

COMMENT

Prodigal sport

SOUTH Africa could do worse than hand over the peace negotiations to the sports officials. Progress is so rapid that international associations are inviting our sportsmen back into the world arena before we are ready. Some local officials, who thought they had a couple of years in which to play around with the unifying process, are now back-peddalling. They argue for the moratorium on international competition to stay until local sports unity has been achieved. Their reasons are understandable, but misguided.

We have previously pointed out the great possibilities sport holds as a unifying factor in a country divided in so many ways. After all, one reason why the Nationalists, especially under Verwoerd and Vorster, refused to allow mixed sport was that they could not afford people of different races getting to know each other better. This would have undermined apartheid. Even when they relented, and allowed sportsmen to compete together, the emphasis was on "multinational" events, so that "separate but equal" policies remained intact.

Sport was always a natural target for anti-apartheid lobbies, because bans were easy to impose and did not harm the country enforcing them — unlike a ban on South African coal, pig-iron or, for that matter, railway trucks. By the same token, sport is the easiest tie to restore. Sportsmen are usually nice, straightforward people. Most of them, now accustomed to non-ra-

cial events, have shed their prejudices. Heavyweight champion Gerrie Coetzee used to say he had more fans in Soweto than in his home town of Boksburg, and it is probably true that South Africans generally are equally ardent supporters of current champions Brian Mitchell and Dingaen Thobela.

Long years of isolation have not only ended apartheid in sport but played a role in changing the political climate to the point that President de Klerk was able to embark on his reforms. White officials whose early motives were to restore international links soon became convinced that their real purpose should be to do what was right for sportsmen of all races. Ali Bacher, South Africa's last cricket captain, has worked tirelessly for the game at all levels since the country was expelled in 1970. Steve Tshwete, the ANC's "shadow minister" of sport, has been totally won over to the view that cricket's house is now in order, and that it would be illogical to deny the players a return to the international fold.

Sportsmen and officials who were wronged in the past, and find it hard to forgive, may be persuaded to consider the great advantages of accepting the early rewards now being offered for the integration of athletics, soccer and cricket.

When all South Africans have common heroes, we are on our way to becoming a united nation. Sportsmen can get it right long before the politicians do.

'Trail blazer' moves on

ROBIN RENWICK — plain "Mr" when he arrived in South Africa in 1987, now "Sir" as a result of what he has done here — leaves behind him a diplomatic trail such as has never before been blazed by a foreign ambassador in this country.

Foreign Minister Pik Botha concedes this, as do senior ANC figures. Both have at times had cause to lament Sir Robin's energy and efficacy, but their admiration for his professionalism is unquestionable.

He changed the timid approach of British diplomacy in South Africa to one of innovative risk-taking, bordering on the interventionist.

Opposed with equal vehemence to apartheid and sanctions, he occupied a powerful position which he exploited adroitly on both sides of South Africa's political fence.

Sir Robin cultivated key contacts in Government and resistance circles. The Government had to listen to him because Whitehall mattered, and activists were made to listen to him.

Sir Robin established a network of "township attaches" — bright young diplomats dubbed "Robin's Batmen" — who implemented important aid packages and made sure that the British Embassy was in touch with township developments.

Sir Robin took unashamed delight in being able to bring together at embassy functions groups ranging from the Afrikaner Volkswag to the PAC. He impressed all with his detailed political knowledge and quick wit.

He was an inveterate message-deliverer. It was typical and appropriate that this week, while packing his bags, he was still sending out feelers to see whether Britain could help to narrow the gap between the Government and the ANC on the need for a representative summit on violence. His style is to urge and cajole.

Sir Robin let his formidable diplomatic mask slip slightly this week in an interview, and spoke frankly about his impressions of South Africa.

ON THE 'OLD' SOUTH AFRICA:

When I came, one saw an attempt to govern mainly by repression, nailing the lid down on an increasingly explosive cauldron. There was only one way that that could have ended — in disaster.

WHAT BRITAIN TRIED TO DO THEN:

It was a bleak and difficult period. Internally one was engaged mainly in defensive operations, like trying to persuade

the Government not to hang the Sharpeville Six, to release prisoners, and generally to try to limit internal damage. One can never tell how much that achieved. I don't know what I've achieved here, but it has been the most rewarding four years I've spent anywhere.

ON WHEN THE CHANGE BEGAN:

Namibia was the first major breakthrough in my time, and that was under the PW Botha government. It was a highlight. It helped unlock things in southern Africa.

ON FW DE KLERK'S ROLE

The Afrikaner intelligentsia played an important role in the changes, but the main credit must go to President de Klerk. He has taken very courageous decisions. His first decision as President was to allow the Cape Town protest march. That was a massive turning point.

ON WHETHER DE KLERK HAS A 'MASTER PLAN':

I don't know whether he has a design or a definite outcome in mind. But I do believe that when he took over it was his intention to change things in quite a fundamental way. Whether it was all in his mind on day one to go as far or as fast as he has, I don't know. In all political decisions, if one works out all right it becomes easier to take the next.

ON FW'S POLITICAL STYLE:

He's shown great qualities of leadership. When difficulties and turbulence have arisen, he's reacted calmly and dealt with them rationally. It's a pleasant contrast to the past.

ON WHETHER DE KLERK UNDERWENT A 'CONVERSION':

I think the direction was clear from the outset. I well remember a meeting I had with him not long after I arrived in 1987. He said he was determined to ensure that Rhodesia's mistake was not repeated here — to leave it far too late to negotiate with real black leaders. So I was more optimistic when he took over than quite a lot of people were.

ON NELSON MANDELA:

Since he came out of prison I have been able to see him many times, and he is a man of extraordinary dignity, personal



Mandela ... De Klerk ...
extraordinary dignity. great qualities of leadership.

authority and charisma. I walked down the street with him in Johannesburg the other day, and by the time we were halfway, all the office workers were hanging out of the buildings. I don't think they wanted to see me. One does develop a great affection for the man. I think if I'd been locked up for 27 years I'd be surprised if I were able to show such magnanimity and lack of bitterness. He is in my book a great man.

ON MANGOSUTHU BUTHELEZI:

I've known him well throughout my time here, and also my friend Laurens van der Post is a friend of Chief Buthelezi. I've always had good relations with him, and I've been warmly received in Ulundi. It's important to remember that when the Government would have dearly liked to have done a separate deal with him, he refused to negotiate until Mr Mandela was released and the ANC unbanned.

ON RELATIONS WITH OTHER FIGURES:

Outsiders can't contribute unless there are internal efforts. These come in different camps. Apart from the Helen Suzmans and Van Zyl Slabberts, I found within the Afrikaner establishment some very good allies.

Ministers, including Barend du Plessis, Dawie de Villiers, Gerit Viljoen and Pik Botha have shown political courage. So have people like Neil van Heerden, Johan Heyns, Pieter de Lange, Willie Esterhuysen, Her-

mann Giliomee and sections of the Afrikaans press.

ON P W BOTHA:

I have to say that in all my meetings with him, there were very frank exchanges, but they were always 'correct' exchanges. I think it's tragic (how he ended up). I think he did start off attempting to change, but that process got completely stuck and by the time I arrived

there seemed little prospect of acceptable new initiatives.

ON RELATIONS WITH POLITICAL PARTIES:

I've had very good relations with the Government and the Democratic Party, and with Mr Mandela and many of his senior colleagues in the ANC. Also with Jerry Mosala, who was the president of Azapo, and with Mr

Sir Robin Renwick, possibly the most influential foreign diplomat South Africa has seen, leaves for a new life in Washington on Monday. SHAUN JOHNSON encouraged him to let the diplomatic mask slip a little before he leaves for his new post.



Buthelezi ... I knew him well in my time.



Botha ... tragic how he ended up.

(Clarence) Makwetu and his colleagues in the PAC.

ON THE CONSERVATIVE PARTY:

It's the only party I've never been able to make any real impact with. I understand the anxieties they're reflecting, but the great Afrikaner statement is 'Ons sal 'n plan maak'. Where is the plan? The CP is declining to join in negotiations, and that seems to me an indefensible position.

ON THOSE WHO PROPOSE A 'BOERESTAAT':

I think it's unworkable to have a 'Boerestan', but at least (people like) Professor Carel Bothoff are intellectually honest.

ON PROSPECTS FOR NEGOTIATIONS:

There will be many periods of great difficulty, but I don't believe they will break down entirely. Neither side can prevail by force, and the Government can't go on governing without the assent of the majority. Negotiations have to succeed, and, on a good day, everybody understands this. On a bad day, there's a lot of screaming and shouting.

ON SOUTH AFRICANS:

I would really like to record that what impressed me and my family most has been the extraordinary concentration of really high-quality people who are really trying to do something about the situation in a positive way. In fact, it is the highest concentration of people I admire that I've met anywhere.

ON LONG-TERM PEACE IN SA:

This is not the Middle East. You don't have the same sort of millenarian hatreds. I believe that in the end here there will be an historical compromise between black African nationalism and a large and important white community.

ON HOW BRITAIN ASSESSES MAJOR SA POLITICAL GROUPS:

The Government must ensure that the security forces act correctly. Let me make it absolutely clear that we do not agree with the ANC or the IFP on all points politically — they would be amazed if we did. There have been the most horrendous acts of violence in the last 18 months, and many of those have come from Inkatha supporters, while quite a few have also come from those calling themselves Comrades, ANC supporters.

ON THE LESSONS OF AFRICAN INDEPENDENCE:

Having been involved with Africa for the past 30 years, the fact is that a very large part of this continent is today in a state of economic and political decay. My fundamental belief is that the history of this continent has been vitiated by one-party states where there is no accountability of the rulers to the 'masses' they purport to represent, who never get any choice as to who they want to represent them.

ON THE WORLD'S ATTITUDE TO AFRICA:

What used to be the 19th century 'Scramble for Africa' is giving way to a scramble to get out of Africa. The Chinese were the first to leave, the Russians are following, and all these dis-investments are in another sense a sign of people heading for the exits. There is a lot riding on SA for the rest of Africa. Because, if there is a success here, it may be possible to arrest the decline of most of the rest of Africa. If there is not

ON WHETHER INTERNATIONAL INTEREST IN SA WILL DIE WHEN APARTHEID DIES:

There is a real danger that when apartheid is gone the world will lose interest in South Africa. Namibian independence has not been followed by great floods of external assistance. I have warned repeatedly against

creating Utopian illusions that after apartheid a flood of investment or aid will be forthcoming in South Africa. A certain amount will — at the moment we are the largest aid donor to black South Africans — but whether investment will really flow back is an open question. It's not a tap you can simply switch on and off. But there's a danger that you will slip down the international agenda, and that's why it's so important you make a success of things here.

ON HIS NEW POST:

Washington, as Britain's biggest and most important relationship, is an entirely different sort of post. Here we have a very good, small, personal team. It is also a much more normal relationship (with the US). I don't think the methods applicable here would be very appropriate there — especially the sort of

very tough high-profile speeches I used to have to make.

ON WHO WILL RULE SA:

It seems to me that no party can any longer hope to govern this country against the wishes of all the others. Therefore the country's problems can only be solved by negotiations and, I believe, some form of coalition government.

ON WHO BRITAIN WOULD LIKE TO SEE RULING SOUTH AFRICA:

It's not my job to decide who's going to represent South Africans. My job is to help South Africa to get to one person, one vote so that the people can decide for themselves.

ON WHY WHITE SOUTH AFRICANS SHOULD BE OPTIMISTIC:

Just look at the massive changes that have happened. Even in small ways. One of the great joys to me of life here recently is that we no longer have to listen to that appalling 'comment' on SABC radio. I used to have to set my alarm for one minute after it ended, or I would be in a bad mood all day. To South Africans I say that I honestly believe this country will battle through its problems. You've got skills and resources, you've got leaders of outstanding quality. You have arguably the most beautiful country on earth. When people ask me about emigration, I tell them that if I were a South African I would find it extraordinarily difficult to contemplate. There are far too many things I would miss too deeply about this place. You're going to need some luck, of course, but I have a lot of hope for your future.

