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Suspended fine for torture shocks judge

Pietermaritzburg Bureau

A RAILWAYS policeman was yesterday ordered by the Supreme Court here to give reasons why a suspended R100 fine imposed on him by a magistrate last month for torturing a woman prisoner should not be increased.

The order was made by Mr Justice Didcott, with Mr Justice Galgut concurring, after Const Mabango Matamayi, 62, of Donnybrook, had appealed against his sentence for assaulting Mrs Sithekile Phoswa, 39, with intent to do grievous bodily harm.

After the Court had been told that the policeman was not present to argue his appeal, Mr Justice Didcott adjourned the hearing until October 31 and ordered the constable to show cause why his sentence should not be increased.

The Judge described as breathtaking the derisory sentence imposed by Bulwer Magistrate Mr S C Schule.

'Painful'

According to Court records Mrs Phoswa, who was in hospital for eight days, had been handcuffed and blindfolded; a pole had been placed between her arms and knees and had been swung across two chairs so that her body was not touching the ground.

She said a 'painful' thing was then pressed against her armpit, right hand and left arm while Const Matamayi was questioning her about beer she had been selling at Bulwer Station.

Mrs Phoswa, who had supported her family since her husband became an invalid in 1981, said she still had scars on her arms which had been left 'half paralysed'.

On her release Mrs

Phoswa, who had been assaulted between 4 pm 'until it became dark' on June 9, paid a R20 admission of guilt fine for unlawfully selling beer.

During legal argument Mr Justice Didcott said there was 'bad business' at Donnybrook Police Station and requested Mr Bruce Morrison, for the State, to look into the matter concerning its station commander, Sgt Johann van Zyl, who had been charged with defeating the ends of justice after refusing to accept a complaint from Mrs Phoswa about her treatment.

The Court said it would like to know what had happened to the case against the sergeant.

The sergeant had told the Magistrate the woman had not shown any signs of injuries or pain when he saw her in custody and consequently he did not accept her allegations of being assaulted.

Describing her ordeal, Mrs Phoswa said she had eventually lost consciousness from pain after 'something painful' had been pressed against various parts of her body.

Shaka Day celebrations

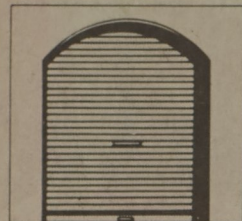


King Goodwill, Chief Mangosuthu Buthelezi and a number of other Zulu chiefs in procession down the streets of Stanger at a colourful Shaka Day gathering yesterday.

Picture by
ELIJAH ZONDI

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S A Navy calls for young Indian men to volunteer

Mercury Reporter

THE S A Navy is inviting applications from unmarried Indian males between the ages of 17 and 25 who wish to undergo voluntary national service for two years.

Volunteer national servicemen will start military training on January 13 at the SAS Jalsena in Durban. They will then receive specialist training in Durban or Simons-town for about two months.

'They will then be utilised in the Navy for the remainder of their two years. At the end of this time, depending on the availability of posts, successful volunteer national servicemen will be afforded the opportunity to join the S A Navy Permanent Force,' a Navy

spokesman said yesterday.

Application forms and further information can be obtained from the Officer Commanding, SAS Jalsena, Fleet Mail Office, P O Fynnlands 4020. Completed application forms together with supporting documents must reach the Navy before December 13.

KwaZulu plan will be 'drastically changed'

**Ormande Pollok
Political
Correspondent**

CAPE TOWN—The latest KwaZulu consolidation proposals were doomed before they became public and more white areas are expected to be incorporated into KwaZulu to give it a stronger 'regional' character,

it was learned yesterday.

Senior sources have indicated the proposals will be drastically altered because of a change in Government thinking on the future of Natal as a whole.

The concept of a joint 'KwaNatal' administration for the province has already been accepted in principle by the Government. Talks between senior representatives of the KwaZulu and Natal administrations are said to be making progress with a plan for a joint administration which they will have to submit to the Government for final approval.

It appears the Commission for Co-operation and Development's proposals were virtually complete

when the Government decided on a possible new deal for Natal.

First signs that the proposals were destined to be changed came when the Government emphasised they were entirely the commission's recommendations and not what the Government was accepting.

A series of public meetings has been scheduled around Natal for the commission to hear representations about the proposals after which final recommendations will be made to the Government.

It is understood that only then will the Government make its proposals which could also be open to final changes.

Opposition parties have campaigned for some time for Natal to be treated differently from the

rest of the country because of the inter-dependence of the black and white areas of the province.

