 signatures and presented by 200 representatives — in which it was demanded that political prisoners be released and that capital punishment be ended.

• A 21-hour vigil organised by South Africa the Imprisoned Society (SATIS), an Anti Apartheid Movement-affiliate, outside the South African embassy on London's Trafalgar Square — specifically in protest against the execution of Madgena Boesman.

• A protest meeting on Thursday at lunchtime organised by Save the Patriots at Khanya House and another protest meeting in Port Elizabeth.

• Representations to the government from the United Nations as well as many embassies from around the world.

## After 20 years on death row Tsafendas is moved to jail

DIMITRI TSAFENDAS, the man who assassinated Prime Minister Hendrik Verwoerd, is no longer on Pretoria Central Prison's death row. For some months now he has been held at Sonderwater Prison outside the town of Cullinan, prison authorities confirmed.

Tsafendas, who has never been convicted of the murder, having been declared unfit to stand trial and designated a state president's patient, had been held in a cell adjoining the gallows since his incarceration in 1968.

In the 20-plus years of Tsafendas's stay on death row, numerous reports have filtered through of ill-treatment and wilful psychological violence being directed against the classified schizophrenic.

Provision for Tsafendas' detention in prison rather than at a mental institution was made in terms of the Mental Disorders Act of 1916. In the Act

**PRETORIA.** — The acting general secretary of the United Democratic Front, Mr Mohammed Valli Moosa, has been released from detention, a statement from Mr Moosa's office said yesterday.

Mr Moosa has been released under certain restrictions. He is forbidden to:

- Take part in any of the activities of the Transvaal Indian Congress or the United Democratic Front;

- Be outside the boundaries of the magisterial district of Johannesburg at any time;

- Be outside the boundaries of his house in Lenasia between 6pm and 6am;

## UDF's Moosa out, restricted

- Attend or remain at any gathering consisting of eight or more people;

- Contribute, prepare, compile or transmit any information to the media;

- Take part in any interview with journalists;

- Address any gathering on non-compliance with any law.

Mr Moosa also has to report daily, between 6am and 10am, to the officer in charge of the charge office at John

Vorster police station.

Mr Moosa is understood to have been arrested on August 18.

Two white anti-apartheid activists were also released from detention yesterday.

The Human Rights Commission reported that as many as 250 others remain in detention without charge throughout the country under three-year-old state of emergency regulations. — Sapa and UPI



1st October 1989

By Mike Siluma,  
The Star Bureau

LONDON. — South Africa ranks with China, Nigeria, Iraq and Iran as countries which use capital punishment, the most, according to Amnesty International's 1989 annual report on human rights violations.

The report, released in London today, reviews the human rights situation in most countries in Africa, Asia, the Americas and Europe in 1988.

It says "thousands of people, including many prisoners of conscience, were detained without trial under state of emergency regulations or other security laws on account of their actual or suspected activities in opposition to apartheid".

Many others, it adds, were jailed "for alleged political offences after trials which may have been unfair" and with a number of detainees dying in custody "in suspicious circumstances".

Saying the death penalty continued to be used at a high rate in 58 countries, Amnesty deplored the use of capital punishment especially in Iran (with 142, possibly 1700 executions),

## Thousands detained, 117 hanged in SA last year, says Amnesty

China (126), South Africa (117) and Nigeria (85).

It pointed out that further executions may have been carried out in South Africa's four independent homelands of Venda, Transkei, Bophuthatswana and the Ciskei.

The United States and the Soviet Union also used the death penalty, killing 11 and seven offenders, respectively. The figure for the Soviet Union, which does not officially give figures of executions, was probably higher, according to Amnesty.

Reporting the deliberate and unlawful killings of tens of thousands of people by government agents during 1988, the human rights organisation said at least six government critics were killed in SA in unclear circum-

stances, including student activist, Sicelo Dhlomo (18).

The security police powers to detain incommunicado suspected government opponents without disclosing their arrest or their place of detention created a context in which "disappearances" such as that of Mamelodi, Pretoria, community leader Mr Stanza Bopape while in police custody.

Amnesty said that although a number of suspected ANC guerrillas were arrested and brought to trial following a continued anti-government sabotage campaign, no-one was apprehended for attacks on the property of anti-apartheid organisations such as the SA Council of Churches and the SA Catholic Bishops' Conference.

The South African Government was found to have used detention without trial extensively during the period reviewed.

In Namibia, it said, detention without trial was used with evidence emerging of "security personnel complicity in extrajudicial executions".

Turning to SA's immediate neighbours, Amnesty reported the use of detention without trial in Swaziland.

The situation in other neighbouring countries:

- Zimbabwe: many political detainees freed, but three SA agents convicted of murder sentenced to death. Five prisoners executed.

- Mozambique: some 900 long-term political detainees were held without being charged, with 450 being freed later. No death sentences were passed.

- Lesotho: a journalist who criticised the government was deported after being being detained for several weeks.

The authors of the report warn that the list includes only countries where violations were known to occur, and that violations in other countries may have gone unreported.



# INTERNATIONAL POLITICAL PRISONERS DAY



# PRISONERS OF WAR



# Release them all say hundreds at Wits Flower Hall

**INTERNATIONAL political Prisoners' Day this week took on special significance with the announcement the previous night that eight of South Africa's most famous political prisoners would be freed after serving long sentences.**

About 500 people gathered at Wits University's Flower Hall on Tuesday – the day before International Political Prisoners Day – to voice demands for the unconditional release of political prisoners.

Little did they know that, within hours, State President FW de Klerk would announce that eight prominent political prisoners – seven ANC members and one from the PAC – would be released.

The prisoners to be released were Walter Sisulu, Jafta Masemola, Andrew Mlangeni, Raymond Mhlaba, Elias Motsoaledi, Wilton Mkwayi, Ahmed Kathrada, Oscar Mpetha and Walter Sisulu.

The rally, organised by the National Association of Democratic Lawyers (Nadel), was punctuated by the singing of prison songs, toyi-toying and a brief march on the campus.

The United Nations passed resolution 21/6C, declaring October 11 International Political Prisoners' Day, in 1976.

Nadel convened the rally to highlight the plight of people jailed for political crimes.

The meeting was optimistic that other political prisoners, including Nelson Mandela, would be released soon.

A member of the Save the Patriots Campaign Committee (SPCC), David Storey, read out the aims of the campaign at the meeting.

They are:

- To win reprieve for political prisoners on death row;
- To win prisoner of war status for ANC cadres;
- To contest the death sentence for politically motivated crimes; and
- To press the government to sign the Geneva protocols.

Themba Xulu, the brother of Clarence Xulu who was executed in 1986, told the rally of his family's

experiences while waiting for his brother to die. They unsuccessfully tried to claim the body.

Other speakers included Rev Wesley Mabusa of the South African Council of Churches; Peter Mokaba of the South African Youth Congress; conscientious objector Ivan Thoms; Roland Hunter, who was recently released after a five-year sentence for contravening the Defence Act; Sister Ncube of the Federation of Transvaal Women and Nadel lawyer Tayob Kamdar.

Mzwake Mbuli, the "people's poet", recited his poetry.

Meanwhile, a stay of execution for four prisoners on Death Row – Raymond Jordaan, Selwyn Saayman, Johannes Grootboom and David van Wyk – had been granted after an application by Lawyers for Human Rights.

They were due to be executed this week.

This brings to 13 the number of prisoners granted such stays after being handed notices of execution this year.

Forty-one prisoners have been executed this year and 51 have been reprieved – the first time in South African history that the number of instances of leniency has exceeded that of hangings.

South Africa, with a population of about 27 million, is a world leader in

hanging.  
In 1987, 164 people were executed in Pretoria – 32 times more than in

China, which has a population of 2 billion, says a Black Sash research publication, Inside South Africa's

## Death Factory.

One quarter of those executed in South Africa were sentenced to death for political crimes.

These figures do not include executions in the "independent" homelands – Bophuthatswana, Ciskei, Transkei and Venda. Here the only known figure is that 94 people were hanged between 1980 and 1986.

The distinction between "ordinary" and "political" death row prisoners is now under scrutiny.

The vast majority of death row prisoners are black. Of the 1 070 people hanged between 1980 and 1988, 97 percent were black.

In many cases ordinary criminals can also be seen as victims of apartheid.

It is accepted that crime has its roots in poverty and social deprivation and that cases are processed by a legal system seen by many as slanted against blacks.

Lawyers for Human Rights this week estimated the number of prisoners on death row at between 270 and 280. They said it was difficult to give an exact figure as some prisoners had just arrived, others had appealed successfully, and some had been reprieved.

# Hangging plea fails

By MATHATHA  
TSEDU

TWO condemned prisoners, Jacobus Freeman and Mangena Jeffrey Boesman were executed in Pretoria on Friday and four others are due to hang on Wednesday.

A last-minute application for a stay of execution by Lawyers for Human Rights National Directorate on behalf of

4 others due for execution

Jacobus Freeman was dismissed by Mr Justice De Klerk at the Palace of Justice in Pretoria.

Lawyers for Human Rights was inundated with telephone calls and fax messages of support for any attempts to secure a stay for Mr Boesman.

Notwithstanding world-wide appeal to the Government, the two were executed.

Alfred Mpikwa Ndlela was granted a stay of execution last week by the Supreme Court. The court ordered that he should file a supplementary petition

with the State President's office not later than November 3. The organisation also succeeded in negotiating a stay of execution for his co-accused, Naphian Mchunu as well.

The organisation has criticised the Government for calling people to join in the negotiation for a peaceful country while authorising the execution of their next of kin.



# Hunger striker (329) now eating - SAP

By Mckeed Kotlolo, Pretoria Bureau

The detained Pretoria-based executive member of the restricted United Democratic Front (UDF), Mr Titus Mafolo, who went on hunger strike nine days ago, started eating yesterday according to the police.

Mr Mafolo of Atteridgeville was detained on September 13 and went on hunger strike on September 22 in protest against his detention.

A spokesman for the Police Directorate of Public Relations said yesterday that Mr Mafolo "has been taking liquids since he started with the hunger strike and resumed taking food yesterday".

A joint statement by at least 13 Mass Democratic Movement affiliates, including the Brits Action Committee, the National Association of Democratic Lawyers, and the Moutse Civic Association, protested against the continued detention of Mr Mafolo and Mr Rider Mokgothadi.

The organisations called on the international community, especially United States President Mr George Bush and British Prime Minister Mrs Margaret Thatcher, "to join hands in securing the unconditional release of all detainees held without trial".

*Capt. Timp 3/10/89*  
**Hunger-strikers freed** *329*

JOHANNESBURG. — At least 18 hunger-striking detainees held in Venda for the past two months were released without charge on Friday afternoon following concern expressed by several doctors.

Some of the detainees, who had been on hunger strike for 15 days, were still receiving medical treatment at various hospitals at the weekend.

And a large number of youths, who have also been in detention since the anti-independence campaign in July, were to appear in Thoyo-Ya-Ndou Magistrate's Court yesterday. — Sapa



# UDF's chairman Ndlovu released

CMT  
Tijis  
5/10/89

329

DURBAN. — A prominent South African black activist has been freed from detention but he faces heavy restrictions on his activities, his lawyers yesterday told reporters.

Mr Curnick Ndlovu, national chairman of the United Democratic Front, was freed at the weekend.

He had been detained for 30 days under state of emergency rules.

Even though free, Mr Ndlovu has been ordered to stay at home at night and report to police twice a week.

He is also barred from contacting the UDF, the lawyers said.

Mr Ndlovu was one of a group of activists who earlier this year visited Washington where he met President George Bush. — Sapa-Reuter

329 ~~W~~ mail

## Hunger strikers isolated. Venda protesters freed

By VUSI GUNENE

THE government's decision to transfer hunger strikers to Grootvlei Prison in the Orange Free State has been condemned as an attempt to isolate the protesters and discourage others from joining in.

The Human Rights Commission says the ruling by the minister of law and order has also made the monitoring of the number of hunger strikers — and their conditions — increasingly difficult.