FW talks to ANC women

CAPE TOWN — An ANC Women's League delegation and President F W de Klerk last night ended a five-and-a-half-hour meeting at Tuynhuys without agreement on the release of political prisoners.

De Klerk said after the meeting that all prisoners who "clearly" qualified for release as political prisoners had been freed.

He said those remaining were "individuals who have committed serious common law crimes such as murder, rape, assault and robbery". Each of those cases, however, was receiving individual attention.

Government, he said, was "deeply concerned" about the hunger strikers.

Women's League head Gertrude Shope, accompanied by Winnie Mandela, said only that the talks had gone "reasonably well until we reached deadlock".

But, she added, "it was better than 1956

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when we were not even received."

Yesterday's talks were apparently characterised by frank and open discussion.

In his statement, De Klerk said he had no doubt that the meeting would contribute to removing some of the perceptions that had been "clouding the debate on many serious issues".

In his closing remarks to the group of women he said he had taken careful note of their plea to curb and end violence.

He said that he believed women in particular had a very important role to play "in changing attitudes which underlie the culture of violence gripping our country".

Earlier, Justice Minister Kobie Coetsee took a tough line on hunger strikers, and

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ANC women

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said government could not be expected to consider their release while they were deliberately endangering their lives and health.

"It is absolutely unwarranted and irresponsible of prisoners to place their lives and health in jeopardy while their action as such cannot have any influence on the outcome of their applications for release.

"It is even more absurd for a prisoner to embark on a hunger strike, claiming release, when he has not even completed an application form," he said in a statement.

He released details of the convictions of 45 hunger strikers, who were not named.

These indicated that most of the hunger strikers were convicted of murder and attempted murder and other offences, while

three awaiting trial prisoners faced kidnapping and attempted murder charges.

Coetsee said 5 564 applications had been made by prisoners for release, but 4 444 of those were received only after April 30, the ANC's deadline for the release of political prisoners.

"It has never been the understanding with any organisation that anyone who simply claims to be a political prisoner should be released," he said.

Up to yesterday, 1 013 security and security or unrest related prisoners had been freed, 475 of whom had applied for release.

Sapa reports that the Human Rights Commission claimed yesterday that the number of hunger-striking political prisoners had risen to 104.

Businessmen group 'prepared' to meet ANC

Citizen May 30 1991

Citizen Reporter

BUSINESSMEN for Growth and Stability — the group which this week placed advertisements questioning the ANC on aspects of its economic policy — says it is quite prepared to meet the ANC on certain provisos.

A spokesman for the group said last night that it was willing to meet the ANC if the organisation, through its deputy President, Mr Nelson Mandela, or his nominated delegate, answered the 17

questions it had raised in its advertisement.

"We do not wish to enter a "meaningful dialogue" with the ANC. We merely want them to reply to our questions, which the ANC acknowledged in its response to our advertisement are questions of importance," the spokesman said.

"They are matters of importance not only to businessmen, but to the country as a whole," he said.

"We would like any such meeting to take place before the Press so

that the replies of the ANC are a matter of record.

In their advertisement, Businessmen for Growth and Stability asked Mr Mandela to state the degree to which the ANC intended to nationalise the economy and what compensation it would pay in this event.

In another recent advertisement, the group attacked the ANC over the content of one of its booklets, which it suggested indicated that the ANC remained a terrorist organisation.

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Citizen May 30 1991

Spear of the

W/Mail 30/5/91

NATION

RESPLENDENT in his "tiger-skin" head-dress and monkey-skin kilt, with his multicoloured bead armlets and anklets, carrying an elegantly crafted rawhide shield, knobkierie and spear, Victor Ndlovu personifies the popular idea of Zuluhood.

Around him swirls a kaleidoscope of men in more or less customary garb — and a few women, some bare-breasted — who have converged on Johannesburg's Soccer City from the backwoods of Natal and the Reef hostels in an explosion of ethnic pride. On every side waves a forest of weaponry.

"I have come to hear my king," Ndlovu says. "This spear — I must carry it to support him."

Inside the stadium, tradition and nationhood are the dominant themes. Contrary to press reports, this is not an Inkatha Freedom Party rally, IFP president and kwaZulu Chief Minister Mangosuthu Buthelezi insists in a brief speech introducing the king. It is an "*imbizo*" — a royal address to the entire Zulu nation on the subject of peace.

Women ululate as King Goodwill Zwelithini warms to his theme; at points the crowd breaks in approvingly: "*Bayethe!*" (Hail!) "*Uyindlovu!*" (You are the elephant!). "As King of the Zulus ... I stand above party politics," the king declares.

It is picturesque, impressive — and a gigantic sleight of hand. The huge slogans displayed under IFP colours on the turf below the packed terraces leave no doubt that this is a political gathering, skillfully stage-managed as a cultural event.

To hear the Inkatha leader, one might think him the pliant, self-effacing servant of his monarch. Zwelithini had approached him to say he had a statement to make; he had "shuddered inside himself at the awesome responsibility" of introducing the king.

Buthelezi-watchers can be excused a snicker of disbelief: Zwelithini is a constitutional monarch who, after some skirmishes in the 1970s, has served faithfully as his uncle's voice.

The King of the Zulus told the faithful gathered at Johannesburg's Soccer City that 'the call to ban the bearing of cultural weapons is an insult to the manhood of every Zulu'. **DREW FORREST** reports

The uncious references to "Dr Mandela" in the king's speech — it is an appellation which Nelson Mandela never uses and of which Buthelezi is particularly fond — raises some doubts about its authorship.

A masterpiece of ambiguity, it reflects many of the chief's pet themes. After a plea for peace, directed paradoxically at "brothers born of warrior stock", it launches into a lengthy attack on the ANC for its alleged "ugly vendetta against the Zulu people and their Zuluness".

A key step in the argument is the insidious conflation of the King, kwaZulu and the Zulu people, turning a political programme into an ethnic agenda, and political opponents into foes of all Zulus.

"Not only does the ANC attack the very existence of kwaZulu and insult the chief minister of kwaZulu," Zwelithini avers, "and not only does it hurt me in these attacks, but the ANC wants to hurt the Zulu-speaking people in the Transvaal as well."

Woven into the attack is another vintage device: an attempt, recalling Inkatha's adoption of the black, green and gold, to slipstream the ANC's central role in resistance politics. kwaZulu "produced" ANC founding father Pixley ka Seme and Albert Lutuli, we are told. "We as a people have nursed the ANC ... why does the ANC want to destroy the place of its origins?"

The point is reinforced in a poster widely displayed in Johannesburg before the "*imbizo*" showing Lutuli carrying "traditional" weapons.

It is in the treatment of the traditional weapons issue that the underlying agenda of the Soccer City

SHOWING

event was clear. Support for the carrying of weapons is often seen as a simple call to arms, but it is more than this — like the "*imbizo*" itself, it is a deliberate attempt to mobilise politically around symbols of nationhood.

The call to ban the bearing of cultural weapons is an insult to my manhood," is Zwelithini's plaintive cry. "It is an insult to the manhood of every Zulu man."

Zulu nationalist academics may argue that Zulus carried "*imikhonto*" when the "first people emerged from the bed of reeds", but there is no evidence that they ever featured at peaceful cultural events.

University of Natal anthropologist Mary de Haas stresses that spears were used by all indigenous people in pre-colonial times, and that they were

sanctioned only in contexts such as hunting and warfare. Historian Jeff Guy insists the carrying of assegais at Zulu national gatherings was banned before 1879 because they were too dangerous.

But like all parties seeking to rally ethnic support, the IFP must manufacture myths and symbols. The peculiar power of "traditional" weapons as a rallying-point is that it taps into intense Zulu pride in a warrior past.

"There is undoubtedly such a thing as an independent ethnic pride and consciousness," Guy comments. "The Basotho say, 'we opened the mines'; for the Zulus it is rooted in the 19th century Zulu kingdom, powerful, centralised, independent. It is there for manipulation for political ends if people tap into it."

He also points to the irony inherent in the appeal to an immemorial and unchanging custom and culture. Behind the power of the 19th century Zulu kingdom, he stresses, lay Shaka's genius.

Interviews with ordinary Zulus at the Soccer City meeting show how successful the strategy has been. "Our King says we must carry the spear", "The ANC says we must not have it — we have carried it for 200 years, since before Shaka", "It is a sign of respect for our chiefs", were among the offerings.

In his speech, Zwelithini calls ambiguously for Zulus to unite and be powerful for South Africa and for black unity of purpose.

One may reasonably doubt that South Africa's future stability, and the creation of a broader South Africanism, is served by the fostering of ethnic chauvinism for short-term political gain.

SHOWING HIS MANHOOD ... A Zulu in cultural garb at a cultural gathering carries on the tradition of his nation

Photo: AP

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THE RISE OF ZULU NATIONALISM ...

The power and the danger

AFTER decades of government obsession about ethnicity, the African National Congress and Inkatha are responding to this emotive subject very differently: the ANC ignores it and seeks a non-racial, supra-ethnic unity; Inkatha uses it as a powerful political mobilising force.

There are millions of people in South Africa — among them many Zulus — to whom ethnic feelings are important, perhaps a driving force in their lives.

Because of its strong insistence on unity and non-racialism, the ANC is not responding to these feelings, in particular among Zulu people, and this has left the field open to Inkatha.

Under the leadership of its president, Mangosuthu Buthelezi, this organisation appears to have a virtual monopoly on Zulu "cultural symbols". For example, the king, who is supposed to be the king of all Zulus, is closely associated with Inkatha. Last weekend's strongly political "imbizo" is just one example of this. The idea that he

might attend and address a pro-ANC rally is improbable even if that rally were convened by an exclusively Zulu membership of the ANC.

Yet there was a time when it might not have been quite so difficult to imagine.

Shortly after the first life prisoners were released from Robben Island, the king invited Walter Sisulu and the others to visit him for talks — they declined.

In his first Durban rally after being released, ANC deputy president Nelson Mandela delivered a speech which would have pleased even a traditionalist with strong ethnic feelings.

Nokukhanya Luthuli, widow of former ANC president Albert Luthuli, was almost literally held up to the huge crowd as the "mother of the na-

tion" and Mandela paid tribute to the role of Zulu people in the struggle against apartheid.

Then the promise Mandela's approach seemed to offer of an accommodation with traditionalists evaporated.

He has still not visited the king, and given the bitter attacks on the ANC from the king, it might now be too late for such a visit.

The result is that Zulu ANC supporters in Natal cannot easily speak about "our king" — he is the king of that section of the people which identifies with Inkatha's approach on ethnic issues.

By having virtually no Zulu representatives in national leadership positions, the ANC has left the way open for Buthelezi to claim the organisation is "anti-Zulu". This gibe appears to take on

Unleashing powerful ethnic feelings — as Inkatha has done — can have enormously dangerous repercussions, argues
CARMEL RICKARD

more weight in the light of the ANC's handling of a number of other issues.

For example, even if Inkatha's justification of the carrying of "cultural weapons" is questionable, the campaign to ban them in public was presented in a way which allowed Buthelezi to make enormous political capital, claiming the ANC hated Zulus and "Zulu-ness". It has also created the impetus for renewed expressions of ethnic feeling which should not be underestimated.

... A SPECIAL WEEKLY MAIL FOCUS

behind the ethnic wave

Perhaps if there had been a stronger sensitivity towards Zulus whose ethnic feelings are close to the heart, the same demand could have been handled in a way which did not further alienate so many people, and deepen divisions in society. The delicate approach of ANC southern Natal regional chairman Jacob Zuma to difficult issues such as these, shows it can be done.

