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INTERVIEW WITH GLEN GOOSEN - 28 OCTOBER 1993

What was level of activity and when did you start being involved in the politics of this region?

I grew up in Port Elizabeth and the school here and matriculated in 1979 and in 1980 I went down to Cape Town where I studies. I returned to PE. at the beginning of 1989, I took, up a position with a firm of attorneys in PE. as a candidate attorney our principal was Vannessa Breverson. The firm was very involved with human rights litigation representing detainees also involved with a number of political trials that were conducted in the Eastern Cape through the 1980's. 30 as part of my work I was involved with servicing the needs of detainees that were being held under the State of emergency in various prisons in and around Port Elizabeth particularly St Alberns Kankelbons and I think at some stage there were detainees at volmer police station and also at Algoa Park police station. So right from the outset I came into contact with a number of the senior UDF. Cosatu leadership that were in detention. Most of the detainees were holding senior positions in the UDF executive within Youth Structures civic structures and woman structures and obviously there were also Cosatu members that were being held so I had that contact as part of my work.

How would you describe the conditions of detainees at that point?

It is difficult to say because I wasn't in their immediate living conditions within the cells and the way in which they were treated obviously I wouldn't have direct insight into that because we would visit them and only see them in the visiting area and never have direct access to them within the cells although certainly one got a better idea of circumstances of detainees at places like Kankerbos where there were a group of people held there for quite a long time because of the circumstances there one got a better idea of their conditions I think in general the major problem that long term detainees had was the difficulty of relating to support structures outside. Each of the detainees would have had to a greater or lesser extent problems related with the visits of relatives the financial support of their

families which were outside, problems related to the completion of studies and further studies. There were also medical problems that detainees had. A lot of the servicing that we did at that stage would be related to those various questions so that it would be tatting visits getting permission from the divisional commissioner in order to visit a detainee. There were some problems related to that sometimes we would have difficulty as lawyers to go and see the detainees because we had to put in an application to get a permit to go and see the detainee and there were problems related to that sometimes the police to put it nicely were less than helpful and cooperative but apart from those difficulties we dealt with the immediate concerns of the detainees relating to support relating to studying difficulties and making sure that they are serviced in those regards. Generally speaking it was extremely difficult and the conditions were very difficult but one thing that was apparent in doing this servicing of detainees was that where there was a large concentration of detainees at St Alberns for instance they were organized there was coordination between them around visits for example. 80 if we would go on a particular day we would visit three or four detainees and more often than not those detainees would report back to the others in the cells to share the value of the visit and that was quite an important process I think and the leadership had over the whole period of the emergency been able to organize themselves and in fact engage in struggles to secure certain advantages so that they were able to meet and discuss things. That was very apparent also when the hunger strike was initiated in 1989. The strike in the Eastern Cape when comrades started in Saint Alberns and as contact between the group at St Alberns and those at Konkelbos and at Walmer Police Station was facilitated through visits that the lawyers had the strike spread and within a very short space of time virtually every single detainee was on hunger strike and was on hunger strike until the state began to capitulate and release people. The releases came in batches, they would release groups of five or six people this week and another group the next week. On the hunger strike it was slightly a different period, because we were dealing with other organization outside that were taking up the issue, involving people in campaigns and putting pressure on the regime to respond to those demands and you know it was not only confined to the Eastern Cape it was a national issue and it elicited international support as well.

Were there any instances of torture or harassment reported to you by the detainees?

There were certainly reports of maltreatment, most of those activities had occurred in their earlier parts of their detention by early 1989 the people who were still in detention were no longer questioned or interrogated that process had happened during 1986 and 87 when they were first held so that it was a historical reporting of what happened at the early part of their detention years. I wasn't directly involved in those instance. There were other instances of course not related to detainees but to youth being arrested for public violence and similar unrest related incidents particularly in KwaNobuhle I was involved also in representing UDF in that community in the process of forging a peace accord with the Ama-Afrika vigilantes during the course of 1989 and also represented UDF people and civic organizations in negotiations that were there between people in kwa-Nobuhle and the police. Most of the abuses that I came into contact with were related with those cases and not with the state of emergency detainees.