United Democratic Front executive member Titus Mafolo — who suspended his hunger strike this week — is the latest detainee to have been moved to Grootvlei. According to lawyers acting for him, Mafolo had survived on liquids for 12 days.

The lawyers also said they were preparing applications for his release or transfer to Pretoria Central Prison on the grounds that he had suspended his hunger strike.

Meanwhile in the Venda "homeland", 17 hunger strikers and more than 80 Emergency detainees have been released since last week.

Hunger strikers who were detained under Venda's internal security legislation were released on the 14th day of their strike.

Among those set free was Fanuel Mphaphuli, a fieldworker for the Far Northern Transvaal Council of Churches, who had been admitted to hospital suffering from diabetes.

Also released was National Union of Mineworkers' organiser in Phalaborwa, Edward Mlondolodzi, and union member Evans Nhubunga.

According to lawyers, several students released in Venda this week have been served with charges, including intimidation and incitement.

George Malindi, who was recently released from detention in Venda, said the conditions were "appalling", and alleged that prison authorities withheld a range of facilities.

These included, according to Malindi: reading matter; access to doctors, families, magistrates or lawyers; food of an acceptable quality; and adequate space in cells.

In addition, he claimed, cells were without proper facilities for washing or exercise. He said requests for hospital visits were only acceded to after prisoners embarked on the hunger strike.

6-12/10/89



# Aids victim cadre gets 30 months' jail

By DAN DLAMINI and DES BLOW

ANC cadre Oben Dibase, 30, an Aids sufferer, was this week sentenced to an effective 30 months' imprisonment by the Welkom Regional Court after being convicted of terrorism.

His counsel, Advocate A Landman, said a prison sentence was tantamount to a death sentence for an Aids sufferer.

Fears were also expressed that the virus could be spread among other prisoners, but a spokesman for the Prisons Department said that confirmed Aids sufferers

were segregated from other inmates to prevent further contamination.

Victims were counselled and cared for by informed and trained personnel under the supervision of a doctor.

But a German doctor who gave evidence on Aids for Dibase said prison would undoubtedly shorten Dibase's life-span.

"Because of his Aids, Dibase has already spent a year in isolation awaiting trial - and he will be kept in isolation during his prison sentence," said Dr Wolfgang Rennert, a West German

Aids expert who works Alexandra Clinic.

Prison education about Aids was necessary as homosexuality existed in all prisons, he said.

A spokesman for the Prisons Department said that as soon as a prisoner was diagnosed as an Aids sufferer, the Prisons Service medical officer made a recommendation for the prisoner's release on medical grounds.

Rejecting pleas for a suspended sentence, Magistrate AJ Pienaar said although Dibase had not committed acts of violence, terrorism was a serious crime tanta-

mount to treason and could be punishable by death.

Pienaar said Dibase had joined the ANC in 1982, had undergone military training in Angola, and had studied communications in Cuba.

He sentenced Dibase to five years imprisonment, half of it suspended for four years.

Lawyer Amican Soman said he would appeal against the sentence, and that he would also request that Dibase be transferred to Bloemfontein and serve his term in hospital instead of prison.

329 (10) Clwyd 8/10/89.

# UDF's Titus Mafolo released

9/18/89  
By Janet Heard

A key United Democratic Front activist Mr Titus Mafolo was released from emergency detention on Friday, lawyers have confirmed. (329)

Mr Mafolo (34), who was part of a delegation that held talks with British Prime Minister Mrs Margaret Thatcher and American president Mr George Bush earlier this year, was detained on September 22 and transferred to Grootvlei Prison, Bloemfontein, after embarking on a hunger strike. He resumed eating last week.

This was the seventh time Mr

Mafolo has been detained. He was first detained in 1976.

Lieutenant Peet Bothma, a spokesman for the Ministry of Law and Order, said that fewer than 50 people were currently being held in detention under the emergency regulations. Eight of them were under the age of 18.

He was responding to the latest report by the Human Rights Commission (HRC) which recorded on October 3 that 231 people were in emergency detention, nine of whom were under the age of 18.

The HRC recorded that a

total of 645 people had been restricted in terms of the emergency regulations.

The HRC said the lives of many restricted people were in danger. This was highlighted in Alexandra last week when a group of gun-wielding men attacked and seriously injured Mr Buti van der Merwe, a worker for the South African Council of Churches.

● Forty-one people were being held under section 29 of the Internal Security Act as at September 22, according to a police spokesman. He said 10 people were being held under section 10 of the Act.





# Big business calls on F.W. to release detainees and begin negotiations

The Argus Correspondent

JOHANNESBURG —

President F.W. de Klerk has been advised by big business to release political critics held in detention if they are needed at black/white negotiations aimed at a new constitution. The advice comes from the Association of Chambers of Commerce and Industry in a special article in its latest business review headed: "We wait, Mr. President."

Assocom sets out the argument: "The President has repeated time and again that his policy is to negotiate with the representatives of all the groups who make up our complex society. Here we hope that his programme is not restricted to group leaders whom he chooses but that he will boldly accept leaders whom the groups themselves select."

**Action now** And if they are in detention they should be released to participate in these negotiations, leading to a new and equitable constitution.

Negotiations took time, but it was imperative that forward-looking action was seen to be happening now. All talk and no action will irreversibly damage the image that Mr. De Klerk is so carefully creating for his government and himself, says the article.

There is much that can be done immediately to ease the tensions which exist in our society as a result of the racially humiliating legislation of the past and the emergency regulations, which in effect flow from most of those laws.

Overseas perceptions would be less harsh if these immediate steps were taken. "The more strident demands for further sanctions against this country might be muted, relieving some of the economic pressures from which we are currently suffering. And foreign creditors might agree to defer the repayment of debts which divert resources that should be employed to finance economic growth and infrastructural development."

But foreign influences could not be held responsible for all of the economic pressures and distortions from which the private business sector was suffering. They were largely of South Africa's own making — or rather the result of government mismanagement and blurred policy definitions.

"People in business are pragmatists — they are not beguiled by shimmering visions of the future," says Assocom. "Their philosophy is based on realities — on action not promises, on facts not fantasies."

**Given hope** If the State President hoped to secure the support of the business community, he had to move forward not only on socio-political issues but also on economic issues.

"The actions of Mr. De Klerk since the election results were declared, and the statements he has made, give hope that South Africa will at last move along a road leading to real and constructive change."

"The overall riding consideration is the timescale. Mr. De Klerk must be seen to be a man of action. There must be movement along his chosen route, without any road blocks. "One cannot call indefinitely for patience."

# Trevor released on bail

7529

Sowetan  
11/10/89

Mr Trevor Tutu, the son of Anglican Archbishop Desmond Tutu, was granted bail of R1000 in the East London Regional Court on Monday where he appeared on charges of contravening the Civil Aviation Act.

Tutu (33), was not

asked to plead when he appeared before Mr Norman Oosthuizen. No evidence was lead.

When he asked the court for his diary to be returned to him by the State, Tutu was told he should discuss the matter with the investigating officer. The case was postponed to November 10.

Tutu's companion who

was also arrested at Ben Schoeman Airport, also made a brief appearance in the Regional Court and was charged with the possession of dagga.

Joan Helen Rhodes (32), of Hillbrow, was not asked to plead and no evidence was lead. Bail was fixed at R500 and the case postponed to November 24. - Sapa.



# Medical care of SA's detainees: the closed system

This article was issued by the National Medical and Dental Association, Western Cape Region.

TODAY, as the International Day of Solidarity with Political Prisoners focuses attention on the plight of South Africa's numerous detainees, political prisoners and restricted people, it is important to consider the difficulties faced by South Africa's political prisoners in receiving adequate medical care.

The practice of detention without trial poses an inevitable threat to the detainee's mental health and frequently to their physical well-being. A study in the early months of the state of emergency revealed that more than 95% of detainees were affected by post-traumatic stress disorder — a condition first described in Vietnam veterans returning from the war.

Detainees' physical health is damaged by long periods of incarceration, poor nutrition and inadequate exercise, quite apart from the hazards of interrogation.

For the vast majority of detainees, the district surgeon is the sole provider of health care. Although officially em-



**PROF SASS STRAUSS** ... District surgeon under control of Commissioner of Prisons.



**DR WENDY ORR** ... Saw up to 300 detainees a day at height of state of emergency in 1985.

ployed by the Department of National Health and Population Development, the district surgeon has to work closely with the security police and Prisons Department.

## Overruled

Professor Sass Strauss of Unisa's law faculty observes that, legally, the district surgeon exercises his duties under the control of the Commissioner of Prisons.

Recommendations made by the district surgeon may be overruled by State officials without any medical training. Clinical independence, the cornerstone of good medical practice, is impossible under these conditions.

In 1985, at the beginning of the state of emergency, Dr Wendy Orr was seeing about 300 patients per day. Allowing for a working day of eight hours, this would mean that she had less than two minutes to spend with each patient.

An article in the *Lancet*\* described how "... detainees stand in a row and take off their shirts. The doctor passes along the row, asking what the complaint is. If a patient has a cough or chest pain, the doctor listens to his (her) chest. For other complaints, tablets are prescribed without examination."

Cursory examinations are commonly reported by ex-detainees. It is not surprising that detainees perceive district surgeons as agents of the

same system that incarcerates them, rather than as doctors in whom they can trust.

Detainees referred to a general hospital may be handcuffed or shackled during their stay in hospital. The attending doctor is not empowered to order the removal of shackles unless, as in the case of Willie Hofmeyr, a court order is obtained.

## Guard

The medical examination may well take place in the presence of a guard and should the detainee require in-patient treatment their room will be effectively converted to a prison cell. In the case of a detainee receiving psychiatric treatment, the very conditions that resulted in their admission are recreated.

Furthermore, the detainee will almost certainly return to prison even if the hospital doctors recommend their release on psychiatric or medical grounds. Thus, even though the standard of medical care may be high, it is dispensed in the absence of clinical independence. Unwittingly, the hospital becomes incorporated into the closed system.

In 1983 the Medical Association of South Africa introduced panels of "independent" doctors, whose purpose was to allow detainees to select, from a list, a doctor of their choice.

This might seem to be a short-term solution to the inadequate health

care most detainees receive. However, by MA-SA's own admission, these panels have not been effective. Few detainees were aware of their existence since, until only recently, district surgeons were not obliged to inform detainees of their right to choose a panel doctor.

## Untenable

Moreover, the panel doctors are not independent. Membership of the panel must be approved by the Minister of Health and Population Development. Doctors have been denied membership of the panels without any reasons being given. The panels are thus part of the closed system: The detainee is expected to choose from a group of State-approved doctors.

We face an untenable situation where thousands of people every year, many of whom will never be charged or convicted, are languishing in prison, denied the basic human right of adequate health care. The National Medical and Dental Association (NAMDA) has seen the effects on the physical and mental health of detainees and their families in the course of our rehabilitation work with victims of the system of detention.