Another example — instead of calling for the repeal of the Act that established black homelands all over South Africa, the ANC urged the "disbanding of kwaZulu". This again opened them to criticism that they were not against the homeland policy, but only against the Zulu homeland and therefore against Zulus.

So strongly has Inkatha come to be identified

with "Zulu-ness" that the conflict between ANC and Inkatha supporters is presented in some media as a Zulu/Xhosa issue. Questionable as this analysis is, it is particularly ludicrous in Natal, where there are Zulus on both sides with much in common but with many differences. ANC supporters would however tend to be people for whom appeals to ethnicity do not have the same resonance as for Inkatha supporters.

Both sides have many followers, but Inkatha has projected the image that only traditionalists are "real Zulus" and therefore Inkatha is the only true mouthpiece of Zulu people. This has been challenged by the ANC in Natal, whose executive insists the ANC be recognised as representative of "the majority of Zulus" in the region.

The very fact that they have to make this challenge, however, shows how successful Inkatha's "Zulu" image building, at the expense of the ANC, has been.

Ironically it seems that the ANC's insistence on unity might be weakening it as a unifying force.

Unfortunately broad South Africanism has a poor record in our political history: Smuts' fate bears testimony to this.

The apparent reluctance of the ANC to devise a strategy to deal with Zulu ethnic feelings — or its inability to do so — has some similarities with the 1948 period when Dr DF Malan pitched a strong election message at Afrikaner ethnicity, almost to the exclusion of anything else.

Smuts did not experience being an Afrikaner in

a way which enabled him to respond in kind. Either he did not realise the significance of Malan's call or, just as fatally, he was unable to bring himself to use ethnic feelings in the same way.

Malan's victory shows the danger of not having a policy which takes into account those people who rally at the call to the volk. The many years of misery caused by the triumph of Malan's sectarian appeal also illustrates the dangers of a policy that exploits and abuses ethnic feelings.

The question of how to deal with ethnic feelings is an excruciatingly difficult problem. Years of enforced, often officially trumped up ethnic divisions have made many people wary even to acknowledge ethnic feelings exist lest this be mistaken for racism.

Yet the lesson of Eastern Europe shows that such feelings are so powerful they can unleash enormous political energy.

Serious consideration must be given to a policy which neither ignores nor exploits these feelings.

Scrap the hostels - and many thousands will die on that day

W/ Mail 30/5/91



WHERE MEN LIVE ... Outside Dube hostel, which is a home from home for 6 000 men

Photo: GUY ADAMS

CANWELL NGIDI is a young, pleasant-faced man who describes himself as the deputy military commander of the Dube hostel ready to lead his forces into the coming civil war against the African National Congress.

There is a surprising ease to his manner as he warns of the terrible consequences for the ANC if single-sex hostels are abolished: "Thousands and thousands of people will die on that day."

Sitting around him in an arena in the centre of the Soweto hostel are 200 fellow Inkatha supporting inmates of the hostel, all of them unemployed and several of them sporting recent battle-wounds.

Ngidi's arm is bandaged as the result of a gunshot wound, and the youth league leader, wearing an Inkatha T-shirt, walks with a bad limp. He was shot at with an R1 rifle. He hopes the damage to his leg will not be permanent, and believes that his recovery is due to his having avoided Baragwanath Hospital.

"We don't trust the nurses there," he says, "they are Xhosa-speakers."

"They don't take the bullets out of our people," says Ngidi, "all they do is give us injections and medication, and chase us away."

There is a mood of anger and defiance as the hostel dwellers — a section of the 6 000 inmates — discuss their grievances. Surprisingly, although they want their living conditions to be improved and the hostels upgraded, there is little complaint about the lack of hot water, an erratic cold water supply, and the toilets and showers that don't work.

The focus of their anger is almost monotonously levelled against the ANC: "They want to destroy the Zulu people, to drive us out of the Transvaal, with this attitude of saying the hostels should be demolished," complains the chairman of the Dube branch, Mshelwa Duma.

"If Mandela comes to talk about hostels that angers us — we are Zulus. That is our birthright. We do not want a Xhosa person to speak on the part of the Zulus."

JENNIFER POGRUND spoke to inmates of Dube hostel, and found that while they want their conditions improved, they would fiercely resist the abolition of the single-sex hostel system

"When he (Mandela) comes to destroy the hostels we are going to destroy the whole township; thousands of people will lose their lives, we will kill them in order to take their houses to stay in them."

"Why is the ANC so worried about the hostels, or improving the lives of people who live there? Nobody asks any questions or does anything about improving the rest of the township, where conditions are just as bad," says Duma.

"The ANC has shown itself to be our enemy; now they want to make themselves look good by trying to do something for Inkatha people, and this while Mandela and his supporters are trying to kill us."

The men say that 10 residents of Dube hostel have been necklaced in the past three weeks.

They fear that if the hostels are dismantled, they will "have to live among the hooligans, tsotsis and criminals in the township."

"There's no crime here in the hostel; the people from the rural areas are disciplined, whereas those born in the township are very, very rude," one insists.

Asked whether they would not prefer to have their families living with them, they burst into raucous laughter.

"If our wives and children are here, who will plough the fields at home in the rural areas, and look after my cattle of more than 200 and countless chicken and goats?" asks one man.

"If Mandela wants to force us to buy houses costing thousands of rand in Soweto, where will I keep my chickens and goats?" asks another.

The men speak of the importance of maintaining cultural tradition, and their link to the past. "We need to keep our culture pure. If our families come here, our Zulu culture will be affected — which means our own country, Natal and Zululand."

"We can go to Natal to see our wives. This thing of being away from your wife doesn't kill any man."

Asked if it wasn't normal for husbands and wives to live together, another man says: "No. That is true on the side of white people. They do have such a feeling but on the part of black Zulu people the husband can be away for five years. They can come back and the wife is still at home looking after the children and there is no quarrel."

Another man speaks up: "This comes from our great-great-grandfathers. They used to come to the mines and left their families in Natal — we are not prepared to change what our forefathers were doing."

Ngidi, who has a lot to say about bravery and cowardice, claims that he has been a member of the IFP since he was born because he is a Zulu man.

"In our tribal areas we fight in faction fights. We are not fighting because we have military training. We know how to fight because we as Zulus have been fighting a long time in Natal."

"Mandela called on Xhosa people in the squatter camps to stay because he is busy creating war. All the other nations, the Shangaan and the Venda, they do not fight with the Zulus, only the Xhosa are fighting."

"He (Mandela) is working to bring them back to the squatter camps because this means more supporters to fight the Zulu people. If that can start happening it will be the first and the last civil war, alpha omega."

"Our people did not come here to fight. Even now they are just defending themselves, that is all. If Zulu people can start fighting, there is very little that can remain, very, very little."

THE INDEPENDENT PAPER FOR
A CHANGING SOUTH AFRICA

THE WEEKLY MAIL

Volume 7, Number 21, May 30 to June 6 1991

Get your house in order, ANC

THE Weekly Mail fought long and hard for the unbanning of the African National Congress. It is therefore with concern that we find ourselves repeatedly publishing stories which might be seen as damaging to the ANC — our reports about Youth League leader Peter Mokaba, and the latest disclosures from Zambia about the predicament of state witnesses in the Winnie Mandela trial.

There are some who argue that we should shut up; that South Africa is at such a delicate juncture we should not be carrying such "disruptive" reports. It is a suggestion we reject with contempt. This newspaper fought too hard for freedom of speech in the dark days of the PW Botha administration to abandon the struggle today because a group of individuals in the ANC are incounodated. It is because the ANC is important to our hopes for the future of the country that we feel justified not only in publishing such reports, but in demanding of its leadership: **GET YOUR HOUSE IN ORDER.**

The reason we published the Mokaba story last week was not because we wanted to "expose" an alleged spy, but because of the alarming implications of the story. Whatever the truth of the allegations, it seemed that at the very least there was an influential section of the leadership of the ANC which believed Mokaba to have been a police agent. And yet the ANC not only failed to deal with the suspicions for two years, but allowed him to assume increasingly powerful positions.

Our alarm has been compounded by the ANC's handling of our report. They took five days to respond to the allegations and then did so with a three-paragraph statement, at least one paragraph of which — claiming that "no official of the ANC — discussed this matter with the media" — was untrue.

On top of that the statement fails to answer the central allegations, instead falling back on the ambiguous statements that Mokaba is a "fully-fledged" member of the ANC "in good standing", whose "bona fides" are not doubted. If this means that Mokaba has been forgiven, tell us so. If it means he was investigated and cleared, we would be relieved to hear it. But above all we and the country would like to know the answers to the following: Did the ANC ever have suspicions that Mokaba was a spy? If so, was a report ever compiled on the allegations? If so, was Mokaba ever interrogated? If so, did he confess?

And while the ANC is digging up the answers to those questions, perhaps it could use its good offices with President Kenneth Kaunda to find out if there are two South Africans called Katiba Cebhukhuin and Gabriel Pelo Mekgwe sitting in jail in his country and, if so, politely ask him: **WHAT THE HELL ARE THEY DOING THERE?**

Warning signs

THIS newspaper highlights the rise of militant Zulu ethnocentrism among Inkatha supporters, believing that this contains important warning signals.

Respect for Zulu cultural identity is critically important and, as with respect for any other South African ethnic identity, should be taken seriously.

The danger, however, lies in the deliberate stirring up and manipulation of tribalism for cynical political ends, as we have seen among those who have resisted a ban on all "cultural weapons" and those who now say the desire to get rid of the hostels is an attack on Zulus.

Combine this with Inkatha's militance and its reputation for intolerance of critics, and you have an extremely dangerous concoction.

Weekly Mail
Missing

Winnie

trial

X

**accused
 is found**

By Weekly Mail Reporters and
 Zambian correspondent

G

ABRIEL PELO MEKGWE, the man who was spotted away from the Methodist Church manse in Soweto on February 10 this year shortly before he was to be a state witness in the Winnie Mandela trial, is being held by the African National Congress in Zambia, a Zambian government official claimed this week.

Also in Zambia is 22-year-old Kenneth Cebukulu, accused alongside Mandela, who claims he is being held in Lusaka's Kamwala Richmond prison under the guard of five ANC officials.

In a taped interview with a reporter from the Zambian *Daily Mail*, Cebukulu said that he had been kidnapped from South Africa in February by members of the Mandela Football Club and smuggled out via Mozambique and Angola.

The Zambian official said Mekgwe was originally held by the ANC in Zimbabwe before being moved to Lusaka, where he is still being held by the movement.

ANC spokesman Gil Marcus said yesterday that the matter was being looked into. However, spokesmen for the ANC in Lusaka denied any knowledge of the detentions.

Mekgwe vanished days before he was to be called as a witness in the Mandela trial. During the Jerry Richardson trial for the murder of Shoprite Mookheisi Seipei last year, Mekgwe testified that he had been assaulted by

Weekly Mail
Missing Winnie co-accused in Lusaka jail

From PAGE 1

Winnie Mandela after being abducted to the Mandela Diepkloof home.

The *Star* of February 12 reported that Mekgwe, who had sought shelter in the manse after missing his lift to the "safe" house in the northern suburbs where he was staying, was taken away by three ANC men.

Star journalist Patrick Laurence was jailed for eight hours before being released on bail for refusing to divulge his sources for the story. The appeal is still pending.

The ANC denied at the time that there was any organisational link to Mekgwe's disappearance.

Meanwhile, journalists from Zambia's state-run *Daily Mail* smuggled a

small tape recorder into Kamwala prison — one of the country's most notorious — to record the testimony of Cebukulu.

He told them that when he first came to Lusaka he was held in a house in Makoni under the care of "black South Africans". He claims he tried to run away from the house but was picked up by the Zambian police and then transferred to the state-owned Fairview Hotel.

