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Justice Bekebeke Wellington Musizu Evelina de Bruin
0 Photographs not obtainable
Andrew Lekhunyune

SA VE THE UPINGTON 14

APARTHEID REGIME TO HANG UPINGTON 14

FRIDAYMAY26TH 1989fourteen South

Africans were sentenced to hang at the end of a trial which had lasted three years, one of the largest groups of people sentenced to death at any one time. On the next day they were taken directly to Pretoria Central Prison and Death Row.

THEY JOINED OVER 60 other political activists already under sentence of death. Since the nationwide State of Emergency was declared in June 1986 the apartheid regime has executed at least 23 political activists for their alleged involvement in offences relating to opposition to apartheid.

The 14 sentenced to hang represent a cross section of the community in the Upington township of Paballelo, reportedly the most deprived African township in South Africa. It is situated in the remote North West of the country, near the Namibian border.

Among the 14 is a domestic servant in her late 50's, Evelina de Bruin, mother of 10 children, the youngest of whom is 12; also her husband, Gideon Madlongolwane, a railway worker with 36 years of service. Others include a boxer; a school teacher; a male nurse working in the Namibian capital of Windhoek; a labourer; and the former treasurer of Paballelo Town Council.

Convicted of killing a policeman on the notorious basis of common 1311113056,, the 14, from the northern Cape town of Upington, were among a total of 26 who stood trial. Of the 26, twenty-five were found guilty of murder, with the 26th being found guilty of attempted murder. Those not receiving the death penalty were given sentences ranging from six to eight years imprisonment or community service orders.

THE UPINGTON 14 Kenneth Khumalo - Zuko Xabendlim' - Tros Gubala - Zonga Mokgatle - David Lekanyane - Albert Tywilz' 'Xolile Yona - Myner Gudlani ' Boyjaphta Justice Bekebeke - Wellington Masiza . Gideon Madlongolwane - Andrew Lekanyane - Evelina de Bruin

COURTS IMPOSE APARTHEID RULE

THE TRIAL AROSE from the death of a policeman in 1985 at the height of the political unrest that swept across South Africa. The events occurred in the Upington township of Paballelo after the security forces broke up a meeting with tear gas. The mass meeting was held to discuss community grievahces including rent increases.

Tear gas had never been fired in Paballelo before, and the meeting panicked and scattered believing live ammunition was being fired. Part of the crowd then gathered outside the home of a black municipal policeman. Only days before, a pregnant woman had been shot dead by a municipal policeman in the township. The policeman opened fire on the crowd, severely wounding a child. He then ran from the house into the crowd firing his gun into the air. Enraged by his action, the crowd attacked him, confiscating his gun and hitting him twice over the head with it. He died in the attack.

ALMOST ALL OF THOSE sentenced to death were convicted on the basis of icommon purposei The judge demmed that by throwing stones at the home of the municipal policeman and chanting outside his house, they could be considered to share a common purpose With those directly responsible for the death.

This legal ruling has been applied in the trial of the Sharpeville Six and in other subsequent cases. It has been discredited by the international legal community as one of the many abuses of the legal system in operation in South Africa. A system where the courts are used as part of the machinery for imposing apartheid rule.

AT THE BEGINNING OFJULY 1989

application for leave to appeal by the 25 against their convictions, and by the 14 against their death sentences, was turned down by the trial court judge. The trialists then petitioned the ChiefJustice for leave to appeal. On September 8th 1989 the ChiefJustice granted leave to appeal against conviction for 23 of the 25 trialists and leave for all to appeal against sentencing. Although granted leave to appeal, the 14 remain on Death Row in Pretoria Central Prison.

AMPAIGNING CAN, AND DOES, SAVE LIVES. National and intemationalpressure was crucial in saving the lives of the Sharpeville Six, and in 1989 six trade unionists were saved from the rope ajier successful campaigns.

NO APARTHEID EXECUTIONS

ACTNOW T 0 SAVE 17H? UPINGTON 14

THE BRITISH GOVERNMENT HAVE refused to intervene in the case of the Upington 14 despite stating that they are "concernedtt over the case. In the case of the Sharpeville Six, the British government intervened immediately after sen tencing, but theyhave ruled outacting similarly in the Upington trial until the legal process has run its full course.

This position is not acceptable and we must Work to change it. We can, and must, all act to save the lives of the Upington trialists. Listed below are some of the actions that yo u

can take to stop these judicial murders:

1 0 Write to 2. Write to

Rt. Hon. John Maier MP The State President

Foreign Secretary Union Buildings

Foreign and Commonwealth Office Pretoria 0001

King Charles Street South Africa

London SW1 A 2AH

Letters should condemn the decision to execute the

Letters should ask the British Government to Upington 14 and call for on end to the use o f the

intervene immediately, and not to waittill the end of death penalty in all political tria ls in South Africa.

the judicial process, to save the lives of the Upington

14; and to call on the South African government to

cease executing its political opponents.

4 0 Write to the Upington 14

3. Write toyourMP andMEP For details of letter writing, contact SATIS

Draw the case to their attention and ask them to Phetoria Central Prison

raise the matter with the Foreign Office; in their Private Bag X45

respective parliaments; and wherever they have on Pretoria 901

South Africa

opportunity to do so.

5. ContactSATIS 6

For further information on the Upington 14 and the ' Campazgnfor all on Death Row

campaign to save all political prisoners on Death Encourage your local Anti-Apartheid gro up, church

Row. Materials include posters, stickers, and or trade union to take up the case of the U pington

campaign cards. triolists, and all prisoners on Death Row.