## Changes

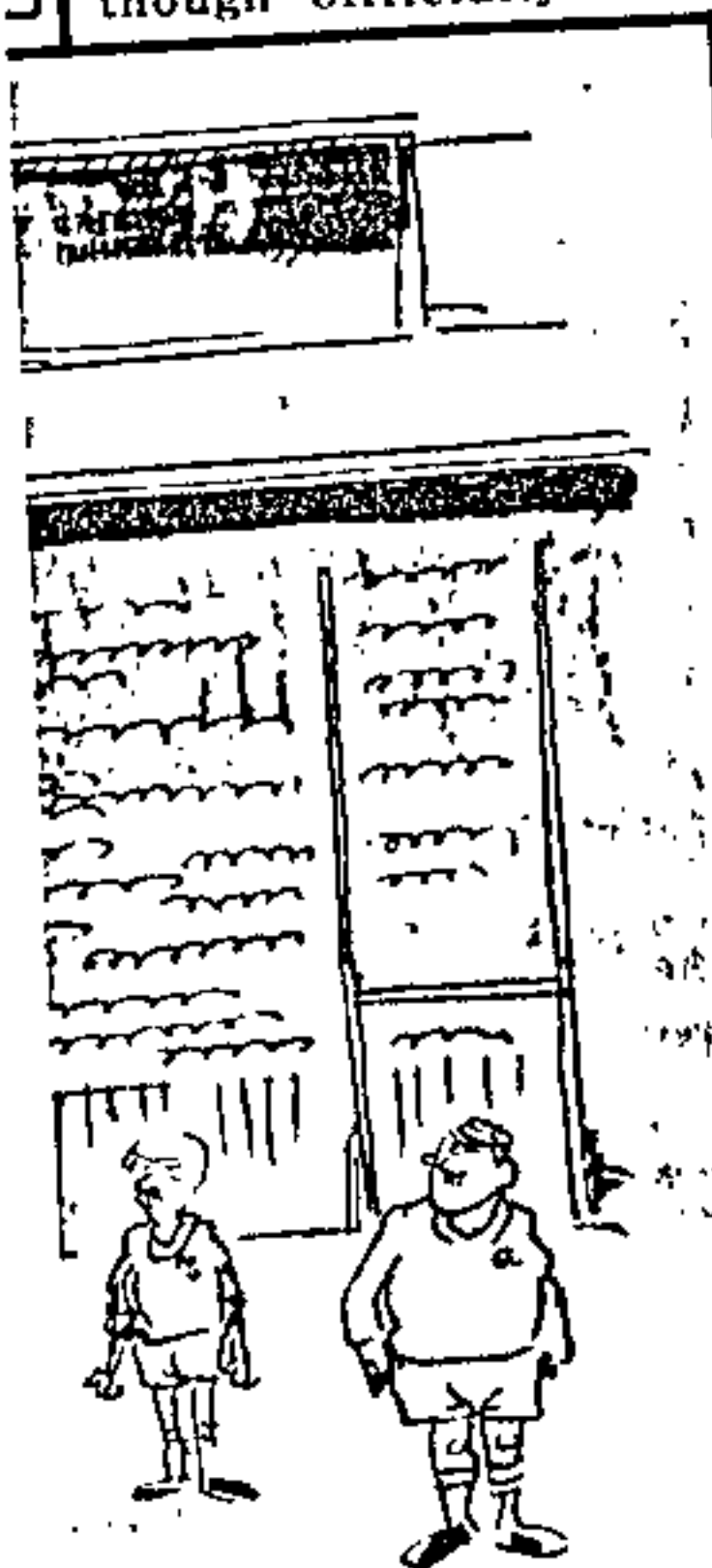
In the short term, detainees must be allowed unrestricted access to doctors of their own choice who can make effective representations for release on medical grounds directly to the Minister of Health.

Moreover, these doctors should be in a position to prescribe changes in the conditions under which detainees are held in order to promote their patients' health.

Meeting these needs would go some way towards ameliorating the deleterious effects of detention. However, in the long term no amount of tinkering with a system of arbitrary detention and incarceration by decree will prevent detainees from suffering serious acute and long-term health problems as a result of detention.

NAMDA remains insistent in calling for an end to a system that inflicts mental and physical illness, and even, in the case of Steve Biko and others, death, on our people. Detention without trial must be abolished — now.

\* Obstacles to the treatment of detainees in South Africa. G McCarthy. *Lancet* May 13, 1989: pp 1066-77.



11/10/89



# -uman rights award for Cassiem

JOHANNESBURG. — Achmad Cassiem, jailed leader of the Cape-based Qibla movement, and pressure group Actstop were named joint winners of the The Indicator Human Rights Award 1989 at a function attended by more than 600 people in Lenasia, near here, last weekend.

The Lenasia-based newspaper announced the winners voted by its readers.

The banned African National Congress (ANC) was given a standing ovation after being named The Indicator Newsmaker of the Year 1988/9.

TTC vice-president Mr Laloo "Tsu" Chiba, who was jailed for 18 years on Robben Island, read the ANC's acceptance message sent from Lusaka.

The Indicator also gave its first Honorary Human Rights Award to retired non-racial sports chief Hassan Howa.

Howa was taken ill shortly before he was to leave Cape Town for the function. His award was accepted on his behalf by Dr Gulam Karim, president of the Cricket Association of the Transvaal.

There was an outpouring of emo-

tion as the audience gave a standing ovation to the family of a winner of last year's award, Dr Abu-Baker Asvat, who was gunned down in January.

Professor Fatima Meer delivered the inaugural Abu-Baker Asvat Memorial Lecture on Justice and Peace, and caused a small stir by calling for a radical rethink of anti-apartheid strategies.

The editor of The Indicator, Armeen Akhalwaya, described the annual awards as "the poor people's Nobel Prize".

Cassiem, jailed for six years in the

PAC-Qibla trial last year, was a "symbol of our leaders who are in jail without hurting or harming anybody", said Akhalwaya.

Akhalwaya traced Cassiem's treatment by the authorities since he was first detained at the age of 18, 1964, said "murderers and Mandrax pushers" sat in parliament while popular leaders were in jail.

Cassiem's award was received by his wife, Mrs Fatima Cassiem and was presented to her by Mrs Barbara Manthata, wife of Tom Manthata who was jailed with several others in the historic Delmas trials last year.

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# Medical care of SA's detainees: the closed system

CAPE TIMES  
12/10/89  
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TODAY, as the International Day of Solidarity with Political Prisoners focuses attention on the plight of South Africa's numerous detainees, political prisoners and restricted people, it is important to consider the difficulties faced by South Africa's political prisoners in receiving adequate medical care.

The practice of detention without trial poses an inevitable threat to the detainee's mental health and frequently to their physical well-being. A study in the early months of the state of emergency revealed that more than 95% of detainees were affected by post-traumatic stress disorder — a condition first described in Vietnam veterans returning from the war.

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## Approval

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Anthony Johnson's column and the NAMDA article on the health of detainees appeared in an early edition of the Cape Times yesterday but were displaced in later editions by major news developments and so are repeated today. Editor, Cape Times.



## FOCUS ON THE PRISONER RELEASES

EIGHT South African political prisoners are about to be released, but up to 3 500 others remain behind bars, including 15 serving life sentences.

Figures released in parliament by Minister of Justice Kobie Coetsee show that as of March 31 1989 there were 374 people serving sentences for "offences against the security of the state".

But this figure does not include political prisoners in the "independent homelands" or the 2 000 to 3 000 prisoners the Human Rights Commission says were convicted for "criminal" offences committed in "political circumstances" and were still being held at the end of last year. These offences include public violence, arson, murder and refusing to serve in the South African Defence Force.

According to HRC figures, 350 people were convicted in 248 political

# Who else remains inside? About 3 500 other convicts

**GAVIN EVANS** added up the figures for those convicted of different politically related offences, both in South Africa and the 'homelands', and reached a figure close to 3 500

Once Mandela is released attention is likely to focus on five political prisoners who, between them, have served over 100 years in prison.

Anthony Mfene Xaba, 56, and Zakhele Elphas Mdalose, 65, have both

been behind bars for 25 years — over 14 of these continuous.

In February 1963, 15 months after joining Umkhonto weSizwe, Xaba was arrested in Northern Rhodesia (now Zambia) and deported to South Africa where he was sentenced to 10 years imprisonment on Robben Island for terrorism. He was again detained and, together with Harry Gwala and others, sentenced to life imprisonment on July 25 1977.

Mdalose, a member of the South African Congress of Trade Unions, ANC and Umkhonto weSizwe, was

detained in 1963 and sentenced to 10 years imprisonment in 1964. He was released in February 1974 but 18 months later was sentenced to life imprisonment in July 1977.

Msomi Miyiwa, 65, an ANC and Sactu member, has been behind bars for 22 years and six months. He was detained in July 1963 and on February 28 1964 was sentenced to eight years imprisonment. He was freed in 1972 but redetained on December 5 1975 and sentenced to life imprisonment in the Gwala trial in July 1977.

Also sentenced in 1977 was Vusumzi John Nene, who has now been behind bars for nearly 15 years.

Another long-term Island prisoner is Joseph Nduli, 50, who has spent nearly 14 years behind bars. A veteran of the ANC's Wankie campaign he was abducted from Swaziland on March 26 1986 and sentenced to 18 years jail the following year.

Others serving life sentences on Robben Island include Petrus Mashigo, Johnson Lubisi and Johannes Shabangu (all sentenced in 1982), D Moise (1963), Sanna Twala, Linda Hlophe and Daniel Mbokwane (June 1987 in the Duda trial) and Lizo Ngqungwana (August 1987).

Other political prisoners on Robben Island include the Delmas trialists, all sentenced on December 8 last year.

United Democratic Front national publicity secretary Patrick "Terror" Lekota, 41, was sentenced to 12 years imprisonment for treason, while UDF national general secretary Popo Molefe, 37, and former Transvaal secretary Moss Chikane, 41, received 10-year sentences for treason. All three have been behind bars since April 1985 when they were detained.

South African Council of Churches worker and Soweto Civic Association executive member Tom Manthata, 50, was sentenced to six years imprisonment and Geina Malindi, 29, former Vaal youth and civic leader, to five years for terrorism.

Former Soweto SRC president Khotso Seabholo, 32, was in March 1982 sentenced to 10 years jail for his activities in the South African Youth Revolutionary Council.

Political prisoners, like all prisoners, are segregated on the basis of race and sex.

Nine white political prisoners, five men and three women, are in Pretoria Central Prison, while two other white males are serving sentences in other prisons.

The two longest serving are ANC members Barbara Hogan and Rob Adam, both of whom have been in jail for eight years and one month. Hogan, 37, a trade union researcher, was detained in September 1981 and 13 months later was sentenced to 10 years imprisonment for high treason. Adam, 34, an educationist, was detained on September 22 1981 and sentenced to 10 years imprisonment for offences under the Internal Security Act in June 1982.

Former Soviet spy and South African Naval Commodore Dieter Gerhard, 53, was sentenced to life imprisonment in December 1983 and his wife, Ruth, 45, to 10 years.

ANC member Marion Sparg, 31, was sentenced to 25 years imprisonment for treason in 1986 while Carl Niehaus, 30, received a 15-year sentence six years ago. Also jailed for ANC activities are Steve Marais, 33, who was sentenced to seven years imprisonment in October 1986, and Eric Pelsler, 25, detained in July 1985 and sentenced to seven years imprisonment in February 1986.

Sentenced to six years jail for refusing to serve in the SADF are David Bruce, 27, who has served 15 months in Pretoria Central, and Charles Bester, 19, who has spent seven months in Kroonstad Prison. Saul Baizofin, 30, has served five months of an 18-month sentence at Zonderwater Prison for refusing to do a one-month camp. The three are not being held as political prisoners.

Among the political prisoners in the "independent homelands" are former UDF border secretary Reverend Arnold Stofile, 45, who was detained in Ciskei three years ago and sentenced to 12 years for terrorism.

## Twenty five years later, where are they now?

What happened to the others involved in the Rivonia Trial of 1964, the lawyers, the prosecutors, the witnesses? **PHIL MOLEFE** reports

WALTER SISULU and the other Rivonia trialists will find many of their old associates — and their old adversaries — dead or in exile.

The Rivonia saga began on a Thursday night, 11 July 1963, when a bakery van and a dry cleaning van trundled up the driveway of a home in the suburb of Rivonia, near Johannesburg, the underground headquarters of the ANC.

Out leapt heavily-armed policemen, led by Lieutenant Willem Petrus van Wyk. Inside they found nine people: Sisulu, Govan Mbeki, Dennis Goldberg, Ahmed Kathrada, Lionel "Rusty" Bernstein, Bob Hepple, Raymond Mhlaba, Andrew Mlangeni and Elias Mokoaleli.