He claimed that the ANC engineered his move from the hotel to the prison shortly after he had been interviewed

by a Zambian *Daily Mail* journalist last week and told them he wanted to return home.

Cebukulu alleged that he was being held by five ANC members in the jail and that he had been mistreated.

The Zambian Ministry of Home Affairs denied any knowledge of Cebukulu's detention. A senior official in the ministry said he first knew of the case when he read about it in the *Daily Mail*.

Cebukulu, who jumped bail in December 1989, and also faces charges of kidnapping and assault, claimed that he wants to turn state witness. He alleged that he saw the severely beaten body of Seipei shortly before the young activist died in December 1988.

THE GREAT WHITE SHARK

TO PAGE 2

Mokaba issue still on the boil

THE African National Congress this week stood by its Youth League president, Peter Mokaba, following a report in last week's *Weekly Mail* that he was being investigated for allegedly working as a security police agent.

A statement from the movement's publicity and information department said: "With regard to Comrade Peter Mokaba, the ANC places on record that we regard him as a fully-fledged member of the ANC, in good standing. The ANC does not doubt the bona fides of Comrade Peter Mokaba."

However, neither the ANC statement nor a statement from Joe Nhlanhla, director of the ANC's intelligence and security department, addressed the substantial questions raised in last week's report.

There was no denial that Mokaba ever

worked for the security police nor that he was summoned to the movement in exile and confessed.

The ANC statement claimed that after the appearance of reports in *The Weekly Mail*, the *Guardian* and the *Saturday Star*, the movement had investigated if any of its officials had spoken to the media regarding the allegations.

"Our investigation reveals that no official of the ANC, let alone a senior official, has discussed this matter with the media."

However, *The Weekly Mail* approached top National Executive Committee (NEC) officials, who confirmed the story last week before the report was published.

The Weekly Mail has been able to piece together some of the background to the Mokaba saga.

A host of grounds for suspicion have

Despite African National Congress assurances this week that the movement does not doubt the bona fides of its Youth League interim leader, Peter Mokaba, substantial questions raised by *The Weekly Mail* remain unanswered

been cited by ANC sources, among them the continued failure of the state to pin charges against him when others around him were being jailed in connection with similar allegations, and a belief that he was trying to create divisions within the movement or play one group off against another.

However, until 1989 within the United Democratic Front there was a reluctance among activists to voice their suspicions for fear of being branded as a spy or "cabal member" by Mokaba backers.

The cabal was a Natal-based group, said to be operating as a secret, moderate caucus within the movement. Several activists who had no connection with this group were accused of being cabal members after criticising Mokaba.

An independent source of suspicion came from Zimbabwe — the "forward area" responsible for controlling MK and underground activities in the Northern Transvaal, where Mokaba was a senior commander.

Senior intelligence officials and other Harare-based operatives became suspicious in the mid-to-late Eighties after divisions emerged and courier routes were broken.

Top level ANC sources, including several members of the current NEC have told political activists and certain sympathetic journalists that Mokaba was interrogated by senior ANC intelli-

gence officials in Lusaka in 1989 and that he confessed to having worked for the security police.

However, there are two accounts of this session — one that his period with the security police spanned several years, and another that it only amounted to a few months.

The latter version is that he agreed to work for the security police while being held in detention, and failed to inform the ANC of this after being released — though later admitted it under interrogation.

His confession presented the movement with a massive dilemma, and for several weeks it was hushed up. Against the advice of intelligence officials, the decision was made by ANC president Oliver Tambo to allow him to return home on condition he cut all links with the security police and had nothing to do with the security of the Sisulu group of prisoners, who were soon to be released.

The reasons for hushing it up, according to one senior ANC source, were: "First, his confession came six months or so before the ANC was unbanned and OR felt it would be very disillusioning for the youth, for whom he was a hero.

"He had powerful backers within the NEC, some of whom may have felt their positions would be undermined if their protégé was exposed.

"Then, Tambo may have been concerned about a repeat of the Thami Zulu affair."

Zulu, who headed the ANC's underground and military structures in Swaziland in the mid and late Eighties was widely suspected by ANC intelligence of being an agent because scores of underground operatives in the area — some of them known only to Zulu — were being assassinated, detained and deported or abducted by South Africa's

While some ANC NEC members were not initially informed of his confession, others now hold the belief that whatever "mistakes" he made in the past, he should be forgiven, and some have backed him openly.

According to ANC sources the movement's deputy president, Nelson Mandela, was given a "soft version" of the story several months after his release. He is said to believe that Mokaba is playing a useful role with the youth and that exposure would serve no purpose.

Several top-level sources who previously spoke openly about the matter are now reluctant to discuss it, even off the record, and some of those in exile who were most vocal about the matter were not granted early indemnity to return.

Senior ANC sources say they were informed he would be blocked from all leadership positions within the ANC, and for several months this happened.

However, over the last nine months Mokaba has moved back into prominence, particularly within the Youth League, where he has served as interim president.

In most cases those doing the leaking were senior members of the movement, including some NEC members. Because of the variety of ANC sources on this question it is highly unlikely that any clique within the movement could have been behind it — and impossible that it emanated from the state.

Later certain UDF leaders and youth leaders known not to be close to Mokaba were tipped off. Later still, certain "sympathetic liberal" leaders and some pro-ANC journalists were also informed.

Within two months of Mokaba's exposure his confession was "leaked". At first Zimbabwe-based underground operatives, and several operatives within the country were informed.

However, he was protected by military intelligence and it took several years before ANC intelligence was allowed to interrogate him. He died in detention.

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B1 Day 30 May 1991

Court acquits Inkatha spokesman

A JOHANNESBURG magistrate yesterday ruled that Inkatha spokesman Peter auf der Heyde had not committed an offence by failing to register for national service.

Magistrate Hein Verhoef made the ruling in the Johannesburg Regional Court.

The State withdrew an alternative charge of failing or refusing to provide proof of registration.

Auf der Heyde's defence objected to the charge on the grounds that failure to register did not constitute an offence.

This was upheld by the magistrate.

The magistrate said the intention of the legislature had been to make the failure to produce proof of registration an offence, not the failure to register.

"If the legislature intended to make it (not registering) criminally liable, they should have said so in plain words so there could be no mistake."

JONATHAN REES

□ Commenting on the ruling, an End Conscription Campaign (ECC) spokesman said military conscription had effectively been rendered unenforceable.

ECC secretary-general Roddy Payne said it appeared there was no longer a legal obligation on white youths to register for national service.

Conscription lawyer John Wills said although the magistrate's decision did not constitute a precedent, it was an important decision in that it carried persuasive value.

It should be seen as a victory against conscription, he said.

"We are therefore hopefully closer to the time when conscription becomes a thing of the past."

Payne said the ruling disclosed the "legal quagmire military conscription finds itself in".

Defence Act charge Citizen 30 May 1991 thrown out of court

Court Reporter

JOHANNESBURG Magistrate, Mr H Verhoef yesterday threw out a charge under the Defence Act which had been brought against Johannesburg journalist, Mr Peter Jorg Auf der Heyde, who is in the media liaison section of Inkatha.

The magistrate said that on reading through the relevant sections of the Defence Act under which Mr Auf der Heyde of Geers Avenue in Greenside, Johannesburg, had been charged it appeared that the defence argument objecting to the charge sheet was well founded.

The magistrate also said "if the legislature had wanted to make a person criminally liable (under the section in question) it should have said so in clear and unambiguous language".

Mr Clive Plasket, who previously conducted the defence, had argued that what the journalist had been charged with amounted to "failing to fulfil an obligation" and did not amount to an offence.

He had been charged originally with failing to register for military service during 1977. This, however, was later altered to read: failing to register for military service since April 5 of last year.

The defence had indicated that should the court rule that the charge

was valid, a special plea would be entered by the accused, who would argue that prior to April 5 last year, an unsuccessful charge of a similar nature had been brought against him.

Yesterday after the Magistrate ruled that from the wording of the sub-section "it was extremely doubtful whether the legislature intended to create an offence" where persons failed to register.

The court tended to agree that the actual offence was failing to produce on request a certificate verifying that the person had in fact registered as being liable for military service.

Yesterday after the court quashed the main charge, the prosecutor Miss M van der Merwe requested that the alternative charge against the accused be withdrawn. The alternative charge was for failing to produce, on request by a military policeman, a certificate verifying that Mr Auf der Heyde had in fact registered as liable for military service.

After the court appearance, Mr Auf der Heyde, who is now 31, and who had possibly faced the prospect of having to do military service with school leavers, said, "this whole question of the army needs to be re-evaluated."

Mr H Verhoef was on the bench. Miss M van der Merwe prosecuted. The defence was conducted by Mr Clive Plasket and Mr A J Steenkamp.

OAU rules: Sanctions must stay

CITIZEN
30/5/91

ABUJA, Nigeria. — African nations must not lift sanctions against South Africa, the Organisation of African Unity decided yesterday, despite a strong Nigeria-led lobby to reward Pretoria

for reforms.

However, Black Africa's trade with South Africa "is growing by leaps and bounds," according to a report of the organisation presented to the meeting of Cabinet Ministers who will set an agenda for a

summit of the 51-nation organisation, scheduled for June 3 to June 5.

Yesterday's announcement is seen as a victory for the African National Congress which argued at

TO PAGE 2

OAU backs sanctions

FROM PAGE 1

the meeting that lifting sanctions would remove the only incentive there was to force the government to accept Black majority rule.

Cabinet Ministers were presented yesterday with a report that said Black Africa's trade with South Africa "is reported to be growing in leaps and bounds, almost R10 billion a year today."

The organisation's report was read before its director, Mr Ibrahim Dagash, announced "The Ministers unanimously resolved that in the interim, sanctions against South Africa be maintained until all apartheid laws are dismantled".

He said the Ministers

also urged peace talks between the South African Government and the African National Congress resume without delay, which could be interpreted as a criticism of the ANC for breaking off the talks.

"The arguments for and against sanctions continue," Mr Salim Ahmed Salim, secretary-general of the OAU, told reporters earlier.

Many African countries have traded secretly with South Africa while espousing sanctions.

Mr Salim said of the closed-door meeting: "Those who want to lift sanctions argue that De Klerk has done so well that he deserves to be rewarded in order to encourage him to do more. Those who want to maintain sanctions concede that De Klerk has done well but there is still more to be done and that it will be dangerous to remove the only incentive to act when there is still a lot more to be done."

Mr Salim, former Prime Minister of Tanzania, said Mr De Klerk had given "a good performance but not complete".

He praised the South African leader for halting political trials and executions, for keeping promises to remove troops from Black townships until forced to return them as "the result of widespread violence"

between rival Black groups in the country, and for removing bans against organisations like the ANC. But he said restrictions continued to be imposed on South Africans returning from exile, and that the South African Government had released only about 300 of

the 3 000 political prisoners. The South African Government denies 3 000 people remain detained for political offences.

"Most of the pillars of apartheid are in the process of being repealed," Mr Salim said.

Nigeria, one of Black Africa's most powerful nations, led the lobby to have sanctions lifted. It is an about-face for the oil-rich nation that was in the forefront of the fight to strengthen sanctions.

Mr Salim told the African meeting on Tuesday that the European Economic Community's decision to lift sanctions could hamper the process of change in South Africa.

"The time has come for Africa to re-seize the initiative and dictate the pace instead of reacting to the agenda of others," Mr Salim said.

"What we need is unity of action and one voice," he said, reflecting a concern about the lack of unity that has plagued the organisation founded in 1963.

Mr Dagash refused to confirm or deny rumours that there had been calls at the meeting for Mr De Klerk and Zulu leader, Chief Mangosuthu Buthelezi to address African leaders at their summit. South Africa has said it has not sent a delegation to the meeting in the northern Nigerian city of Abuja, but in the past South African representatives have lobbied secretly at the African meetings.