7. Join the Anti-Apartheid Movement

Tick the appropriate box Individuals E11 0 pa El Joint membership (2 people living at the same address) El 3

Concessionary (students, unwaged, pensioners) E650

I enclose a cheque/PO (payable to AAM) for E ____ (membership) and h ____ (donation)

or Debit my Access/Visa Card No.

Expiry Date & Signature

Name (please print)

Address

Postcode_ _ _ _ _

Return to SATIS (Southern Africa The Imprisoned Society) 1 '

c/o Anti-Apartheid Movement. 13 Mandela St. London NW1 ODW' 01 387 7966 k

v magistrates courts were crowded with
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ly in comedian with allegations)! high treason. Oat-
side the building. Casspir armoured vehicles waited to
ktw. 40 (lo va-ng)
whisk off the 14 accused and police sharpshooters, arm-
ed with high-powered rifles and shotguns, perched on
the rooftop. More than 70 people - including several
prominent trade unionists and UDF personalities - pack-
ed the court and waited for more than two hours for the
M to appear. A security policeman filmed the crowd in.
side and outside the courtroom. Metal detectors were set
up at the entrances to the court building and people's bags
were searched.

At Ham, the accused's attorney, Mrs Priscilla Jana,
told the supporters that the trial had been moved to a new
courtroom and families and friends rushed upstairs to
follow the proceedings. Mr I Mohamed SC. defending,
said court procedure at the previous hearing was a radical
departure from SA legal tradition. The previous hearing
was held in camera, and the accused, at the suggestion
of the prosecutor, remained in the cells. The order was
made without hearing the accused or their legal represen-
tatives on the desirability of such an order,' he said. Mr
Mahomed told the court an unfortunate statement was
made on the previous occasion, suggesting Mrs Jana. who
defended, was unco-operative. llt is now common cause
that Mrs Jana behaved properl y and the best traditon of
the legal professsion as an officer of court,' he said
The accused. who have not pleaded, waved and greeted
their families as they Filed to the cells below. They were
remanded until April I. Mr ll du Toit prosecuted. Mr
I Mohamed, SC, assisted by Mr M Mailer, SC, instructed
by Mrs P Jana, defended. The accused are Mr Sipho
Stanley Ngwenya, 33. of Orlando Wests Mr Joseph
Boitumelo Leepile, 26. of Tladi. Mr Justice Mafa Ngidi,
30, of Alexandra, Mr Jabu Marines Ngabese, 23, of
Mamelodi. Mr Xolani Nduna, 33. of Daveyton, Mr
Zanemvula Mapela, 24, of Daveyton. Mr Mathlare
Lesotho, 26, of Orlando. Mr Mathews Dime Kekane,
27. of Jabavu, Mr Kingsley Stephen Sithole, 28. of Orlan-
do. Mr James Dubase. 25. of Jabavu. Mr Jongumzi
Sisulu, 26. of Orlando. Mr Happy Mkhefa, 20, of
Emdeni, Mr David Matsose, 24, and Mr Joseph Maia.

25. Of Tladi Rand Daily Mail 1.3.85

Wd SA suffered a sudden chill

this weekend following a flurry of tough exchanges over
the recent arrests of UDF officials on treason charges
US Secretary of State George Schultz issued a state-
ment which said: lWe urge both the SA government as
well as those in opposition to it to look beyond shon-
sighted actions and tactical postures and to take
courageous steps to break the stalemate that has for too
long impeded communication and negotiation In
response, Foreign Minister Pik Botha yesterday issued
a statement saying it was a pity the US government was
under a misapprehension concerning the treason arrests
because they were made on the orders of an Attorney-
General following a police investigation and the people
involved were to be tried in terms of a judicial process
comparable to that found in all civilised countries ... Nor
had the arrests been made because the people involved
were members of the UDF, but because an Attorney-
General had considered they should be prosecuted because
of their individual activities ...Sunday Tribune 3.3.85
Escalating: of Trenton Charges

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facing charges of treason. Last year there were five
treason trials. leading to 13 convictions. The number ot

current treason trials is pan of a general rise in the number of political trials, largely as a result of the unrest and related events last year. Last year there were an average of two political trials completed each week. totalling 104. According to a Detainees Parents' Support Committee (DPSC) spokesman, last year's total will be exceeded within the first four months of this years The number of trials already completed this year and due to be completed by the end of April will exceed 104. The figures could be even higher. With only two months of 1985 havmg passed. there are already more than three times more people facing treason charges as there were in the whole of last year Rand Daily Mail 4.3.85

337 Serving Sentences

A total of 337 people were serving sentences for Crimes against the security of the state. the Minister of Justice. Mr Kobie Coetzee. said. In a written reply to a question by Mrs Helen Suzman (PFP, Houghton), he said 314 were blacks, 16 whites. six coloureds and one Asian. Citizen 5.3.

Releases .

Ermfingmpher and media worker. Mr Calym

Prakasim. was released by the security police 'after live months in detention without trial. He was detgmed after his offices were satched. Rand Daily Mail 15.3.85

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George police have arrested seven people, including a number of UDF office bearers . . today. Among those held are two UDF secretariesRand Daily Mail 22.3.85

Police investigate 104 UCT Students

More than 100 University of Cape Town students are involved in police investigations of an allegedly illegal gathering on the campus last November. Discussions are under way between police and UCT authorities on how the students can be brought to court. if necessary, without a repetition of the recent pre-dawn raid in which 11 students were arrested. Police liaison officer Capt Jan Calitz confirmed today that police were investigating possible charges against 104 UCT students following a demonstratnon on university property above Rhodes Drive against the detention of Nusas president Kate Philip ' Argus 19.3.85

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