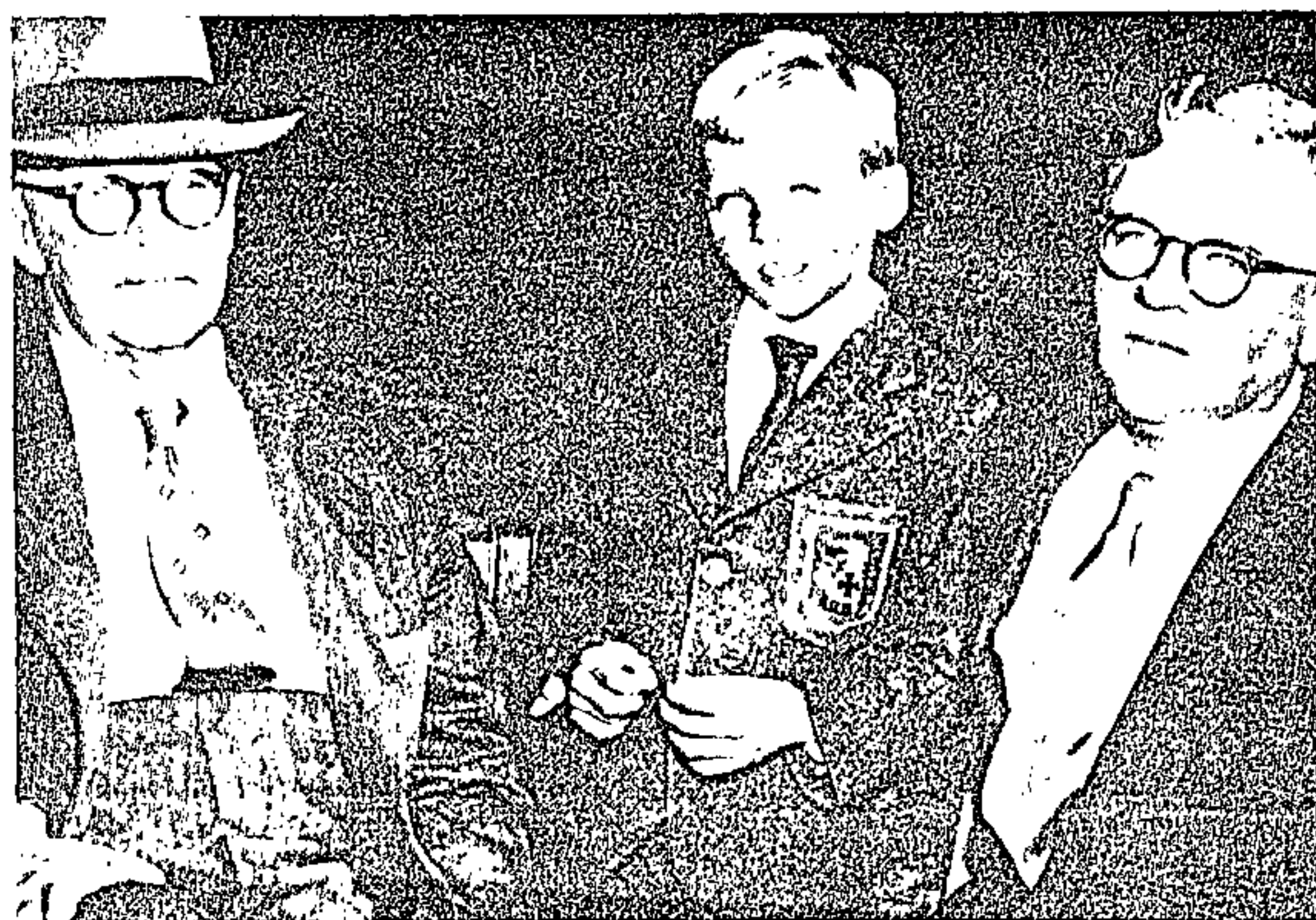
Arthur Goldreich, who had rented the farm and was also a member of the high command, was arrested later that afternoon when he returned home. Harold Wolpe, an attorney, was held days later after incriminating evidence found during the raid.

Goldreich and Wolpe, however, escaped from security police headquarters at Marshall Square shortly afterwards. They bribed a policeman, assumed the guise of priests and fled to Botswana with another common law prisoner.

Goldreich, an architect, is now living in Israel and is involved in the Anti-Apartheid Movement there.

Wolpe is in London and is professor in sociology at Essex University.

His law partner, James Kantor,



Senior counsel Braam Fischer QC (right), whose father (left) was a judge president, died in jail in 1975

Picture: Eli Weinberg

was arrested on suspicion of arranging the escape.

Van Wyk was promoted to the rank of captain "in recognition of the raid and its consequences". The South African Police public relations division this week refused to give further information about his subsequent career.

Of the 10 accused who finally appeared in court, Bernstein and Kantor were acquitted at the end of the trial on June 12 1964.

Bernstein, who left the country after his acquittal, lived in Wales with his wife, Hilda, where he continued to practice as an architect. According to a close source, he has now retired and is living in Mazimbu, Tanzania.

Hilda Bernstein's authoritative book on the trial was republished earlier this year, on the 25th anniversary of the event.

Kantor, who also left the country after his acquittal, died in London in the late 1960s.

The judge was Mr Justice Quartus

de Wet, judge president of the Transvaal. He retired in 1970 but continued acting as a judge until 1981. He died two years later.

The prosecution was led by the newly appointed attorney-general of the Transvaal, Dr Percy Yutar. Yutar, now 77, was the first Jewish attorney general appointed in South Africa.

He was later involved in a number of other major political cases, such as the "Saso trial" of the mid-1970s.

He recently retired from government service and returned to the Johannesburg Bar as a senior counsel.

Yutar was this week not prepared to discuss the Rivonia trial.

The defence team was led by advocate Braam Fischer QC, assisted by advocates Vernon Berrange, George Bizos and Arthur Chaskalson and instructed by Joel Joffe.

Kantor, however, was represented by John Coaker, instructed by James Cooper.

Before Rivonia, Fischer had featured in other major political trials in

cluding the 1956 Treason Trial. He was one of the country's greatest advocates and an outspoken opponent of the government's policies.

He came from a prominent Afrikaner family; his grandfather was president of the Free State, a Boer republic before the formation of the Union of South Africa in 1910, and his father was judge president of the province.

Fischer was himself sentenced to life imprisonment in 1965 for being a member of the Communist Party. He was held at Pretoria Central Prison and died in 1975, of cancer. Prison authorities refused to release his ashes to his family.

His assistant, Berrange, died in 1980 in Swaziland.

Bizos and Chaskalson, now both senior counsels, teamed up again in 1985 for the Delmas treason trial which ended last year. Bizos is still at the Johannesburg Bar and Chaskalson is director of the Legal Resources Centre.

The attorney, Joel Joffe, left the country shortly afterwards and now heads a major insurance company in England, Allied Dunbar. He has been involved in the British charity organisation, Oxfam, and the International Defence and Aid Fund (Idaf).

Bob Hepple, an activist detained under the 90-day Act after the Rivonia arrests, agreed to be a state witness in the trial. He fled the country before being called to give evidence.

He is now living in London. The key state witness, referred to as Mr X, was Bruno Mtolo. He later wrote a book about the military operation, devoted largely to explaining his position.

Mtolo later appeared at Fischer's trial, where he gave evidence once again for the state.

He was last rumoured to be living in kwaMashu, near Durban, and working as a furniture salesman.

The Rivonia farm, Lilliesleaf, is now the home of military writer and journalist AJ J Venter.

## Police at snap Mpetha rally

By GAYE DAVIS, Cape Town

report of other incidents of police action reported by residents of Nyanga township — where Oscar Mpetha has his home — nor of allegations that police acted against pupils travelling to the stadium from Mitchells Plain, Heideveld and Vanguard Estate.

According to an MDM representative, the rally was called in the belief that Mpetha was due to be freed on Wednesday morning — the day after State President FW de Klerk's announcement of the releases.

As speakers addressed the milling crowds — mostly made up of schoolchildren — tense negotiations

were under way with police.

The Rev Sid Luckett, chairman of the Anglican Board of Social Responsibility, said police refused to allow any procession, maintaining that the gathering was illegal.

After lengthy negotiations, police agreed to allow people to leave the stadium on condition they did not do so in groups and that there was no dancing or displaying of banners, Luckett said.

The crowd dispersed without incident, but Nyanga township residents later told the *Weekly Mail* police had taken action against residents at the Nyanga East stadium and in Terminus Road.

Mpetha family members said police allegedly warned a group of people awaiting Mpetha's arrival in the yard of his home that they were forming an illegal gathering and ordered them to disperse.

WESTERN Cape police this week took action against exuberant township residents celebrating the impending release of Oscar Mpetha and seven other political prisoners.

Toyi toying youths at a snap rally called by the Mass Democratic Movement in Athlone were repeatedly dispersed by police.

As about 3 000 people marched, danced, sang and chanted inside the grounds of the Vygieskraal stadium on Wednesday, police fired teargas canisters in an apparent bid to prevent groups from getting into the stadium.

The overnight police unrest report said: "In Athlone coloured residential area in the Western Cape, coloured and black youths gathered illegally on four occasions. They were ordered to disperse. When they refused, teargas was used to disperse them. There were no injuries or arrests."

There was no mention in the unrest



## Hunger-strike two to Bloem

TWO Grahamstown detainees have embarked on a hunger strike to highlight their continued detention and to call for their release.

Police spokesman Colonel Vic Haynes confirmed that David Sandi and Zalisle Mkontwana began their strike on Monday at Middelburg prison in the Eastern Cape. They have since been moved to Grootvlei prison in Bloemfontein.

The two detainees began their strike shortly after their first 30-day detention spell passed without them being released. After 30 days authorities have to issue a new detention order.

The men spoke about the strike to their wives, who visited them on Monday in Middelburg.

Mkontwana was originally held in Burgersdorp before being moved to Grootvlei. Last week he was transferred to Middelburg, sparking off rumours of his imminent release.

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# Longest jail sentence

**SOUTH Africa's longest political life prisoner, Mr Jeff Kgalabi Masemola, slipped quietly into Atteridgeville, Pretoria, yesterday and declared his unswerving aim of wresting power from the "racist regime."**

**BY MONK NKOMO**

He said: "Our release from prison after such a long period is intended to soften world pressure on this racist regime."

## Teacher

Masemola, who was sentenced to life imprisonment in 1963, was released at 2.15 am yesterday after spending 27 years in jail.

At the time of his arrest he was a teacher at Banareng Primary School, a Pan Africanist Congress.

hoo in Atteridgeville.

In an interview with *Sowetan*, Masemola (58), who looked healthy and young, said he was not happy to be released because the crime he allegedly committed did not warrant a life sentence.

Masemola was arrested together with 15 others on March 21 1963, and he was sentenced to life imprisonment by Mr Justice Cellie sitting with two assessors in the Pretoria Supreme Court on July 2 1963 for conspiring to commit acts of sabotage and overthrowing the government by violent means. Asked to comment on his release,

Masemola, dressed in a grey-three piece suit, said: "I believe that our release is intended to soften world pressure."

"We are being used as chips to buy world favour. Our release is not so much out of humanitarian consideration."

Masemola said he was unjustly sentenced to life imprisonment because he did not have legal representation. "Our lawyers, who included, Mr Sydney Kentridge and Mr Jack Unterhaller, were refused access to interview us. The sentence was too harsh because no act of sabotage was committed," said Masemola.

Asked to comment on the Government's widely publicised policy of negotiation with black leaders, Masemola said: "Speaking for myself the issue at the moment is not whether there should be negotiations or not. We cannot negotiate with usurpers of our land. Our primary task, as stated over and over again, is to repossess our country - Azania."

Masemola stressed, however, that he was not going to stand in the way of those who consider negotiation as a solution to this country's problems.

He said he had not yet planned his future.



Jeff Masemola



JAIL sentences imposed on five members of the Pan Africanist Congress and two members of Qibla, a Muslim organisation, in a Pretoria Regional Court last year were severe and induced a

sense of shock, the Pretoria Supreme Court was told yesterday.

The seven who have filed an appeal against both their convictions and sentences before Mr Justice Daniels with Mr Justice Swart concurring, are Mabatu Enoch Zulu, Siyabulela Ndoda Gcanga, Vincent Mathunjwa, Setsiba Paul Mohohlo, Daniel Nkopodi, Achmad Cassiem and Yusuf Patel.

They were jailed by

# PAC, Qibla sentences were severe - lawyer

By MONK NKOMO

Mr J H Bekker on October 28 last year for acts of terrorism.