Pretoria is reported to be trying to join the African organisation, which is the world's biggest continental body. —Sapa-AP.

Wiken May 30 1991

Peace mission 'moving ahead'

Citizen Reporter

THE "facilitator" named by State President De Klerk to get the peace initiative off the ground, Dr Louw Alberts, said last night that the mission was moving ahead.

Asked to comment on progress made since last weekend's summit conference in Pretoria on intimidation and violence,

Dr Alberts said: "I have been involved in intensive interaction with various people and parties, getting a mass of thoughts into line."

"It is all taking time, and I can disclose nothing of any real substance at this stage. I am looking for answers and I will come back when everything is sorted out."

The co-convenor of last year's Rustenburg Churches Conference, with Dr Albert, the Rev Frank Chikane, who is head of the SA Council of Churches, was not available for comment yesterday.

A spokesman for Mr Chikane said that he would be "out of reach until late".

Six die in unrest

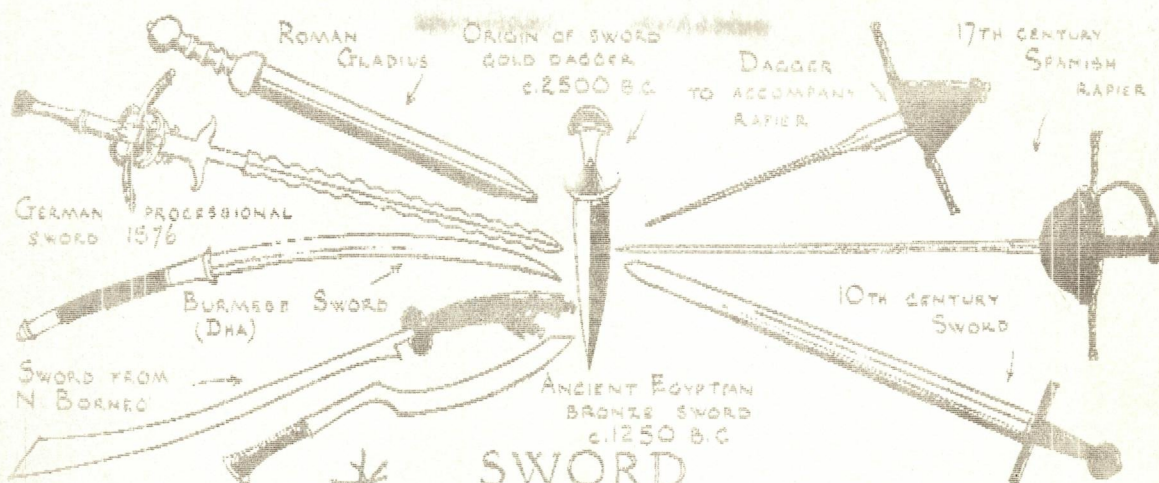
POLICE said yesterday that at least six people died, nine were wounded and 53 were arrested — including two recently indemnified ANC members — in politically motivated unrest in the PWV area and Natal.

B/Daw
30 May 1991

SWORD

SWORDFISH

SYCA



SWORD

executions—Queen Anne Boleyn was beheaded with one at the Tower of London in 1536.

Swords are of two main kinds—those which cut and those which thrust. The *gladius* of the Roman soldiers was a short cutting sword, and in the middle ages swords were generally massive affairs used for slashing and cutting, sometimes with both hands. The magic swords in Norse legends and those such as Siegfried's "Nothung" and King Arthur's "Excalibur" were probably connected with real swords whose makers had learned by accident how to change iron into steel. In the 16th century the Italians invented the rapier, which had a long, tapering blade for thrusting. The swordsman defended himself with a short dagger, which took the place of the shield and was held in the left hand, or with his cloak wrapped round his left arm.

As the art of fencing, or fighting with swords, was developed, the dagger and cloak were discarded and the sword was used both for attack and defence. (See FENCING.) The rapier became shorter and lighter and this type was called the smallsword.

In Asia swords with curved blades used with a slashing action were more favoured. The Turkish invasion of Europe in the 16th century led to weapons of this kind being adopted by western armies, where they were called sabres. The decreasing use of armour made these cutting swords more effective. The cavalry broadswords had both a cutting edge and a point, but generally the attempts that were made to combine

cutting and thrusting weapons were a failure.

In World War I cavalry carried swords and occasionally used them, but in World War II swords were carried only by Japanese officers, for whom they had a specially sacred meaning. In Japan, swords were handed down from father to son, as part of the ancestor-worship that was practised there. The *kukri* still used by Gurkhas, who are soldiers from Nepal, is a heavy knife with a curved blade. In a skilled hand it will cut the head off an ox at one blow. (See GURKHAS.)

Swords are used more peacefully by the Highlanders of Scotland. Their sword dance is performed over the blades of crossed swords laid on the ground, the dancers moving so that their feet nearly, but never quite, touch the blades.

SWORDFISH get their name from the long, sharp object, rather like the blade of a sword, which grows out of the front of their heads. It is actually part of the upper jaw. Swordfish live mainly in warm seas, though they sometimes find their way into British waters. Some grow to a length of 15 feet, and the sword of a fish of this size may be three feet long and three inches across at its base. They are caught by harpooning or by rod and line.

The body of a swordfish is beautifully streamlined, ending in a slender but powerful tail. The pectoral fins just behind the head are long and slender, but the fish has no pelvic fins, which are the ones behind the pectoral fins.

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SWORD - LIKE SPEAR - TRADITIONAL WEAPON. SINCE EARLY TIMES
AR 47 NOT TRADITIONAL CHIEF BUTHELEZI DON'T LET
YOUR EYES BE INTIMIDATED BY
THEir OWN GOVERNMENT!!

PAGE ONE OF 2 PAGES

SWORD

SWITZERLAND

century B.C. and became parts of the provinces of Gaul and Rhaetia. Later, the Roman Empire crumbled and Switzerland was invaded by German tribes from the north. In the 8th century it was included in Charlemagne's empire (see CHARLEMAGNE; HOLY ROMAN EMPIRE) and later it came under the Habsburgs, who were the royal family of Austria. They owned much land in Switzerland and the rule of Rudolf of Habsburg was that not only of an emperor but of a landlord, against whom the people had no appeal. On Rudolf's death, therefore, the people of the valleys of Uri, Schwyz and Nidwalden banded together in an "everlasting league" for common defence. This league, or confederation, was formed on August 1, 1291 and was the beginning of the Swiss nation. August 1 is celebrated as a national holiday in Switzerland.

A struggle with the Habsburgs followed, and it is to this period that the legendary hero, William Tell, belongs. (See TELL, WILLIAM.) Other Swiss cities and places joined the confederation and the Austrians were defeated in a battle at Sempach in 1386. In 1474-1477 the Swiss had to fight Charles the Bold, Duke of Burgundy, and in 1499 there was a fresh war with Austria.

So famous did the brave Swiss pikemen become in these struggles that kings and emperors used to hire them as soldiers. Since the early 16th century, the soldiers guarding the Pope in the Vatican Palace have been the Swiss Guard. (See VATICAN CITY.)

In the 16th century Switzerland was fiercely divided by religious struggles. The Protestants were led by the great reformer Huldreich Zwingli (1484-1531). Later, some of his teachings were laid aside in favour of those of John Calvin, who in 1536 made Geneva the headquarters of the Reformation. (See CALVIN, JOHN; REFORMATION.)


During the Napoleonic Wars Switzerland, like much of Europe, became a battlefield, and some astonishing campaigns and marches took place among the Alps. After the fall of Napoleon, the most important event was an attempt by the Roman Catholic parts of Switzerland to form a *Sonderbund*, or separate

league. This was ended in 1848 by a new constitution, or form of government. By this, Switzerland became a single state instead of a loose collection of cantons. (Cantons are districts which correspond roughly to counties and county boroughs.) There are 22 Swiss cantons, each with considerable powers of self government. In fact in a few country cantons there is still an open-air "parliament" to which all adult males are entitled to go once a year, wearing small swords. These *Landesgemeinde*, as they are called, are the oldest example of direct democracy still existing. (See DEMOCRACY.)

Switzerland was neutral (that is, joined neither side) in both World Wars but undertook many tasks of service and mercy towards the unfortunate victims of both sides.

Switzerland is ruled by a federal assembly with two chambers, or sections. The first chamber is the National Council, with one representative elected for every 24,000 citizens. The second is the Council of Cantons, with two members from each canton. Women do not have votes in electing members of the federal assembly. The seven members of the government are elected for four years by the federal assembly.

There are two interesting features of the Swiss form of government. The first is that even when a law has been passed by the federal assembly, the citizens can insist on its being submitted to the people if the signatures of 30,000 voters who object to it can be collected. The second is that the people can bring about even a change in the constitution itself if the signatures of 50,000 voters are collected.

 **SWORD.** Until the early part of the 20th century swords were the chief weapons for hand-to-hand fighting. Much can be learned about early civilizations from the swords they used. The sword came to have importance not only as a weapon but as a symbol. Swords of state are carried before monarchs, and are even part of the official trappings of cities. It is with the sword that a man is knighted. (See KNIGHT.) It was his sword that he gave up when he surrendered, and his sword that was broken when he was disgraced. Swords have been used for

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I AM A WHITE PERSON - SYMPATHETIC WITH YOUR CAUSE! REGARDS

ATTENTION
CHIEF GATRA
BUTHELEZI

Upington 'common purpose' murder judgment overturned

Reprieve for jubilant 14

STAR 30 MAY 1991

By Jo-Anne Collinge
and Esther Waugh

The Appeal Court has set aside all 14 death sentences and overturned all but four out of 25 murder convictions handed down in the highly politicised Upington 26 murder trial.

The sweeping reversal of the original outcome spelt immediate freedom for 11 of the 14 Death Row prisoners — including the only woman, ailing mother of 10 Evelina de Bruin, who was transferred from Pretoria Central Prison to Upington Prison late last year.

Legal experts greeted the appeal judgment as a long overdue act of justice and a stinging indictment of the 1988 judgment and sentencing, which occurred a year later.

The 10 reprieved men seemed dazed yesterday as they emerged from the Death Row cells where they have spent exactly two years and two days.

They climbed slowly out of a white minibus at the prison gates, clutching their letters, books and photograph albums. Then they spotted their legal team — and jubilation erupted in the prison parking lot.

Nightmare

Andrew Lekhanyane said the judgment had "come out of the blue. To tell the Gospel truth, it was a nightmare on Death Row." Admitting that he was no legal expert, he added that he had felt throughout his trial "we were never given the benefit of the doubt".

A former mayor of the Upington township of Paballelo, Kenneth Khumalo, said the sudden freedom was "unreal" — especially after the frustration they had felt when the prisoners were not released by April 30 in terms of the Pretoria Minute.

Originally, 25 out of 26 on trial were convicted, in terms of the doctrine of common purpose, of the murder of municipal policeman Lucas Sethwala at Paballelo in November 1985.

The Appeal Court judgment yesterday made the following changes:

- In 18 cases, convictions for murder were overturned and public violence convictions substituted. Sentences of one or two years' jail, suspended for five years, were imposed.
- In three cases, both conviction and sentence for murder were set aside.
- In two cases, conviction on the murder charge was upheld, but a jail sentence was substituted for the death

penalty — 12 years in the case of Zonga Mokatle and 10 for Zolile Yona. In two further cases, leave to appeal against conviction for murder was refused. In the case of Justice Bekebeke, sentence was replaced with a 10-year jail term and Elisha Matshoba had his original term of eight years confirmed.

The murder convictions were overturned largely on the Bench's finding that the crowd which had stoned the victim's house was not necessarily the same as the crowd which had later killed him.