Proposals

The Government is still keeping its cards close to its chest and it would appear that no final plan is likely to be presented before next year's parliamentary session.

Mr Chris Heunis, Minister of Constitutional Development and Planning, declined to comment on plans but re-emphasised that the present proposals were the commission's and not the Government's.

'I don't understand the need for the present hysterical reaction,' he said.

'The move to request the commission to publish its recommendations

is a positive step in the Government's view to broaden the process of consultation before the Government takes a stand.

'This fact should be appreciated.

'Secondly, the communities or parties giving evidence will be free to do so without being in conflict with what they think the Government is proposing.

'I suggest that people sit down and discuss their own views with the commission.'

Prices up

PRETORIA—Prices of groceries had increased 3.4 percent on average over the past three months, the Consumer Council said yesterday. — (Sapa)

Chief won't discuss land plans

African Affairs Correspondent

THE Chief Minister of KwaZulu, Chief Mangosuthu Buthelezi, said yesterday he was obliged to adhere to a decision of the KwaZulu Legislative Assembly not to have anything to do with plans for the consolidation of KwaZulu.

He was responding to a statement by the Minister of Constitutional Development and Planning, Mr Chris Heunis, that the Government would welcome discussions with Chief Buthelezi on the preliminary consolidation proposals which were announced to the Press and public representatives in Durban on Monday.

Chief Buthelezi said he wanted to make it clear that his response should not be intended as a personal snub to Mr Heunis.

The KwaZulu Chief Minister said he could not 'soil' himself with any plan which involved the removal of large numbers of people.

If he became involved, he said, people would say he had had something to do with what 'came out of the washing'.

Chief Buthelezi pointed out that senior representatives of the administrations of KwaZulu and Natal were involved in discussions about the establishment of a structure for joint decision-making in the region.

He said Mr Heunis had already stated that he would welcome any regional initiative from KwaZulu/Natal.

'We have a democratic right to look for a peaceful solution,' Chief Buthelezi said. 'Mr Heunis should be grateful that we are trying to solve some of the problems.'

NOW ONE OF THE MOST LOVED AND RESPECTED FIGURES IN RESTLESS NIGERIA, PRESIDENT SHEHU SHAGARI APPEARS HEADED FOR ANOTHER PRESIDENTIAL TERM AS HE HAS WON THE PEOPLE'S TRUST AND IS KNOWN TO BE DEVOID OF ETHNIC LEANINGS.

IN many other African countries freedom is threatened while Nigeria struggles to be a true democracy. At the forefront of that struggle is the Nigerian President, Alhaji Shehu Shagari.

In 1978 he was relatively unknown, even in Nigeria, though he had been in national politics since 1954. But in 1978 the 53-year-old former headmaster emerged as presidential standard-bearer of the new National Party of Nigeria (NPN) for the 1979 general election, which ended over 13 years of military rule.

Last year, on June 12, 14 months before the general election scheduled for 1983, in the National Party Theatre in Lagos, 2 900 NPN delegates enthusiastically — and this time unanimously — endorsed for the second time Shehu Shagari's nomination as their candidate.

Although recording the highest poll of the five contesting parties the NPN won only about a third of the votes at each stage of the 1979 elections. Few expect it to win an overall majority this year in the national or state legislatures or to have a majority of the 19 state governorships.

But Shehu Shagari's own prospect of winning the presidency, whether there are more, or fewer



● President Shagari . . . a disarming simplicity

than the five candidates who stood last time, are rated higher.

The conference chairman, Chief Akinloye, a Yoruba, declared that the NPN was the only Nigerian party not "dominated and overshadowed" by a single individual. Six rank-and-file delegates from different areas spoke in favour of Shehu Shagari, emphasising that the convention was not a conference, but, as "Sunday Punch" put it, a "coronation".

Shagari: A man for all seasons?

The President's own speech to the convention, however, was not that of a monarch but of a politician looking towards an election. He ridiculed efforts by other parties to form alliances against the NPN: "The umbrella of the NPN is large enough to accommodate everyone". Optimistically he predicted that NPN majorities in this year's elections would free his administration from "the vagaries of short-term alliances or the conspiracies of our political opponents". He would fight the elections on his own record and not on his opponents' failures.

In 33 months, he claimed, his administration had shown that Nigeria's complicated constitution

could be made to work. A good government was far better than one "in a hurry" — a favourite theme of his. Nigerians now had a "sense of belonging, irrespective of poticial leaning, ethnic grouping or religious belief". They had "watered the tree of democracy".