Zulu was sentenced to 16 years, Gcanga (12 years), Mathunjwa (seven years), Mohohlo (10 years), Nkopodi (16 years), Cassiem (six years) and Patel (five years).

Advocate Dikgang Mosenke, instructed by Seriti, Mavundla and Partners, who appeared for the first four appel-

lants, submitted yesterday that the magistrate failed to give due weight to the fact that no actual acts of violence were committed by the four.

Mosenke also submitted that most of the charges against the four had been split and resulted in a duplication of their convictions.

"The magistrate failed to give due weight to the cumulative effect of the sentences imposed," said Mosenke.

He added: "Whereas

ample evidence was placed before the magistrate in regard to the socio-political factors which probably motivated the appellants to act they did, the magistrate did not regard such evidence as mitigatory."

Mr J J Gauntlett, SC, assisted by Mr Denis Delahunt, who appeared for Cassiem and Patel, both members of Qibla, submitted that the State had failed to prove that both men were involved in an act of conspiracy

and said their jail sentences were "disturbingly appropriate".

A substantial portion of the sentence should have been suspended, Gauntlett submitted yesterday.

Mr Nigel Willis, who is appearing for Nkopodi, is due to present his submissions today.

Mr A Pretorius, who is appearing for the State, is expected to reply tomorrow. (Proceeding).

18/10/89  
Sowetan

# Detainees: Judgment reserved

WINDHOEK. — Judgment was reserved in the Supreme Court here yesterday in an urgent application brought on Tuesday by the Parents' Committee of Namibia against Swapo to free six people allegedly still being held in Angola.

The PC had asked the court to order Swapo to release the names and all details of people held by the organisation outside Namibia since 1980.

Swapo leader Mr Sam Nujoma was cited as the first respondent in a list of seven which included Swapo itself, its Politburo and four leading members of the organisation.

Swapo was also asked by the PC to make available registers of specified prison camps and video tapes and confessions made by detainees as well as full details of released detainees, including dates and places.

Mr Denis Kuny, SC, for Swapo, said yesterday that the PC had no right to ask for documents and videos which did not relate to them.

It also had to be established that these people were in fact being detained. People had been held by Swapo in the past in camps and Swapo had ordered the release of those people, Mr Kuny said. The fact people

were missing and the United Nations had reported recently that 315 people could not be accounted for was not evidence that they were being detained by Swapo, he argued.

Mr Kuny also submitted there was no evidence to suggest that individual members of Swapo, cited as respondents, were responsible for the continued detention of anyone who might have been detained.

There was also no evidence that one of the people on whose behalf the application was being brought had ever been detained. — Sapa

## Namibia split on 'two-thirds'

WINDHOEK. — Indications emerged yesterday of serious differences between South Africa's administrator-general, Mr Louis Pienaar, and the United Nations special representative, Mr Martti Ahtisaari, on requirements for Namibia's Constituent Assembly.

The differences centre on the two-thirds majority requirement and constitutional guide-

lines internationally agreed upon in 1982.

"Mr Ahtisaari has indicated that he does not want the two-thirds majority clause in the Constituent Assembly Proclamation, while South Africa wants the 1982 international agreement adhered to," an authoritative source said in Windhoek. — Sapa

From KEVIN JACOBS

WINDHOEK. — Foreign Minister Mr Pik Botha flies to Windhoek today for a meeting that will include the leaders of all 10 contesting parties, administrator-general Mr Louis Pienaar and Mr Martti Ahtisaari, head of the Untag force.

"The administrator-general will preside at the meeting," government spokesman Mr Gerhard Roux said yesterday.

"He was the instigator of the meeting. He felt it was necessary for the parties to meet, and thought it would be opportune to the Minister of Foreign Affairs to be present."

Mr Botha is likely to urge restraint on party leaders in the wake of violent clashes, mainly between rival Swapo and Democratic Turnhalle Alliance (DTA) followers.

Despite a voluntary code of campaign conduct agreed among the parties to govern sup-

## Pik to meet Namibia line-up today

porters' behaviour and prevent conflict, the two main rivals have still scheduled rallies at Rundu this weekend and at Katima Mulilo a week later.

● Sapa reports from Pretoria that Mr Botha held talks on the security situation in Angola and Namibia with his Angolan counterpart, Mr Loy van Dunmen, in Maputo yesterday.

A statement issued by the Department of Foreign Affairs said the talks were a follow-up to those held last month with Mr Van Dunmen in Maputo.



# Vlok pays damages to consulate four

CAP TMS 1970/89

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DURBAN. — An out-of-court settlement has been reached with the Minister of Law and Order, Mr Adriaan Vlok, as a result of the detention of four political leaders who had holed up in the British Consulate here five years ago.

The four — Mr M J Naidoo, Mr Archie Gumede, Mr George Sewpersadh and Mr Billy Nair — were arrested in August 1984 after leaving the consulate but were released on September 7, following a Supreme Court ruling that the notice under which they

had been held, was unlawful.

The four had sought sanctuary in the British Consulate after security police attempted to serve new banning orders on them during a clampdown on the anti-apartheid movement.

Mr Naidoo was informed by his attorneys this week that the minister is to pay out a total of R56 000 in damages.

He said yesterday that the matter was supposed to be settled last year. "Although the matter was settled late last year, it was not finalised, nor was it con-

firmed in writing.

"We instituted new proceedings after failing to hear from the minister, but a few days before the hearing we hear that there is an out-of-court settlement," said Mr Naidoo.

A total of R120 000 was claimed by the men, three of whom are attorneys, for general damages and loss of earnings.

Mr Naidoo and Mr Sewpersadh will each be paid R15 000 plus costs, Mr Gumede will receive R14 000 plus costs and Mr Nair R12 000 with costs.

# Sharp rise in journalists arrested

By Kaizer Nyatumba

329 tallied over 100 (in September)

An unprecedented number of journalists were arrested at scenes of unrest or protest in September, while the number of criminal investigations and prosecutions against journalists also increased significantly, according to the Anti-Censorship Action Group (Acag).

In its latest monthly update, Acag said the arrest of 52 journalists during a Cape Town demonstration on September 2 "must have been one of the biggest swoops on media people," and pointed out that journalists in the Western Cape were constantly being arrested and harassed by police at scenes of unrest or protest.

"The number of journalists who fell victim to this increased Security Force vigilance to-

At the same time, the number of criminal investigations and prosecutions against journalists increased significantly, strengthening the belief that these are not isolated actions but part of a systematic attempt to use the courts to turn opposition journalists into criminals and enforce emergency control," said Acag.

This, according to Acag, also contrasted sharply with "an unexpected boost" received in the same month by freedom of speech, when the Government allowed a number of marches to take place.

Said Acag: "Anybody who supports the call for less censorship and more freedom of speech could not but feel heartened by the rare sight of so

many South Africans expressing their political views so publicly, so freely and so peacefully."

The group said the apparent change in policy was partial and short-lived, "leading to much scepticism about the extent of the Government's new commitment to openness".

While some marches were allowed, Acag pointed out, others were banned and prevented from taking place, leading to confrontations.

"The lesson was clear: if the Security Forces kept a low profile, these marches would be joyful and peaceful expressions of freedom; if they interfered, the situation would quickly return to the old style of conflict and repression."

● Acag was formed in 1986 by individuals and organisations concerned about censorship.



*CHC 21/10/89*  
**Two Tyl hunger strikers released and restricted**

JOHANNESBURG. — Two emergency detainee activists who reportedly went on hunger strike to press for their release have been freed and restricted, the Transvaal Indian Congress said yesterday. It named the two as Mr Amos Masondo and Mr Mandla Dlamini, who were freed from detention on Thursday.

The TIC condemned the restrictions and said Mr Masondo, general-secretary of the Soweto Civic Association, could no longer work in Germiston as he had been restricted to the magisterial district of Johannesburg.

Police said the two men had been on a hunger strike from October 13. On Wednesday police said they were no longer on hunger strike. — Sapa

# Detainee's father meets Minister

By McKeed Kotlolo, 22/9/89  
Pretoria Bureau

Mr Arend Hofmeyr, the father of the Cape Town human rights lawyer and hunger striker, Mr Willie Hofmeyr (34), made representations to the Minister of Law and Order, Mr Adriaan Vlok, in Pretoria yesterday.

Mr Willie Hofmeyr entered the 28th day of his hunger strike today.

Mr Arend Hofmeyr was accompanied at the 90-minute meeting by advocate Mr David de Villiers and attorney Mr Justin Hardcastle.

The Minister's office refused to comment on the meeting.

Mr Hofmeyr said: "We have made representations to the Minister and we hope for a quick decision".

His lawyers advised him to say nothing further.

Mr Hofmeyr's son was detained under emergency regulations on August 26 for demonstrating outside the First National Bank in St George's Street, Cape Town. He was in a group picketing against the bank's role in sponsoring last month's World XV rugby tour.

Immediately after his arrest, he went on hunger strike and he was later taken to hospital.

● His sister, Beattie, said he was getting "visibly weaker", reported Sapa.



# RWB fires striking workers

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By Drew Forrest

The Rand Water Board (RWB) fired about 400 workers at its Zuikerbosch pumping station near Vereeniging after they downed tools over the detention of a trade union shop steward.

RWB spokesman Mr A Carstens said the mass dismissal yesterday came after numerous pleas to workers, ending with a return-to-work deadline. Water supplies would not be affected.

Mr Carstens said management had made representations "at the highest level" to secure the detained unionist's release.

Mr Steven Kolisang of the Municipal, State and Allied Workers Union said the workers were demanding the release of shop steward Mr Richard Ramagabe who was detained under emergency regulations on Tuesday after a union meeting.

The union was also demanding the dismissal of the compound manager, whom they believed was responsible for the detention. Star 22/9/89

# Broederstroom 4th member still not seen

Staff Reporter

The whereabouts of an alleged fourth member of the "Broederstroom 3" African National Congress cell, whose trial resumes today, are still a mystery.

Mr Hugh Lugg was arrested 17 months ago on a remote farm in the Broederstroom area with former journalist Damian de Lange, Ian Hugh Robertson and schoolteacher Susan Catherine Donnelly — but was not charged and has not been seen since.

Speculation that he had turned State witness and was being held in custody until his testimony was needed was fuelled when the prosecution said he was being "kept on ice".

However, the State closed its case without calling him. The three have been convicted of terrorism and the court is now hearing evidence in mitigation.

Colonel Steve van Rooyen of the police directorate of public relations in Pretoria said this week he did not know the whereabouts of Mr Lugg, but he believed he was still in custody.

The final part of the trial in the Pretoria Supreme Court, postponed four months ago, has been set down for two weeks during which Unisa sociologist Ms Betty Welz is expected to be cross-examined on evidence she gave in mitigation.



# Minister's reply on school 'inadequate'

By Sue Valentine,  
Education Reporter

The Save Our School committee has described as "wholly inadequate" the reply by the Minister of Education and Culture to a request for clarification on the options available to Johannesburg High School for Girls.

In his reply to the school's management council, Mr Piet Clase said delegates from the school could meet the Superintendent-General of the Department of Education and Culture, Mr Villiers Terblanche, on November 8.

## 'Not good enough'

"This is just not good enough," said the chairman of the SOS committee, Ms Sharon Bond.

"It seems the matter has been handed down to someone instead of being passed up to higher authorities. We should be talking to (Minister of National Education) Dr Gerrit Viljoen.

"What is stopping them from telling

us what they plan to discuss so we can start taking action now?"

She said that after the meeting on November 8 they would have just three weeks in which to set the wheels in motion for the new school.

In a letter faxed to Mr Clase's office last week, Ms Bond appealed to the Minister to grant an interview to an SOS delegation which would include at least one prominent educationist, a high-profile member of the business community, an attorney and representatives from teacher, parent and community bodies.

In the letter the SOS committee said it was encouraged by news that the department was giving the matter urgent attention. With less than six weeks to the end of the school year, it had assembled a support group of relevant people to help plan a smooth start for the 1990 academic year.

The committee said it was "under considerable pressure from various interested stakeholders to make definite statements about the situation."