Therefore, those accused who had been identified during the stoning alone could not be seen as having the murderous intent of the second crowd.

Upington 26 attorney Andy Durbach said: "It's the kind of judgment one would have expected from the trial court."

She added that the thoroughness with which the result had been reversed was a loud indictment of the trial court.

Lawyers for Human Rights national director Brian Currin commented: "The end result is wonderful. It shows that justice can be

done in South Africa ... and I think it goes a long way in restoring the legitimacy and credibility of our courts."

But the Upington trial in its entirety was "a savage indictment" of the South African legal system.

"The fact is that we've got the judgment of the first instance — 25 guilty of murder and 14 sentenced to death, refused leave to appeal and forced to spend two years on Death Row. At the end of it, 11 out of 14 walk free today, with one to two years' suspended sentences," Mr Currin said.

National Association of Democratic Lawyers publicity secretary Johnny de Lange said: "Obviously one is delighted that they are all off Death Row — every one of them. But so often it seems the result of a case depends on the time it is being heard and the specific judge before whom it is being heard. The whole question of justice doesn't seem to be one that is equally applied."

Mr de Lange welcomed the fact that "the whole doctrine of common purpose is once again put in its proper perspective".

It was one of those common-law principles which had been extended beyond its usual limits during the '80s to help curb the kinds of uprisings then taking place.

● Intention not proved —

COMMENT

Prodigal sport

SOUTH Africa could do worse than hand over the peace negotiations to the sports officials. Progress is so rapid that international associations are inviting our sportsmen back into the world arena before we are ready. Some local officials, who thought they had a couple of years in which to play around with the unifying process, are now back-peddalling. They argue for the moratorium on international competition to stay until local sports unity has been achieved. Their reasons are understandable, but misguided.

We have previously pointed out the great possibilities sport holds as a unifying factor in a country divided in so many ways. After all, one reason why the Nationalists, especially under Verwoerd and Vorster, refused to allow mixed sport was that they could not afford people of different races getting to know each other better. This would have undermined apartheid. Even when they relented, and allowed sportsmen to compete together, the emphasis was on "multinational" events, so that "separate but equal" policies remained intact.

Sport was always a natural target for anti-apartheid lobbies, because bans were easy to impose and did not harm the country enforcing them — unlike a ban on South African coal, pig-iron or, for that matter, railway trucks. By the same token, sport is the easiest tie to restore. Sportsmen are usually nice, straightforward people. Most of them, now accustomed to non-ra-

cial events, have shed their prejudices. Heavyweight champion Gerrie Coetzee used to say he had more fans in Soweto than in his home town of Boksburg, and it is probably true that South Africans generally are equally ardent supporters of current champions Brian Mitchell and Dingaen Thobela.

Long years of isolation have not only ended apartheid in sport but played a role in changing the political climate to the point that President de Klerk was able to embark on his reforms. White officials whose early motives were to restore international links soon became convinced that their real purpose should be to do what was right for sportsmen of all races. Ali Bacher, South Africa's last cricket captain, has worked tirelessly for the game at all levels since the country was expelled in 1970. Steve Tshwete, the ANC's "shadow minister" of sport, has been totally won over to the view that cricket's house is now in order, and that it would be illogical to deny the players a return to the international fold.

Sportsmen and officials who were wronged in the past, and find it hard to forgive, may be persuaded to consider the great advantages of accepting the early rewards now being offered for the integration of athletics, soccer and cricket.

When all South Africans have common heroes, we are on our way to becoming a united nation. Sportsmen can get it right long before the politicians do.

20 hours in cage for stealing dead chickens

by Nomusa Cembali

AN Ashburton farm labourer was assaulted and locked in a metal cage overnight after stealing five dead chickens which were to be fed to animals at the Lion Park.

Mzo Victor Ngcobo, a tractor driver at Tanglewood Farm — part of the Eldorado Poultry enterprise — said the farm manager, Jay Naidoo caught him with the chickens on Friday afternoon.

With the help of another labourer, Zeph Gcaba, Naidoo handcuffed his hands and assaulted him with a stick, according to Ngcobo.

"Seeing that the stick was not having much effect, he took a metal bar and hit me for about an hour. I pleaded with him to take me to the police but he refused and said he wanted to kill me," claimed Ngcobo.

He said Naidoo untied him and handcuffed his hands behind his back before pushing him into a metal livestock cage and locking him inside.

"I sat in the cage for the whole night (Friday) and Naidoo arrived at about 7am. I pleaded with him to let me free as I wanted to relieve myself, but he said I should do so inside the cage," Ngcobo alleged.

Naidoo returned later at about noon and told him that he was going out with his friends "to have a good time". Ngcobo further alleged that Naidoo laughed and swore at him before driving off.

Ngcobo's screams for help was heard by workers on a neighbouring farm who then alerted a lodger who investigated the noise. The man, who did not want to be named, jumped into the cage, cut the handcuffs and helped Ngcobo out.

Before coming to his assistance, Ngcobo's rescuer took some photographs as he planned to take the issue further.

"At about 2pm, the man came around and took photographs of myself before climbing into the cage. He took out a pair of pliers and untied me. I then climbed out of the cage," said Ngcobo.

Until his rescue, he had spent 20 hours in the cage, including Friday night, wearing only an overall.

Ngcobo was taken to the lodger's house where he was given food before being taken to Alexandra police station. They were referred to the Camperdown police station where a charge of assault was laid.



After being assaulted and handcuffed, Mzo Ngcobo was locked in this metal cage for 20 hours for allegedly stealing five dead chickens.

Ngcobo, a refugee from Taylor's Halt, said he had worked on the farm for five months. He said he had never quarrelled with Naidoo before and had not been aware of any hostility until the assault on Friday night.

According to an Association for Rural Advancement spokesperson, incidents like these are not uncommon. "Farmers still believe they have the right to discipline their labourers rather than working through the existing structures which are constantly being revamped," said Bridget Murphy of AFRA.

The owner of Tanglewood Farm, Barry Nicholson, was not available for comment.

Mystery pamphlets baffle Indumiso students

by Nomusa Cembali

A PAMPHLET issued by the so-called Alternative Students Organisation and sent to the home addresses of Indumiso College of Education students has the students wondering how the organisation found out where they live.

The pamphlet, headed Education or Revolution, asks the students whether they have come to Indumiso to learn or to be manipulated and intimidated by the "congress".

The neatly typed pamphlet, featuring the computerised drawing of a bird, called on the students to condemn those who spread "fear and death". It specifically named the ANC, PAC, Inkatha, Azasco and Sansco "or any other organisation or institution which caused death to people".

The Indumiso Sansco branch felt the pamphlet totally villified the organisation because it associated Sansco with death and violence.

The branch felt the administration had something to do with the Alternative Students Organisation as only the administration had the addresses of the students.

However college rector Reginald Ngcobo denied this. He also denied having knowledge of the organisation except through the pamphlets.

Joint Working Committee witness Bcho 30/5/91 compiles peace proposal

by Nomusa Cembu

THE African National Congress, South African Communist Party and Cosatu have compiled a 31-page peace proposal which will soon be distributed to its branches for discussion.

Addressing hundreds of ANC supporters at a rally in Imbali stadium on Sunday, ANC-SACP-Cosatu Joint Working Committee (JWC) representative Siphso Gcabashe said the proposal called for a peace conference which included unions, churches, police, employer and sports organisations.

He said there would have been no need for the weekend peace summit convened by President de Klerk if he had read the memorandums sent to him calling for the resignation of ministers Vlok and Malan.

He said the JWC was in favour of the peace summit being convened by churches because they were neutral.

The JWC was still committed to the January peace accord signed by Inkatha and the ANC which, he said, had been disbanded by Inkatha following an open letter addressed to President de Klerk.

Gcabashe said the ANC had always been committed to the Accord but encountered problems as some of the issues had not been resolved. He said the ANC had called for commissions of inquiry after the KwaShange killings and a bus attack near Nkanyezini, Table Mountain earlier this year, but nothing had happened.

Gcabashe said they were again going to meet with Inkatha on June 1 through channels that had been established by the January Accord.

He commended the peace initiatives in Imbali and urged the people to work together with the Imbali Rehabilitation Committee in order to bring peace in the area.

Other speakers from the ANC, SACP, Cosas, ANCYL, ANCWL and Cosatu spoke about the Constituent Assembly and mass action.

Prosecutor Maphumulo aims to see justice is done

by Masheila Sewpaul

HIS hard work has certainly paid off! Years of studying while holding a full-time job and then working in the city magistrate's court as an intrepeter has earned Reginald Bhekuzulu Maphumulo a position as prosecutor, which takes effect from June 1.

Maphumulo, the son of a repair serviceman who hails from Port Shepstone, matriculated at the Dwe-shula Mission school in 1979 and enrolled at the University of Fort Hare — but had to abandon his studies due to financial difficulties.

"I then worked for various insurance companies in Durban and studied for my B. Juris degree part-time through Unisa and completed it in 1988.

"It was not an easy path but I knew my hard work had paid off when the department of justice informed me that I was given a position as a prosecutor," said Reginald.

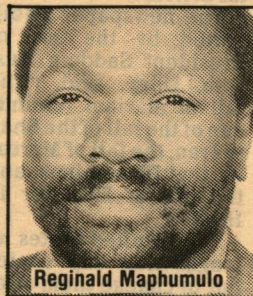
"My aim is to see that that justice is done, particularly in the Pietermaritzburg district where crime is so rife."

Reginald said his position as court intrepeter for the past two years had enabled him to familiarise himself with court procedure.

Reginald, who is single and lives in Unit 3, Imbali, said he chose to live in Pietermaritzburg as in his hometown people would expect him to favour them if they were to appear in court.

"And if my aim is to see that justice is done, I have to be as objective as possible.

"Being a prosecutor is my first step on the ladder of success and my goal is now to work to become a state advocate or a regional court magistrate," Reginald said, added that he is at present completing his LL.B. degree through Unisa.



Reginald Maphumulo

ECU 30/99

Jamile found guilty

by Alfred Kgatle

KWAZULU deputy interior minister Samuel Bhekizizwe Jamile was found guilty this week on charges of murder and attempted murder.

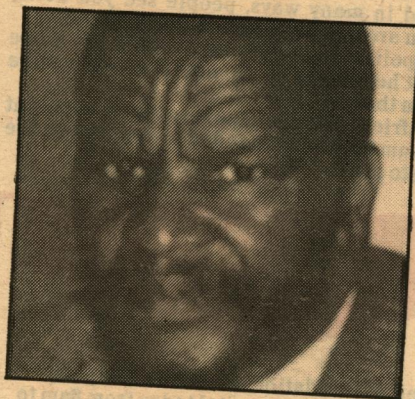
Sentence — due to be passed yesterday — was unavailable when *Echo* went to press.

In a judgment delivered to a packed court on Tuesday, Mr Justice Michael Mitchell and two assessors found Jamile guilty of murdering his former tenant Joseph Bhekuyise Khumalo and attempting to murder his fiance Thokozile Shabalala in April, 1987.

His co-accused Msizi Jethro Hlope was convicted on two counts of murdering Clermont businessmen Nicholas Mkhize and Zazi Khuzwayo. Both Jamile and Hlope were acquitted on 13 other murder-related charges.

The court found Jamile led a group of killers who took Khumalo and Shabalala to Mamba Valley outside Durban where Khumalo was shot to death and Shabalala attacked and left for dead.

Rejecting Jamile's alibi as a fabrication, Judge Mitchell said it was surprising that the existence of Constance



Samuel Bhekizizwe Jamile

Zulu, the purported witness to the alibi, was only disclosed after Jamile had closed his case. Jamile had numerous opportunities, including the time when he was sued by Shabalala following the attack, to disclose his alibi.