Do you know of any individuals who lost their lives at the hands of the police? I can't recall any death in custody during 89 maybe open to correction. There were some incidents where people had died certainly. Uitenhage was the case where there was still on-going clashes between an Ama-Africa and UDF people and as a result of those activities people did die, there were also some incidents in some of the other towns in the region where people died in unrest related activities or in suspicious circumstances. Comrade by the name of Samson Godola and I was acting for members of the Godola family. Samson was shot and killed by the allegation was by a black policeman in rather suspicious circumstances. The police version was that there had been some scuffle, they had gone to arrest him and he fired shot at the police. But I think the version from community was far more suggesting that it was almost like an execution, there was a suggestion that it might have been an attempt by this particular policeman to settle a grudge that he had against Samson. There was also another incident at a place called Middleburg who was in custody of a stock theft charge and was found dead at a farm death.

The story was he had attempted to escape and fell into the dam and drowned. I think there was to be an inquest into that matter I was involved we went to Middelburg, consulted with family members we were investigating and that had not come to finality when I left the firm in 1990.

Were you as a lawyer involved with individuals considered subversive by the state exposed to any ill treatment by the state?

Yes, I was, during the course of 1988 before I arrived there were quite significant terrorism trials that were conducted in the Eastern Cape there were eleven comrades charged with terrorism related charges, there was a comrade who was charged and the trial at Alexandria and there were comrades who were tried at Humansdorp and when I arrived in 1989 our firm was involved in all those three trials and I became involved also in assisting preparations for the defence of those comrades during the course of 1989 it was subjected to harassment, just a short while after I arrived here it would have been just about six weeks. Port Elizabeth was in a grip of a drought it had been so for years. I was living in a house in Walmer and I had been out one evening and came back quite late and discovered that someone had taken a hosepipe and pushed it in through my bedroom window and it was connected to a tap and for hours and hours it was spraying water into my bedroom. There were others, there were threatening phone calls and people following me around particularly when I used to travel to some of the small rural towns. I used to do a lot of travelling to Cookhouse, Middelburg Sommerset East, Aliwal North and Bethuli and Graaf Reinet and I was often followed around in the towns where I was. Particularly Sommerset East and Cookhouse where there was a lot of that sort of low level harassment. But on one occasion I travelled up to Aliwal North and I met with the advice of the workers a lot of the rural work that the firm was doing at that time was actually as a result of referrals from advice office workers and I had to travel from Aliwal North where I was staying to Lady Grey to go and see some comrades there on the one day and the next day to Bethuli to go and see some comrades there. On both occasions I was followed by this car with two big brown things all the way to Lady Grey the whole day that I was there and the following day all the way to Bethuli and back again and when

I was driving out of town they followed me for about 50 to 60 kms and they turned around.

Would you say the police were abusing their power?

I think that the general attitude that they displayed was one of arrogance and a refusal to acknowledge the rights of people they were dealing with either in custody or otherwise but it is difficult to say that there were particular instances \_ of abuse of power but certainly they were not co-operative and not prepared to assist in establishing for example, some one would phone me from Uitenhage to say so and so have been arrested and their whereabouts were not known and what the charges are. I would start the process of phoning around and trying to find this people. More often than not it would take me the whole day till late at night before I could establish that these people were being held at such a police station or that they had appeared in court. There were a lot of those difficulties that one had when dealing with them. It was a major problem, I used to insist on speaking to the divisional commissioner as soon as I encountered resistance or some sort of opposition to giving me information and normally they would say he wasn't there or he can't speak to me then but eventually I would get through and even then he wouldn't be as cooperative as he should be.

There were instances where families who had lost their members laid claims against what was their rate of success?

As far as the rate of success is quite difficult to say but yes there were numerous civil cases against the Minister of Law and order for example. Claims arising from assault cases shootings injuries of that nature deaths of breadwinners and I was involved in a lot of those cases. Again it is difficult to say because in some cases they would go to trial and there would be a trial about that matter and the Court would find in favour of the plaintiff or sometimes to the contrary. It is difficult for me to say we had a fifty percent success rate it was really quite peculiar to the facts of the case but certainly there were other matters where there were settlements where they would not go to trial but instead agree to pay damages to

the plaintiff.

Did you find that some people got an unfair deal from the law simply because they were political activists?

Certainly there were injustices perpetrated no doubt and that activists bore the blunt of those more often than not we were up against the entire system of the administration of justice which was prejudiced against black people, a system which had racism entrenched in it and yes I am sure that would colour the way in which people were dealt with certainly but it is very difficult to say one can actually point to specific instances where the reason why the Court found in a particular way was because that person was a political activist but certainly you could establish that in the sentencing of people for public violence, the sentences were getting more and more severe even for relatively minor offenses and with quite young people involved there would be fairly lengthy prison sentences that would be imposed which is current issue given what happened to Tereblanche. It may be that there were complete set of circumstances but generally speaking people convicted on public violence charges spent years in prison.