Is this, however, the stuff which wins elections? The President emphasised that four years "is just not enough" to execute major programmes. He listed the NPN programmes — "the Green Revolution, food, shelter and qualitative education". They had built secondary schools, technical colleges, teaching hospitals and universities of technology. They had built thousands of kilometres of roads

and laid the foundations for a steel industry. A national minimum wage had been established and a review of "fringe benefits" was in progress. Workers now enjoyed free collective bargaining.

The steel industry, however, his critics might say, is likely to produce a very expensive product. The high national minimum wage could restrict economic expansion, to the detriment of workers themselves. The cost and method of construction, though not the concept, of Abuja, the new federal capital in the centre of the country, away from the congestion of Lagos, produce misgivings — and it is one of the President's favourite projects.

The federal government is blamed for the notorious deficiencies of the Nigerian Electric

Power Authority and other statutory bodies. The continuing high cost of locally produced food is a major cause of inflation which is one of Nigeria's chief problems. During the election campaign such matters will be highlighted. Fortunately for the NPN the administrations of opposing parties in the states which they govern are scarcely flawless; their deficiencies may be more evident to the voters than are those of the federal government.

Are Nigerian elections, however, really concerned with the records in office of the parties? The most pressing domestic issue still seems to be the creation of new states out of the existing 19, even if their creation might worsen the financial situation, and simply reflect the ethnic fixations which still

dominate so much of Nigeria's politics. All parties are committed to some new states; but the President claimed that he had taken the initiative in this, so that "there is every hope that new states will be created by October 1983". This hope is not universally shared, and the issue may complicate the elections.

The President thanked all parties in the National Assembly for voting him powers to deal with the problems arising out of the oil glut this year. ♦

Will Nigeria, in the end, conclude, as was said of Abraham Lincoln: "He may not be the best conceivable President, but he is the best President available"?

September 25, 1985

Zulu Chief Praises Israeli Apartheid Policy

TEL AVIV (JTA) — South African Zulu Chief Gatsha Buthelezi told a press conference here, before returning home from a week's visit to Israel, that he felt "very encouraged" by what he said was Premier Shimon Peres' complete rejection of South Africa's apartheid policies.

He said that Peres' stand, expressed during their meeting in Jerusalem, "contradicts the image projected for various reasons that Israel does not feel as strongly as it should about apartheid."

Buthelezi said he hoped Israel would exert "optimum leverage" through diplomatic channels to pressure South African President P. W. Botha into making reforms. He said that both Peres and Deputy Premier and Foreign Minister Yitzhak Shamir had been "open to all suggestions," but he would not say whether he had discussed specific measures to that

end. The Zulu Chief added that he had not been surprised by the depth of Israeli opposition to apartheid, "given the long history of suffering of Jews." He said that Israeli experts will soon visit Kwa-Zulu, the homeland of the Zulu tribe, to assess possible avenues for Israeli assistance to South African Blacks, concurrently to its diplomatic ties with the white regime.

The Zulu leader has been an outspoken critic of the armed struggle by South African Blacks against the Pretoria regime, and has espoused nonviolent, democratic means of bringing about change. He has repeatedly attacked the outlawed and exiled African National Congress and the United Democratic Front for playing an "unholy duet of violence" against Blacks in South Africa. The United Democratic Front is the principal opposition group within the country.

Reserve the dates: Jan. 4, 5, 8, 11 and 12, 1986.

JCC Players Present

Stephen Sondheim's Musical, "Company"

THE JEWISH COMMUNITY VOICE

Anniversary Session of U.N. Starts on Positive Note

By YITZHAK RABI

UNITED NATIONS (JTA) — There was an air of expectancy and anticipation here on the eve of the opening of the 40th anniversary session of the UN General Assembly.

Even experienced diplomats, who do not easily express optimism when it comes to the UN, acknowledged that the anniversary session is going to be unlike previous General Assemblies, and that Israel, barring a last-minute surprise, will not be the focus of repeated attacks and condemnations as was the case in the last few years.

Binyamin Netanyahu, Israel's Ambassador to the UN, believes that this year's Assembly will focus primarily on South Africa and its apartheid policy. But, he says, he has no illusion that the anti-Israeli campaign and the rhetoric against the Jewish State will disappear. He says that he does not rule out a repeated attempt by the extremist Arabs and Iran to deprive Israel of its credentials to the 40th anniversary session.

Netanyahu notes, however, that the failure of the Arabs to deprive Israel of its credentials has increased with every passing Assembly. The attempt to expel Israel from the General Assembly, by denying it its credentials, has become in Netanyahu's view, a yardstick by which to assess Israel's position at the UN, since more and more countries vote against the Arab scheme.