## 3 death row inmates hanged

By Kaizer Nyatumba

Three death row prisoners were hanged in Pretoria on Friday morning, bringing to 51 the number of people executed in South Africa since the beginning of the year, according to a spokesman for Lawyers for Human Rights.

Two of the three men, Khalewayo Gumede and Mfanozi Mthethwa, were executed when attempts by LHR to pursue information "relating to certain potential witnesses in Natal", as given by the condemned men, proved unhelpful. They were both granted stays of execution earlier this year.

Freddie Dreyer withdrew his petition to the State President for clemency on Thursday, saying he had made peace with God and was ready to die.

Dreyer, who was given two death sentences for murder and an effective 60 years' sentence for other offences, signed an affidavit withdrawing his pe-

tition for clemency. He said he had made peace with God and was prepared to die although he did not believe he was guilty of the crimes for which he was sentenced.

Two other prisoners, who were scheduled to hang on Friday, Harry Ngcobo and Almond Nofemela, were granted urgent stays of execution.

LHR spokesman Mr Chucks Sefan-yetso said Ngcobo's execution was stayed to enable him to petition the State President for clemency, while Nofemela's 11th hour stay of execution was a result of an affidavit wherein he implicated senior policemen in the murder of human rights lawyer Mr Griffiths Mxenge and ANC insurgents.

This was Ngcobo's second stay of execution, the first having been granted on April 17 this year to enable him to petition the Chief Justice for permission to appeal against his sentence.

der Police

By Kaizer Nyatsumba

Five more Death Row prisoners are scheduled to hang in Pretoria on Thursday, six days after three prisoners were executed last Friday, according to a spokesman for Lawyers for Human Rights (LHR).

Sipho Nyende, Lucky Luthuli and Jeffrey Bhenge were all convicted of murder and sentenced to death in Dur-

## Five more men due to hang on Thursday

ban on April 25 last year, and were granted leave to appeal in March.

A spokesman for LHR, Mr Chucks Sefanyetso, said it intended launching a bid for a stay.

John Ndlovu and Lazarus Mance were convicted of murder and sen-

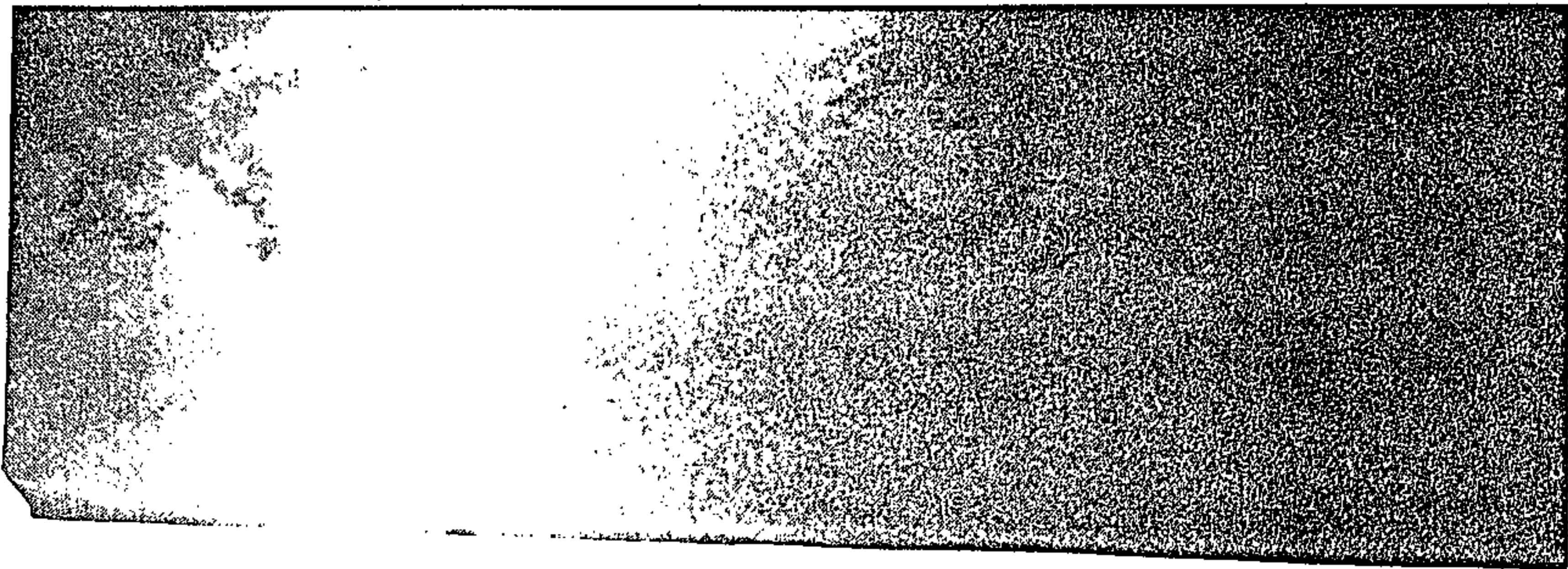
tenced to death in Johannesburg on April 19 last year, and their application for leave to appeal against their conviction was dismissed in July of the same year. The men then petitioned the Chief Justice, and their respective petitions were dis-

missed in September last year.

Mr Sefanyetso said Mance was granted a stay of execution in April this year to petition the State President for clemency, but the petition was dismissed.

Fifty-one people, including the three men hanged last Friday, have been executed in South Africa since the beginning of the year.

● See Page 5.





24/10/89

329 Sanetun

'During the past 20 years the execution rate averaged about 95 persons a year but in 1987 the figure reached an all-time high of 164. Last year the number of executions dropped to 117, partly because the number of reprieves rose to 49.'



Chanting youths march outside the Rand Supreme Court ... will the present common law be a stabilising influence in a post-apartheid future?

# 1990s will usher in new era in which all will have voice

THE law, as it stands, could constitute a valuable stabilising influence in a new South Africa, the Chief Justice, Mr Justice Corbett, said at the annual general meeting of the Cape Law Society in Port Alfred yesterday.

He said there was an air of expectancy in South Africa today that the 1990s would usher in a new era in which all South Africans would have a voice in how the

## FOCUS

country was run.

Some people spoke about a post-apartheid South Africa. Unquestionably the South Africa of the 1990s would be very different from the South Africa of today.

The law could be a stabilising influence, but in order for it to do so the

By PAT CANDIDO  
Port Elizabeth Bureau

new generation of South Africans had to be convinced that the law - "and here I refer mainly to the common law and expressly exclude discriminatory statute law" - and the system which administers it must be worthy of retention, preservation and development.

"From the lawyers' point of view this will be one of the great challenges in the decade to come."

## Executions

Corbett said South Africa was often criticised for the number of convicted criminals executed every year.

During the past 20 years the execution rate had averaged about 95 persons a year but in 1987 the figure reached an all-time high of 164.

Last year the number of executions dropped to 117, partly because the number of reprieves rose to 49.

He said the vast majority of death sentences arose from convictions for murder where no ex-

tenuating circumstances could be found.

The Government was not in favour of the total abolition of the death sentence but was receptive to ideas for the reform of the law in this sphere.

There were no easy solutions. The high number of death sentences was due to the large number of murders, which had no political overtones whatsoever.

Over the past six years there had been on average of 8 300 persons charged with homicidal crimes a year. Of these, 40 percent had been acquitted or found guilty of a lesser offence. Of the remainder about 48 percent had been found guilty of culpable homicide and about 50 percent of murder.

Law reform was thus only part of the answer. For the rest some solution had to be found to the very high rate of homicide and often senseless violence which produced it. Law reform had to be accompanied by social and political reform.

Corbett said during the past few years there had been increasing criticism

both in and outside the country of the legal system.

Critics had every right to have their say but he was often shocked at the unfair criticism which appeared in overseas publications.

He said that to suggest that some black anti-apartheid activists were sentenced to death for "convictions ranging from subversion to treason" were totally false.

He said he was unaware of a single instance during the past few years where any accused received the death sentence for a political crime unless there was murder, and often a gruesome murder, involved.

## Remedy

He had recently seen a statement by a lawyer in the United States expressing concern at the growing number of South Africans being executed for political activity.

"I find these misrepresentations and distortions a matter for real concern. There is, as far as I can see, no simple remedy other than for the courts to administer criminal justice fairly, even-handedly and with a proper understanding of the problems and tensions within our society.

"I believe that in the past this is, by and large, what the courts have done (of course to claim perfection would obviously be incorrect and foolish). I have every confidence that this is what the courts will continue to do with increasing success in the future."

329 South 10  
19/10  
25/10/89  
**Pregnant  
mum's plea:  
Free my  
husband**

DURBAN. — A four-months pregnant mother this week challenged the Minister of Law and Order in the Durban Supreme Court to free her detained husband.

Dr Rajen Pillay left his three young sons and expectant wife in the southern dormitory suburb of Chatsworth on the night of September 19 to visit a friend.

Rishi Pillay has since seen him once, in custody of seven policemen who searched their home the following afternoon.

Her conviction that police were being unreasonable was reinforced by their manner during the raid, she said in an affidavit.

"I paid very careful attention. Nothing was removed which could even remotely point to any unlawful activity."

Last week a highranking police colonel and a major "were uncomfortably silent" when asked what charge Dr Pillay faced, his wife said.

Her husband was "a peace-loving person with an immense respect for life" with "a highly developed conscience — caring, helpful and generous".

Police this week refused to comment on any links between Dr Pillay's detention and the discovery of an arms cache in Reservoir Hills or the terrorism charges against Natal Post editor Rafiq Rohan.

"Other than the fact that an investigation is continuing we have no comment," said the police public relations division in Pretoria.

The popular gynaecologist's incommunicado detention at an unknown prison under Section 29 of the Internal Security Act has been met with several protests.

At a recent prayer service, MDM stalwart and South African Health Workers Congress president Krish Vallabhjee saluted Dr Pillay as hardworking, dedicated and with a strong social conscience.

— DURBANNEWS



# Broedersstrom pair to marry?

329  
Soweto

THERE may be wedding bells in prison for Broedersstrom trialists Damian de Lange and Susan Donnelly - as soon as they have obtained divorces from their respective spouses.

Before a prison chaplain weds them, they will have to obtain the official documents, family members said during this week's hearing at the Pretoria Regional Court.

The couple, who have known each other for some time and who linked up at a remote farmhouse in the Broedersstrom area when the ANC unit infiltrated the country two years ago, are known to be romantically linked.

But this week the two hardly exchanged a glance as they sat in the dock facing magistrate Mr W J van den Bergh. Fellow accused Iain Robertson (accused number 2) sat between them throughout the first two days of the hearing. The hearing is to continue today when evidence given in mitigation by top sociologist Professor Brunhilde Helm is to be challenged by the State prosecutor, Mr Frans Roets.

De Lange's wife Diane, who is now living in Tanzania, said earlier this year that she would be serving divorce papers on her husband. They have twin boys.