Zulu testified that Jamile, who is also a traditional healer, was treating her for a psychological disorder on the night he committed the murder and attempted murder.

Judge Mitchell said Zulu was "unconvincing" and had been uncomfortable when giving her evidence, adding that "there are indications that she was telling a well rehearsed story".

Jamile was also "evasive and a most unsatisfactory witness".

Shabalala's version of the events of the night was accepted despite some discrepancies which the court ruled were due to her illness after the attack. She had told the court she and her fiance were attacked because Khumalo had tipped off businessman Richard Phiri that Jamile wanted to kill him.

Acquitting Jamile on additional charges including four murders, six attempted murders and three of inciting people to commit murder, Judge Mitchell said there was either no evidence to link him to these charges or the evidence available was insufficient to warrant a conviction.

Justice Mitchell said the State had failed to connect political differences between Inkatha and UDF as a motive for the killings as it had alleged.

Hlope's conviction was based largely on confessions he made to people, some of them inside the court precincts, while the trial was commencing. Details given in his confession, in which he admitted taking part in the murders of Nicholas Mkhize and Zazi Khuzwayo, coincided with the testimony of witnesses and medical evidence.

Cosas fails in bid to attend ^{ECATO} school on ^{Wetnes} Republic ^{30/5/8} Day

ATTEMPTS by the Pietermaritzburg branch of the Congress of South African Students (Cosas) to get students to attend school tomorrow on Republic Day and regard the day as a normal day were futile as the organisation could not meet with the teachers on time.

However, Cosas spokesman Mduduzi Dladla said the students were going to join the ANC Youth League in a picket and sit-in outside DET offices at Shepstone House in Longmarket Street today.

The aim of the march will be to highlight the crisis in schools, and popularise the education charter campaign and broader political demands like the May 9 deadline which was issued by the ANC to the government.

However the Soweto Cosas branch and the SA Democratic Students Union have called on all Soweto teachers and pupils to attend school tomorrow.

In a joint statement issued on Tuesday, they said that it would be contrary to their effort as various groups for a democratic society in South Africa to stay at home and honour the day of "racist repression of Africans".

"In future we shall celebrate the birthday of the new South Africa," the Cosas statement said.

Witness Echo
30/5/91

U.S. blacks fight negative image

WASHINGTON — Blacks in America continue to suffer from negative stereotypes held by whites, on the job as well as in the U.S. Senate and elsewhere, says a former Secretary of the Army.

"You see us as less than you are," Clifford L. Alexander, a black man who headed the army during the administration of President Jimmy Carter, told a panel of white senators.

"You think that we are not as smart, not as energetic, not as well suited to supervise you as you are to supervise us," he said. "And yes, if you see a black man, you think that you had better cross the street before something bad happens to you."

Alexander, who also headed the Equal Employment Opportunity Commission and was an adviser to former President Lyndon Johnson on civil rights, testified before the Senate Banking and Urban Affairs Committee as it held a hearing on the problems of black males.

He called the Senate "the most prestigious segregated body in America." There are no blacks among the Senate's 100 members.

Alexander said negative images of blacks, particularly black men, are fed by portrayals of blacks in movies, on television and elsewhere.

That imagery was perpetuated by last year's re-election campaign of Sen. Jesse Helms, whose commercials played on white concerns that blacks would be favoured in hiring by affirmative action programmes.

"Creative white America has fed us those negative stereotypes since the days of 'Step'n Fetchit' movies, and Sen. Jesse Helms' political advertisements perpetuate that insult today," he said.

Committee chairman Donald Riegle cited statistics that afflict black men: The lowest life expectancy of any U.S. group, an unemployment rate twice that of white men, a widening earnings gap with white men and a declining college enrollment.

Blair Underwood, an actor on the television show *LA Law*, also appeared and cited the beating earlier this year of a black man, Rodney King, by Los Angeles police. He said that case "demonstrated that African American males have no protectors."

Other witnesses called for increased social assistance for black families, improved education and better job-training programmes to help lift young black men in the ghettos out of hopelessness.

This traditional view was challenged, however, by Robert Woodson, president of the National Center for Neighborhood Enterprises and a noted advocate of black self-help programmes.

He said many more black men and women have moved up the economic ladder into the middle class and said racial discrimination is "a problem, not the most pressing problem," for black Americans.

— Sapa-AP

City honours language expert Professor Christian Msimang

ECHO PROFILE

RENOWNED academic Christian Themba Msimang was in the city earlier this month at the invitation of Shuter and Shooter to attend a dinner to celebrate his recent professorship.

Known commonly as CT, Msimang was born at Ethaleni Mission in the district Nkandla, Zululand on October 25, 1944. He received his primary education in Zululand and went on to matriculate through the TransAfrica Correspondence College.

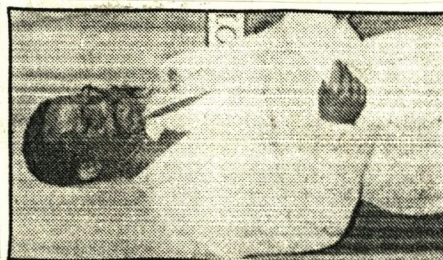
He continued his studies through Unisa, obtaining a B.A. degree in 1974 and an LL.B. in 1978. He obtained both his Honours B.A. and M.A. with distinctions. His MA dissertation, entitled *Folklore influence on the Zulu novel*, has been published by Via Afrika.

He obtained his D.Litt. et Phil. degree in 1989. In his thesis, *Some phonological aspects of the Tekela Nguni dialects*, Msimang initially traces the history of

these enigmatic speech forms, some of which are also found in the traditionally non-Nguni areas. He has used the findings of his extensive research to prove, by means of interdialectal phonology, that all the Tekela dialects are off-shoots, at various stages in the past, of one Tekela language. The work is at the same time a natural point of departure for students interested in the pre-history of the languages of the south eastern zone of Africa.

After working as a domestic servant for eight years, he was employed by Werkmans Attorneys in Johannesburg as a filing clerk in 1970. When he commenced his law studies they appointed him as an articled clerk. In January 1977 he was appointed by Unisa as a professional assistant in African Languages and was promoted to a professorship in 1990.

Msimang serves on various language and cultural



Prof CT Msimang

bodies. He is chairman of the Zulu Subject Committee of the department of education and training; member of the Combined Subject Committee and the Examinations Committee of the same department; member of the Zulu Language Board, the Bureau for Zulu Language and Culture, Alasa, and Stanon (An HSRC project on standard and non-standard languages in South Africa); and chairman of the Scallan Society for Folklore Studies. He has written a number of articles and reviews, as well as a number of books on Zulu literature. He has also edited and translated several publications. His romance *Kusadliwa Ngoludala* won the BW Vilakazi award in 1984; and his novel *Buzani KuMkabayi* won the De Jager HAUM overall literary prize in 1982 and the BW Vilakazi award in 1986.

He received the coveted Vilakazi literary award once again in 1988 with his book *Izimbongi Izolo Nanamuhla* (Poets — Yesterday and Today) which is an evaluation of Zulu poetry from 1935-1980 with an anthology.

Besides history and law his other favourite subjects are folklore, socio-linguistics, Zulu literature and linguistics. His *Akuyive Emhlahweni* and *Izulu Eladuma eSandlwana* were serialised by the Zulu service of the SABC as radio plays.

Fears that South Coast violence might escalate into Zulu/Xhosa conflict

*Witness 30/5/91
ECHO*

by Nomusa Cembu

ABOUT five people die a week on the Natal South Coast as the "IFP/ANC war" still continues in townships and rural areas around Port Shepstone.

The "war", which began last September, has cost the lives of hundreds of people and has left thousands homeless.

The ANC leader in the area, Siyabonga Cwele told *Echo* on the spot it began at Mbotsha with the Ndwalane family evicting families from the area under the Inkatha banner.

"The Ndwalanes moved to other areas like Bhomela and fought with people saying they were protecting their own people, so the violence spread to other areas in that way.

"Some time in February a peace meeting was convened between Inkatha and ANC supporters but within an hour after that meeting ANC supporters were being killed," he said.

Cwele said he thought there was a campaign to slowly drive people out from their areas. Thousands of people are staying as refugees in churches in Gamalakhe township.

Last week in Murchison, an ANC stronghold about 15 minutes drive from town, tenants were given notice to move out of the area by the end of the month. But after a meeting at Murchison hospital on Sunday, residents were reassured by the magistrate in charge of the area that they would not be evicted.

Although people are staying in churches as refugees, they are not safe. At one refugee camp in the Mavundla area, people were attacked in broad daylight during a stayaway in protest against the killings, allegedly by Inkatha.

According to Cwele, Inkatha

members were driven out of the area by stone-throwing youths. Two people were killed.

Cwele said several peace meetings had been convened but local Inkatha members had not attended them. He said only chief from the Inkatha side, Celakubo Khawula had turned up at most of the meetings and the Inkatha national executive committee member Frank Mdlalose came down on May 12.

He said the ANC was committed to peace but still had to reorganise its branches which had been disrupted by the violence.

Practical Ministries director Danny Chetty — an organisation involved in monitoring violence in the area — said that the indunas and local chiefs had reasons for not attending meetings.

Chetty said the "war" did not start as an ANC/Inkatha issue but was initially a tribal dispute with the Ndwalane clan in the Mbotsha area. A split came about when one group wanted Mketshezi Ndlwalane to take over from the jailed chief Makhanda Ndwalane. However, the other group was in favour of their old chief.

The Ndwalanes then started chasing people away who did not belong to the Ndwalane clan following an incident where they were allegedly refused permission to attend a youth meeting.

Inkatha Institute director Gavin Woods also said that it was partially true that the conflict in the area was first inter-tribal.

He said it eventually spilled over into UDF/Inkatha conflict when UDF youths tried to disrupt tribal structures two years ago.

He said that a certain white kombi used to drive around rural and urban areas in Port Shepstone and people in it incited youths to fight against tribal structures.

He said that a few strong chiefs retaliated in defence and it grew into an ANC/IFP war.

There are now fears that the war might escalate into Zulu/Xhosa conflict. Port Shepstone is about 250km from the Transkei border, and the area has Zulu and Xhosa living side by side.

At one refugee camp at the African Faith Mission Church, refugees said whenever Inkatha attacked them, they were told that if they wanted to join the ANC they should go to the Transkei "with Mandela".

Cwele however did not believe the conflict would develop into a Zulu/Xhosa issue. "The community here is very mixed, if Inkatha continued to push for that line it would cause conflict even in Inkatha itself," he said.

However Chetty said he was deeply worried that it might eventually lead to a Xhosa/Zulu war if Inkatha continued to tell people to go to the Transkei if they supported the ANC.

Woods also said that the conflict might lead to a Zulu/Xhosa war judging from what was happening on the Reef. Asked what could be done to defuse it, he said this was hard since it was the ANC which brought the ethnic issue into the violence when it campaigned for the dismantling of KwaZulu.

Land for squatters identified

NATAL WITNESS - 30 MAY 1991

by SONYA SCHOEMAN
Municipal Reporter

LAND in and around the city has been identified for the relocation of squatters: in Edendale, near Copesville and in the Foxhill area.

Director of the municipality's technical services, John Robbins, said at a full city council meeting yesterday that the farm Whispers adjoining Copesville, Shenstone and Ambleton, adjoining farms on the Richmond Road just beyond the Foxhill area, and land in Edendale had been identified for relocation.

Whispers, Shenstone and Ambleton farms, both Natal Provincial Administration (NPA) initiatives, have potential capacities of about 550 units and between 15 000 and 20 000 units respectively.

Edendale, which falls under the Department of Development Aid (DDA), has a potential capacity of about 9 000 units.

Regarding the expanding capacity of the areas in view of future urbanisation, Robbins said Whispers was a finite farm and there was a need for other land in the area to be developed.