Secretary General Javier Perez de Cuellar, aware of the danger that the 40th session anniversary could easily resemble previous anti-Israeli sessions at the world organization, vowed recently, during a meeting with Netanyahu, to fight and strongly resist any attempts to turn this Assembly into an unruly anti-Israeli arena. "This could gravely harm the UN," the Secretary reportedly said.

The first speaker, opening the "General Debate" of the Assembly on September 23, is President Reagan. King Hussein of Jordan will address the Assembly on September 27, and Israeli Foreign Minister Yitzhak Shamir on September 2.

But some 90 other heads of states and governments will also address the Assembly during a special Commemorative Session, to mark the UN's 40th birthday, from October 14-24. This will be one of the largest international gatherings of heads of states ever held, with hundreds of behind-the-scene contacts and sessions of quiet diplomacy.

Israel's Premier Shimon Peres is tentatively scheduled to address the Commemorative Session on October 16. In addition to his scheduled meeting with Reagan, Peres hopes to meet with at least 15 other heads of government.

High on his list are the leaders of India, Poland and Hungary, countries which have no diplomatic ties with Israel. He also hopes to meet with Egyptian President Hosni Mubarak who is scheduled to attend the Assembly around the same time as Peres.

With all the guarded optimism of some diplomats that the UN will not be "obsessed" with Israel this year, the provisional agenda of the 40th General Assembly does not

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Beatrice

King Goodwill and Buthelezi speak at Shaka Day gathering

Attack on ANC 'deviants'

African Affairs Correspondent

THE King of the Zulus, King Goodwill, yesterday attacked 'deviants' and 'misfits' comprising the banned African National Congress in exile.

Speaking at celebrations in Stanger to mark Shaka Day, he said Zulu national pride would not tolerate the presence of 'hyenas who stalked black communities at night' and tried to destroy the Zulu people from within.

The king was addressing a crowd of about 6 000, the largest turn-out

at the main Shaka Day ceremony in the past five years.

King Goodwill accused the ANC of trying to discredit the 'chosen leaders' of the Zulu people such as Chief Mangosuthu Buthelezi, Chief Minister of KwaZulu.

He said such attempts were insults to himself and the entire Zulu nation.

'Wedges'

King Goodwill said he was not making political statements when he said these things. He symbolised the unity of the Zulu people and attacks on the unity of the people were attacks on his person.

'Let me say clearly that

we as Zulus will cast out from our midst any who think they can turn brother against brother here in this part of South Africa.

'Any who would attempt to turn sister against sister or child against parent, or neighbour against neighbour, will be eradicated from our midst'.

The ANC was bent on driving wedges between peasants and workers.

However, no force on earth would divide the Zulu people and they would stand shoulder to shoulder as 6 000 000 people joined together in a common purpose.

Addressing the gathering, Chief Buthelezi, who is also president of

Inkatha, said he would publicly dishonour any member of Inkatha if he allowed the success that the movement had achieved in bringing peace to black townships around Durban to 'go to his head' and began to use this power in 'acts of political destruction' or to 'extract vengeance'.

He did not mention anyone by name, but the remark was understood to be a veiled reference to statements by Mr Winington Sabelo, member of the KwaZulu Legislative Assembly for Umlazi.

Mr Sabelo said at the

end of August that sympathisers of the United Democratic Front should get out of the township or face the consequences.

The remarks were subsequently condemned by Dr Oscar Dhlomo, secretary-general of Inkatha.

Chief Buthelezi said yesterday that Inkatha did not use its power to destroy, but to protect and build up.

Following the destruction of lives and property in black townships last month, the movement had 'grasped the thorny nettle firmly' and commanded a situation which it would

continue to command.

Chief Buthelezi said Prof Fatima Meer, Professor of Sociology at the University of Natal and a leading figure in the UDF, was 'treading a very dangerous path' when she accused Inkatha of having fomented violence in the black townships surrounding Durban after violence broke out last month.

'I have not heard Prof Meer proclaim her loud indignation when UDF-inspired mobs continued to burn, loot, stone and kill,' he said.

'I am ever aware that

we should do everything in our power to avoid the black/Indian clashes we saw in 1949.

'I have always warned against the dangers that continue to exist of such clashes re-emerging, and the recent outburst of violence in Durban gives substance to what I am saying.'

Chief Buthelezi said he was nevertheless accused of adopting a Zulu racist stand against Indians.

'It was people such as Prof Meer, he said, who should be accused of fanning the flames of group hatred.'

Zulu Chief Praises Israeli Apartheid Policy

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