Donnelly's husband, identified for the first time in court this week as Mr Dominic Donnelly, address unknown, is not known to her family. Her father, Mr John Westcott, told the court in evidence

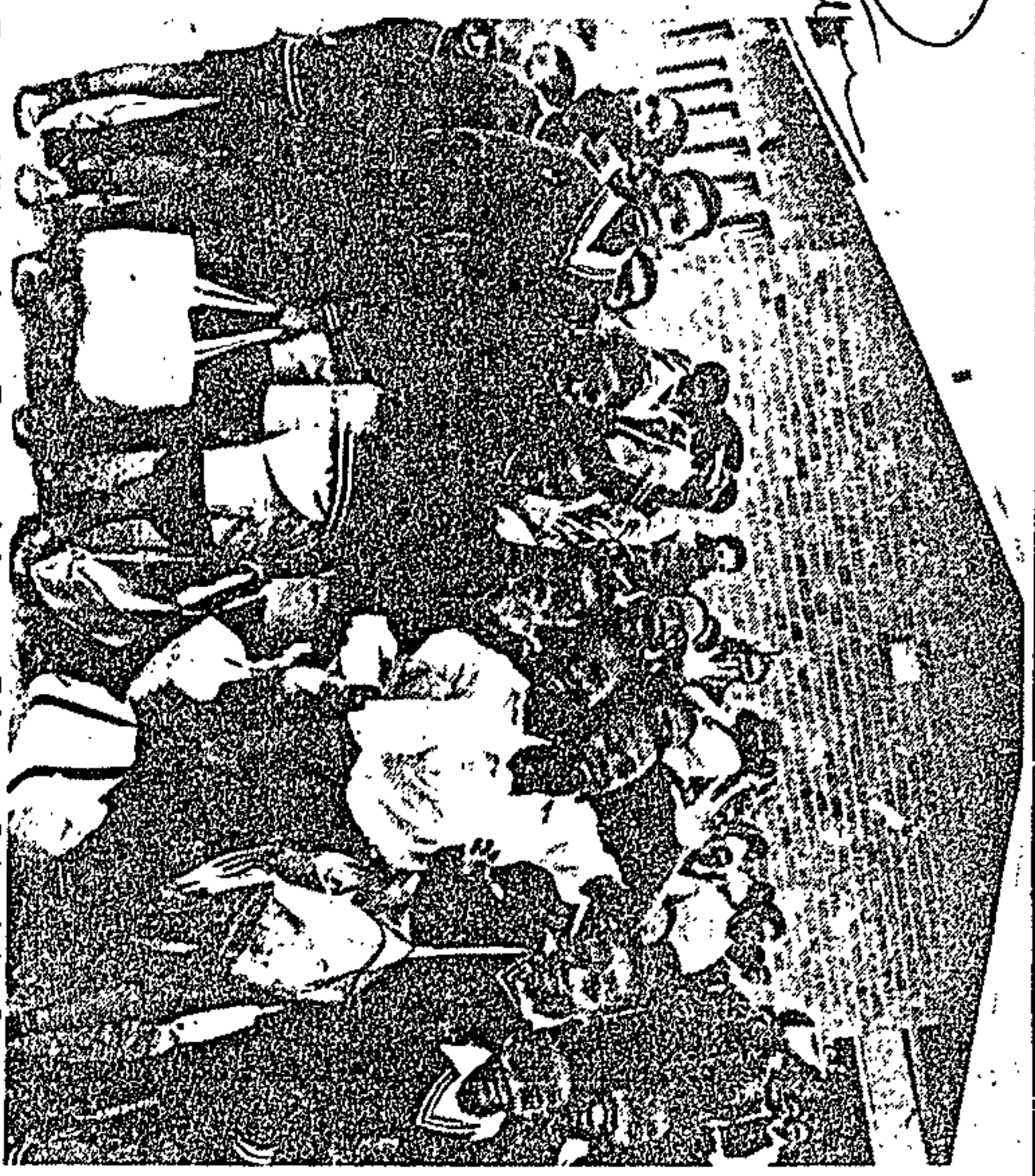
during the initial hearing in June that Mr Donnelly was totally unknown to him.

Evidence led during the trial has indicated that the marriage was one of convenience to enable the red-haired Donnelly to obtain a British passport.

There was a reference to this during this week's evidence when the State asked Mrs Betty Welz, a Unisa sociologist, wheth-

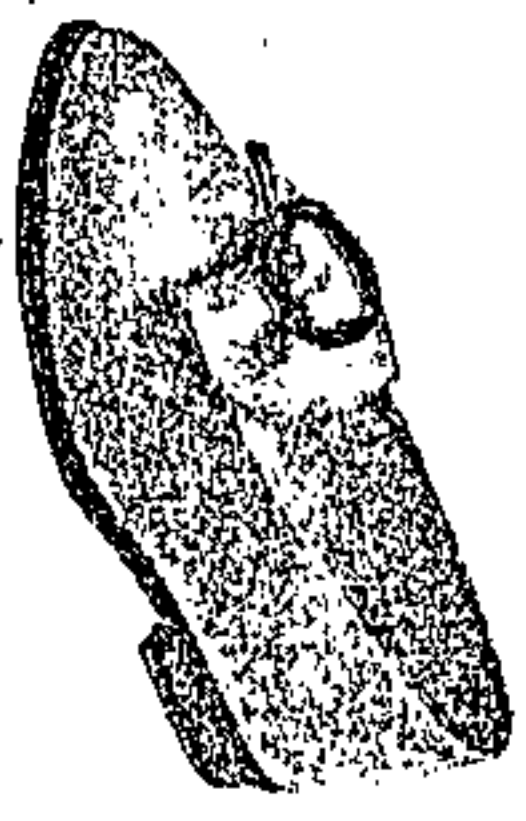
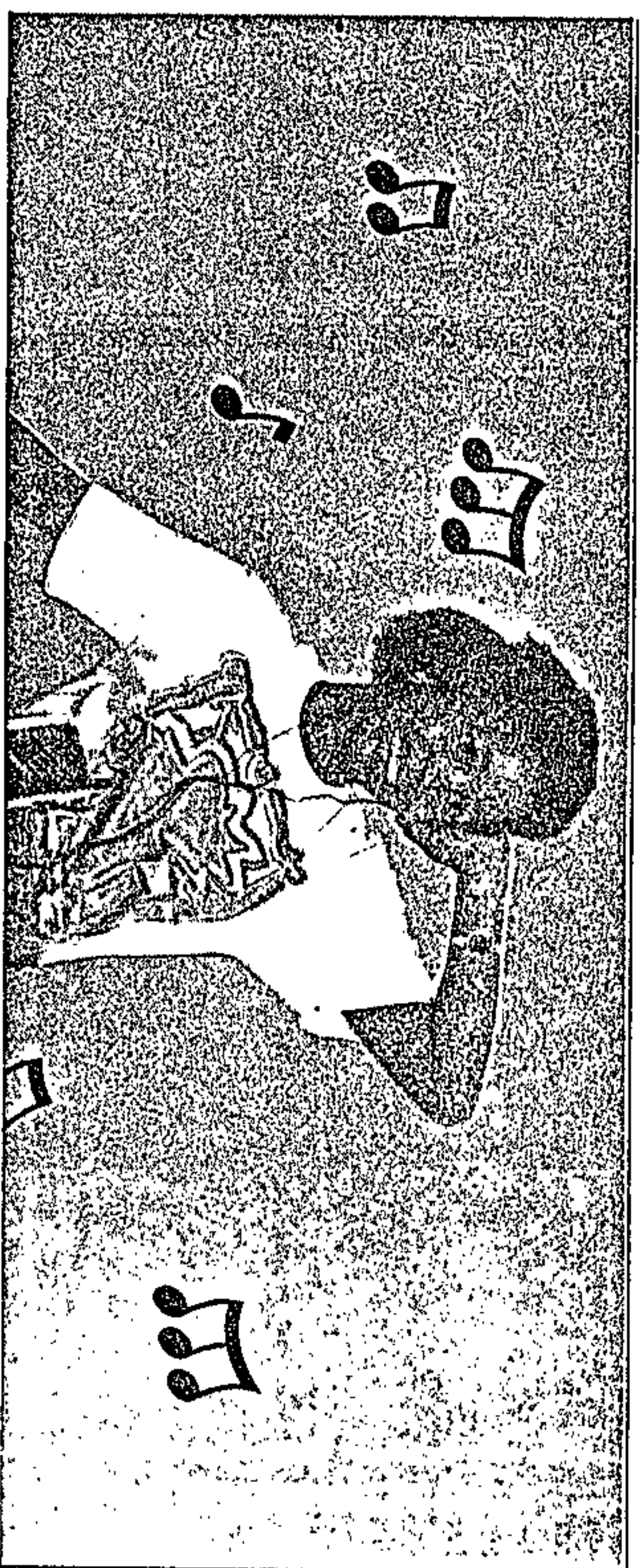
er or not she knew that Donnelly had darkened her hair to help change her appearance. Welz said she was not aware of it.

There have been numerous emotional scenes in court this week between the accused and their friends, some of whom have been wearing yellow lapel badges with the slogan "Broedersstrom Support Committee".



Eager children from Emaweni Lower Primary School in Senaokane, Soweto, about to leave on a trip to Pretoria Zoo.

## If she's not wearing roller skates, she would be wearing imported genuine leather shoes





# Activists' charges withdrawn

5389 Sowetan 26/10/89

## SA Press Association

THE Government has withdrawn charges filed against eight activists for allegedly breaking restriction orders imposed following their release from detention, lawyers said yesterday.

One of the eight, Willie Hofmeyr, was redetained in late August after defying his restrictions and staged a four-week hunger-strike in protest. He refused to sign a pledge that he would abide by new restrictions, but was freed in late September.

## Demonstrations

Hofmeyr and the seven other activists were regional officials of the now-banned United Democratic Front. All had been detained without charge, and were issued with restrictions when released barring them from certain political activities.

Last month, prosecutors decided to withdraw charges against more than 1 000 anti-apartheid protesters arrested during a series of demonstrations in Cape Town in the two weeks prior to the September 6 parliamentary elections.

Those arrested included Anglican Archbishop Desmond Tutu and Rev Allan Boesak, president of the World Alliance of Reformed Churches. - Sapa.



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# As Rivonia Six are released, Broederstroom Three face jail

THERE is a strange irony attached to the sentencing of the "Broederstroom Three" in the Pretoria Regional Court next week.

It is an indication of the unpredictability of the current political situation that recently-released African National Congress leaders, most of them founder members of the military wing Umkhonto weSizwe, are operating freely just as three young members of the same organisation face lengthy prison sentences.

The trial is a manifestation of the government's ambiguous stance towards the banned organisation. The energy with which the three are being prosecuted inside the courtroom is

By SHAUN JOHNSON

difficult to equate with the open, and allowed, displays of support for the movement outside.

It is also an important sign of how white involvement in guerrilla activity has increased since the "Rivonia" leaders went to Robben Island in 1963 to serve their life sentences.

The eventual fate of Damian de Lange, 31, Iain Robertson, 35, and Susan Westcott, 25, has attracted less attention than might have been expected because it has been overshadowed by the release of the ANC leaders.

But theirs is a case which — as has

## White MKs 'kings' in Soweto

IF the "Broederstroom Three" were able to appear in Soweto tomorrow, they would be regarded as "kings and queens".

This statement, by South African Council of Churches president Bishop Manas Buthelezi, prompted exclamations of approval from the public gallery in the Pretoria Regional Court yesterday.

Buthelezi was giving evidence in mitigation in the case of Damian de Lange, Iain Robertson and Susan Westcott, who have pleaded guilty to several counts of "terrorism". The three Umkhonto weSizwe members are expected to receive their sentences next week.

Before Buthelezi could take the witness stand, defence counsel David Soggot had to convince Magistrate WJ van der Bergh that the prosecution's objection (that the bishop's evidence was not relevant), was not valid.

Soggot successfully argued that Buthelezi, as a prominent figure in black communities, "might be able to offer guidance" to the court, particularly regarding the attitude toward whites who joined the ANC, or Umkhonto.

In his evidence, Buthelezi said the

sense of grievance among blacks had increased since 1976: "Many feel frustrated, and some have lost hope that their grievances can be redressed".

Regarding support for the ANC, Buthelezi said "ever since the old (traditional) order crumbled, the ANC was the home for people trying to fit into the new political order".

Increasingly, he said, he had observed that members of Umkhonto were "regarded as heroes by the community, and this cut across the spectrum; ordinary people included".

In the case of whites who joined, he said "my observation is that as they do not have such obvious reasons to cast in their lot with the ANC, they are regarded as even more than heroes.

"There is something within them (which encourages them to join the ANC) ... it is beyond mere physical circumstances. If they (the three) were to appear in Soweto, they would be regarded as kings and queens."

The magistrate acceded to a request from the prosecution for an adjournment until this morning, when Buthelezi will be cross-examined.

been borne out by the hours of sociological testimony about the motivation behind their decision to join Umkhonto — says a great deal about the unresolved fissures in South African society; the era of FW de Klerk notwithstanding.

The three, articulate, sophisticated white South Africans, placed their lives at risk in pursuance of their beliefs. The potential risk became actual when they were captured in a raid on their Broederstroom smallholding on May 8 1988.

They were detained under section 29 of the Internal Security Act until January 23 of this year, when they appeared in a magistrates' court on charges relating to terrorism.

In a subsequent appearance, on June 12, De Lange and Robertson pleaded guilty to 11 counts, and Westcott to 10. The current hearings, expected to conclude at the end of next week, are to allow evidence in mitigation.

The three's instructing attorney said: "It is strange, at a time when the ANC has in certain areas been *de facto* 'unbanned', to observe a case being pursued such vigour on charges such membership, furthering the aims and the like."

He believes the state is "trying to depoliticise this and other cases by pursuing the 'criminal' aspects and dropping the charges of treason.

"The effect is that the state wants to depoliticise their actions as soldiers."

For family members, friends and supporters, there is no question about the political dimension.

Susan Westcott's brother, Michael, — who, with Kieran de Lange, brother of Damian and others, has helped set up the "Broederstroom Support Committee" — says events since last year's raid "have had a definite politicising effect".

His own political development was closely allied to that of his sister's, but the influence has been more widely felt — particularly by his parents.

Michael Westcott harbours a hope that the changing political climate will mean she does not have to serve her sentence in its entirety, and says his sister has been "very excited about the releases (of the ANC leaders) ... and the groundswell of support.

"It has been an enormous morale boost for all of them (the three)."

This could be compounded next week, when it is thought possible that Rivonia leaders might pay a visit to the courtroom.

# Two detainees held in W Cape



South  
26/10-11/11/89

THERE are only two people held in detention in the Western Cape, according to the Repression Monitoring Group.

Charles Chordnum, a UWC student from Paarl, has been held under the emergency regulations since October 3.

The security police have refused to disclose details about the detention of Mzamo Reggie, 20, the only person being held under Section 29 in the Western Cape.

His lawyer, Mr Willie Hofmeyr, said security police would only confirm that he was detained in early May and would not say where he was arrested.

They alleged he was involved in the activities of the Pan Africanist Congress.



## APARTHEID BAROMETER

### DETENTIONS

(329)

A TOTAL of about 60 people are currently being held in detention in South Africa (outside of the "independent homelands") according to figures released by the Human Rights Commission.

The number of people held under the Emergency regulations has fallen to nine while the most recent figures on security detention suggested that 51 people were being held under the Internal Security Act a month ago.

The following detainees are being held under the Emergency regulations: Lennox Mava, Edgar Patiyani and Zandiseli Sepeni (Eastern Cape); Nkosinathi Goba, Dumisani Ndlovu and Mbuyiselwa Nene (Natal); Charles Chordnum (Western Cape); Mamedo Godley (Northern Transvaal) and Lucas Mchajwa (Orange Free State).

On September 22, 41 people were being held under section 29 of the Internal Security Act and 10 under section 31.

Democratic Journalists' national treasurer); Keith Madonsela (ADJ national coordinator); Jacob Mtshali (Alexander Youth Congress general secretary); Aubrey Ketime (Ayco vice president); Nesto Kyops (Ayco treasurer); Constance Hlatshwayo (Ayco women's organiser) and Tiego Moseneke (former South African National Students Congress president).

According to the HRC 618 people were served with restriction orders in the three months after the Emergency was redeclared on June 9, including restriction orders automatically renewed. Those restricted in this period are from the following areas: PWV (320); Eastern Cape (131); Western Cape (22); Transvaal Country (20); Northern Cape (10) and Orange Free State (eight). Of these 36 have since had their restrictions lifted but at least 74 new orders have been served.

According to the HRC at least 41 people were tried for contravening their restriction orders in July and August this year.

### EMERGENCY REGULATION CONSCIENTIOUS OBJECTION RESTRICTION ORDERS

A TOTAL of at least 656 people are currently known to be restricted under the Emergency regulations, according to the HRC. The terms of these restriction orders vary considerably but in most cases activists are required to report to a police station once (and sometimes twice) a day, to remain in their homes between 6pm and 6am, not to move outside a particular magisterial district, not to be involved with certain specified organisations and not to attend meetings involving more than a specified number of people.

Among those restricted are many key Mass Democratic Movement leaders in the country including: Govan Mbeki (former African National Congress national chairman); Curnick Ndlovu (United Democratic Front national chairperson); Mohammed Valli Moosa (UDF acting national secretary); Titus Mafolo (UDF national executive committee member); Azhar Cachalia (UDF national treasurer); Zwelakhe Sisulu (*New Nation* editor); Amos Masondo (Congress of South African Trade Unions Transvaal education secretary and Soweto Civic Association general secretary); Trevor Manuel (UDF Western Cape leader); Edgar Ngoyi (UDF Eastern Cape president); Stone Sizani (UDF Eastern Cape publicity secretary); Henry Fazi (UDF Eastern Cape vice president); Raymond Suttner (former UDF Transvaal executive member); Mkhushi Jack (Port Elizabeth Youth Congress president); Mike Xhego (PE Youth Congress executive member); Janet Cherry (Institute for a Democratic Alternative for South Africa Eastern Cape research officer); Louis Mnguni (UDF Northern Transvaal president); Seth Nthai (UDF Northern Transvaal leader); Cyril Jantjies (UDF East Rand leader); Eric Molobi (National Education Crisis Committee national leader); Willie Hofmeyr (UDF Western Cape executive member); Dan Montsitsi (former UDF Transvaal youth secretary); Joyce Mabudafhasi (NECC leader); Mbulelo Goniwe (Cradoek Residents Association secretary); Rapu Molekane (South African Youth Congress vice president); Andrew Sefothlelo (Sayco national cultural organiser); Zolile Malindi (former UDF Western Cape president); Mandla Nkomfe (Soweto Youth Congress leader); Mandla Dlamini (Soyco leader); Skhumbuzo Ngwenya (UDF Natal Midlands secretary); Zakes Machitje (Ratanda Civic Association chairman); Nat Ramokgopa (SCA leader); Paul Mashitile (UDF Transvaal executive member); Paul Maseko (Association of

A TOTAL of nearly 900 conscripts have publicly refused to serve in the SADF, according to the objector's representative Paul Boule. He said the National Register of Conscientious Objectors included the names of over 880 conscripts.

Several public stands by objectors have taken place over the past four years. In 1985 about 100 potential "Dad's Army" recruits publicly refused to register for commando service and a similar stand was taken by 50 Grahamstown "Dad's Army" conscripts. In July 1987 23 Cape Town and Stellenbosch conscripts publicly refused to serve and in July 1988 143 conscripts from seven centres declared their objection. In September 1989 771 conscripts from 12 centres objected. Earlier this month 350 of them handed in the register of their names to the SADF after a march to the Cape Town castle. In February 1989 about 900 mothers of conscripts made a stand under the banner "Give Our Sons a Choice".

Between 1978 and 1983 13 conscripts objected individually to military service and were sentenced to periods of imprisonment in jail and/or detention barracks of up to two years. Three objectors David Bruce, 27 (six years), Charles Bester, 19 (six years) and Saul Batzofin, 30 (18 months) are currently in prison while Dr Ivan Toms is on bail, having served half of a 21 month sentence. Over the past four years at least six political objectors have been fined or received suspended jail sentences for failing to report for military service.

### PRISONER OF CONSCIENCE

MSOMI MIYIWA, 65, ANC and Umkhonto we Sizwe member, was detained in December 1975 and sentenced to life imprisonment on July 25 1977. He is still being held on Robben Island and has now spent a total of nearly 23 years behind bars.

Miyiwa, one of eight children of a miner, joined the South African Congress of Trade Unions and the ANC in the mid-1950s. At the time he was working as a time clerk at an aluminium factory in Pietermaritzburg.

After the ANC was banned he joined Umkhonto we Sizwe and was arrested in July 1963. On February 28 1964 he was sentenced to eight years imprisonment, most of which was spent on Robben Island.

He was released in 1972 but was again arrested on December 5 1975 and after 19 months in detention as an awaiting-trial prisoner was sentenced to life imprisonment. He is married with seven children.

## Detention numbers drop

Political Staff

THE number of people in detention under the emergency regulations has again dropped to a low level.

A police spokesman said yesterday that "about 23" people were still in detention under the emergency regulations bringing the level down from 24 detainees in mid-May.

However, President F W de Klerk has indicated that the ending of the emergency was not likely in the immediate future as the "revolutionary climate" was still too high.

## Police detain AYCO man

JOHANNESBURG. — A member of the Alex Youth Congress (AYCO) and the Regional Reception Committee, Mr Job Sithole, was detained by police early yesterday morning at his parents' Alexandra home, according to AYCO and other activist organisations.

Mr Sithole — one of four detainees who "escaped" from prison and took refuge in Pretoria's West German embassy earlier this year — was picked up at 4.30am by security police from Kew police station, a statement said. — Sapa



# Azanla seven refused bail

By DAN DHLAMINI

SEVEN alleged Azanian National Liberation Army cadres facing terrorism charges would skip the country or commit more crimes if granted bail, a Klerksdorp Regional Court magistrate said this week.

Magistrate PJJ Venter turned down bail applications from Lawrence Kondile, 21, Matikela Mashiqana, 27, and Nelson Joyi, 27, of Port Elizabeth, Patrick Nthako, 24, Saxon Mokonyanya, 20, of Thabong, Simon Ndlovu, 18, and a girl, 17, of Soweto.

According to the charge sheet, the seven received military training in Botswana and Libya between 1986 and 1988 with intent to violently overthrow government.

The State alleges that some of the accused, working from QwaQwa, recruited and trained members for the Black Consciousness Movement of Azania and its military wing, Azanla.

The accused were not asked to plead and the case was adjourned until January 8.

# Detention 'designed to alter personality'

Own Correspondent

CAPE TOWN — The section 29 detention of Mr Bongani Jonas was not only designed to extract information from him but also to break down his personality and "make him a different person", the Cape Supreme Court was told yesterday.

Giving legal argument at the conclusion of the inquiry into Mr Jonas's refusal to testify as a State witness in the so-called Yengeni terrorism trial, Mr Dullah Omar, who is representing Mr Jonas, said it would have been "humanly intolerable" for his client to have testified against his former comrades.

If he had testified he would have been virtually compelled to join the South African Police and live the rest of his life as a hunted man, Mr Omar said.

Mr Jonas's detention had been designed to break down his personality and "rehabilitate" him.

"Faced with this situation and the systematic coercion inherent in section 29, (Mr) Jonas embarked on a policy of co-operation. He was compelled to co-operate as a survival technique," Mr Omar said.

Mr Justice S Selikowitz questioned Mr Omar on the relevance of what had led Mr Jonas to make his decision not to testify for the State.

The duty to testify, as defined in the legislation, was not dependent on consent, he said.

To force Mr Jonas to testify, after what he had been through, would make

a mockery of the judicial process, Mr Omar said.

The State had contended that Mr Jonas was "the most co-operative" ANC operative they had ever dealt with. Mr Omar said the indications were that this was not the case at all.

It would not have been necessary to hold Mr Jonas under section 29 for such a long time if he had been co-operative, Mr Omar said.

Mr Hendrik Klem, QC, for the State, told the court there had been no need for the police to assault Mr Jonas, as he had been co-operative and had volunteered information from the start.

However, he said it was Mr Jonas's fault that he had been shot when he attempted to flee from the police before his arrest.

Mr Klem said Mr Jonas had always appeared to be in control, and had "played along" with the police to get a good deal, which had succeeded.

In a politically polarised society it was important that the court had access to evidence, and rather than excuse Mr Jonas because of these circumstances, it was even more important that he testify.

Police had given evidence of a "free and easy" relationship with Mr Jonas, and it was wrong to suggest that he was called as an unwilling witness, Mr Klem said.

The accused are Mr Tony Yengeni, Miss Jennifer Schreiner, Mrs Lumka Yengeni, Mr Michael Lumbambo, Mr Mbutu Nduku, Mr Wellington Nkwandla, Mr Mtheteleli Titana, Mr Gary Kruser, Mr Christopher Giffard, Mr Sitlabocha Mahlale, Mr Alpheus Ndude, Ms Gertrude Fester, Ms Zurayah Abass and Mrs Colleen Lombard.