Shenstone and Ambleton would satisfy the needs of the area for the immediate future and the situation with regard to expansion would be monitored.

"At the moment we are trying to obtain sites for the immediate future," he said.

Whispers has not yet been expropriated but the process has been ini-

Relocation to Edendale, Foxhill and Copesville

tiated, Robbins said. Shenstone and Ambleton have been expropriated and consultants are being employed to provide more detailed development proposals.

Although the size of plots has not yet been determined, Robbins estimated a plot would be about 250 square meters.

Aspects such as the provision of rudimentary services, the standards of the servicing and transport are currently being investigated, he said, stressing that negotiations with squatters are being held to determine priorities.

The price of plots has not been set as yet but will be determined in relation to the cost of the land and services supplied, Robbins said.

The eventual aim is to encourage squatters to become financially independent citizens.

Land for squatters within the city borough is also being investigated.

Councillors unanimously agreed

yesterday that the identification of land within the city and the consultation of squatters was of vital importance.

R50 000 was allocated to the corporate executive (corex) to conduct communications and contact with squatters in the city boundaries and to set up a working group.

It was agreed that communication with squatters be facilitated through a working group set up by corex with representatives from the municipality's legal, administration and security departments, and that consultants be employed to prepare motivations to procure financial assistance from the Independent Development Trust.

It was generally agreed that municipal officials could deal with the identification of land.

Anton Krone, member of the Built Environment Support Group said last night one of the primary considerations should be the ability of the people to pay for the sites. Attention also had to be given to housing and not just the provision of sites, he said.

Krone said that not enough was being done with regard to identifying land within the borough.

He said the areas at Shenstone and Ambleton were a continuation of apartheid-style development in that they were far away from the city and jobs. This resulted in high transport costs and no stimulation of the local economy.

He said the development at Whispers was not big enough to accommodate the squatters at Copesville but was a step in the right direction.

CH0 30/5/91

AZAPO, ANC DISMISS FW'S PEACE SUMMIT

PRETORIA — The Azanian Peoples' Organisation said State President F.W. de Klerk's weekend peace summit was a failed attempt by the state to exonerate itself as a party to violence.

The organisation's central Transvaal region said on Monday the summit was attended only by the government and "long discredited" collaborators.

Azapo reiterated its call to the broad liberation movement for a consultative conference to tackle, among others, the issue of violence.

Azapo also condemned the re-emergence of necklace murders, and other "barbaric" methods to settle ideological and political differences.

They also made scathing attacks on civics in the Pretoria area, saying they were nothing but structures of the African National Congress.

The Atteridgeville-Saulsville Residents Organisation (Asro) was singled out and challenged to disband. Power supplies had since been withdrawn in Atteridgeville following deadlocked deliberations between Asro and the authorities.

Azapo also accused the civics, "delinquent" teachers' and students' organisations as well as certain transport committees of hijacking community crises for political gain.

The ANC said in Johannesburg on Monday that the weekend summit on violence had produced "little in the way of meaningful results".

The statement added the ANC remained committed to participation in a conference on violence "structured to produce binding agreements with enforcement mechanisms".

The statement said such a conference should formulate codes of conduct for political parties and the security forces, and establish an independent commission on violence.

— Sapa

16/1/11

Our man Mokaba is not a spy, says ANC

THE African National Congress has come out in defence of its youth leader Mr Peter Mokaba who was last week reported to have spied for the police.

In a statement released by the organisation's department of publicity and information, the ANC said it regarded Mokaba as "a fully-fledged member of the ANC in good standing".

"The ANC does not doubt the bona fides of comrade Peter Mokaba", the statement said.

It added that investigations of allegations that

senior members of the organisation had been responsible for the "leak" had revealed that no official, "let alone a senior official", had discussed the matter with the media.

Reports last week said Mokaba had been under investigation by the ANC for the past two years for allegedly spying for the police.

The reports said Mokaba had been interrogated and had confessed to the deeds.

He has denied the allegations and said there were attempts by liberals to destroy his credibility

before the ANC's July conference.

In *Sowetan* yesterday, our report incorrectly stated that Mr John Nkademeng and Mr Mac Maharaj had spoken to reporters over the past two years about Mokaba's alleged spying activities.

The report should, however, have stated that ANC security director Mr Joe Nhlanhla was reacting to a report in the *Saturday Star* which alleged that he, Nkademeng and Maharaj, as well as Mr Jacob Zuma and Mr Joe Slovo, had spoken to newsmen about the matter.

Bell tolls for Allan Hendrickse

THROUGHOUT this, the worst week of his political life, the Rev Helenard Joe ("Allan") Hendrickse has worn a complicated expression: his face was outwardly calm, but you could see the anger and pain in his flashing eyes and taut mouth.

As a man of the cloth as well as of the hustings, Hendrickse is familiar with the concept of betrayal, and this was the underlying theme of his desperate rearguard battle against a rapacious National Party which seemed certain eventually to wrest from him control of the House of Representatives.

Widely discredited in South Africa's townships since his decision to lead the Labour Party into the tricameral Parliament in 1984, Hendrickse believes he is now being devoured by the very party which lured him into participation in the first place. He has a point.

Although the historic haemorrhaging of the Labour Party's MPs to the National Party has been characterised chiefly by farce — and the doings of the doomed House of Representatives are dismissed by most as irrelevant in broader South African politics — there is an attendant element of personal tragedy to this week's extraordinary developments.

First, the farce. It provided huge entertainment to those outside the LP fold. It began with strong rumours (quickly denied by the LP) that some of its 60-odd MPs in the 85-seat House were considering following the example of the tiny United Democratic and Democratic Reform parties in the HOR, and throwing in their lot with the erstwhile oppressor, the NP. In the Parliamentary complex on Monday,

rumour became fact. Nine Labourites called a press conference, attended by NP publicity chief Renier Schoeman, to announce their defection.

Led by the urbane MP for Retreat, Gerald Morkel, they claimed they were the tip of the iceberg and would have a majority in the HOR by Wednesday. A list of names (the first of many, wildly varying, to circulate during the week) was produced. "The LP says we are just leaves falling from the tree," remarked one defector whimsically, "but we say that the tree itself is rotten."

HENDRICKSE, Labour leader since 1978, struck back in dramatic fashion. On Tuesday he summoned Parliamentary correspondents to his office. There they found some 40 Labour MPs clustered around his desk in a show of apparent solidarity and defiance, and heard the LP leader denounce the Nationalists.

"The NP has gone out of its way (to coerce LP members to defect)," he said. "There have been positive approaches by (NP) Members of Parliament, and the State President — al-

though he purports to be aloof from it all — is involved as well."

MILEY Richards, Hendrickse's deputy, interjected at this point: FW de Klerk, he alleged, told him "directly" that by Wednesday the NP will have control of the HOR.

"There is no doubt in my own mind that we will continue to command a majority," Hendrickse went on. "We are facing an orchestrated campaign of disinformation." Those who "were going to walk, had walked", he said. And they had

'Betrayed' by peers, but headaches loom for NP

been lured, he alleged, by promises of financial aid, political promotion and even physical coercion.

Then he pointed, almost melodramatically, to one Patrick McKenzie, Labour MP for Bonteheuwel: "If you look to your right," he said, "you will see that Patrick McKenzie is still a member of this caucus."

On Thursday last week, McKenzie had dubbed the LP renegades "Judases". On Friday he was himself named by the Morkel faction as being a potential defector. Pressed now, on Monday, as to whether he was indeed remaining loyal to Hendrickse, McKenzie equivocated. By the next morning he was in

the NP.

Hendrickse's show of defiance ended with him insisting that he still had 52 members — a comfortable majority. It was followed almost immediately by a separate press conference featuring freshly-minted "Brown Nats" Nic Isaacs (Bishop Lavis), Jac Rabie (Reiger Park) and Stanley Fisher (Mitchell's Plain). "We are in possession of lists," said Fisher, "and we will be a majority by the end of this week of 47."

Together, the sides were counting 99 MPs in a House of 85. Both could not be right. By Thursday this week, it appeared that neither was. Control is still hanging in the balance.

From a position of supreme power, the coloured leader suddenly faces being sidelined. But the new "brown Nats" could in the end prove more of a liability than an asset to their National Party colleagues, writes SHAUN JOHNSON.

THE situation became increasingly comical as rumours of defections and even re-defections ran wild. New NP recruits spent an inordinate amount of energy insisting that they had not been pressurised or even encouraged to switch allegiances by the NP, and Hendrickse was

accused of guarding his dwindling band of faithful "like a hawk".

The extraordinary saga continued as "New Nats" made their appearances with Rabie declaring himself, memorably, "a full-blooded Nat", and the defectors attending their first NP caucus meeting and posing for pictures outside Parliament afterwards.

The personal tragedy consisted in what appeared more and more likely to be the slow but ineluctable political death of Allan Hendrickse, former detainee and political activist since the 1960s.

Privately, LP members express poisonous anger at the NP for accepting the renegades. The tricameral system, they say with some justification, could not have got off the ground without their participation, and now that they have outlived their usefulness they are being dumped.

It is too early to pronounce with certainty on what factors actually prompted this week's floor-crossing fiasco.

But the conclusion seems inescapable that the NP has decided to sacrifice its former partner.

NP sources insist, plausibly, that they have reacted to a developing situation rather than orchestrating it. It is true that the LP was causing headaches for a Government desperate to usher quickly through Parliament such measures as the VAT and Land repeal Bills, but it does not follow that the NP made a firm decision to go for the high-risk strategy of ousting Hendrickse.

"We were surprised by the numbers who wanted to come across," said one NP member, "and by the apparent lack of support for the LP outside Par-

liament. We didn't start it. We went with the flow." But once on the move, the NP appears to have lobbied energetically.

There are probably grains of truth in what all sides are saying. Certainly, there has been growing unhappiness in the LP with Hendrickse's "dictatorial" leadership style. There has been unseemly jockeying for (more lucrative) positions in the HOR, and there have been allegations of unpaid party dues levelled against LP members, as well as charges of nepotism against Hendrickse.

More importantly there is an over-arching fear of the future among tricameral MPs — and many believe the NP is a more secure base from which to confront the "new South Africa".

The most difficult consistency of all to divine is on the ideological level.

IT cannot be assumed that the "conservative" wing of the LP has gone over holus bolus to the NP (although many LP right-wingers have), leaving behind the "radical" rump. It would be no easier, for example, for Hendrickse to woo the ANC now than it would have been before this week's events.

And while the damage to Hendrickse is obvious, the defections are not necessarily an unalloyed triumph for the NP. There has in recent months been increasing evidence of a surge in coloured support for President de Klerk. In many cases, this support tended not to extend to the NP — and it will be made all the more shaky by the presence in that party of "leaders" who some regard as puppets lining their pockets via the system.

In addition, it will not be easy for the NP to apply its extraordinarily strict rules of caucus discipline and secrecy to the new members, who are schooled in an entirely different style of politics.

FURTHER, NP sources concede that many of the candidates would certainly not feature in a future NP electoral list of its best and brightest. They could at that stage — or even before — become an embarrassment and there is a danger that what will develop is an echelon of "second-class Nats", or a kind of "Nasionale Sendings Party".

The "coloured carousel" (as Parliamentaty wags have dubbed it) will spin for some time yet. For the moment, as he contemplates becoming Leader of the Opposition in a House in which he has enjoyed powers close to those of a feudal squire, Allan Hendrickse cuts a sad and somewhat disillusioned figure.

Above his desk hangs a large picture of his famous "swim against apartheid" in Port Elizabeth.

The Reverend must now be wondering whether he shouldn't have quit the system then, when P W Botha humiliated him: it might have been better than waiting for the system to eat him alive.



GIVING 'EM HELL: Allan Hendrickse, one of the most lucid speakers (in either official language) on the political stage.



FAMOUS SWIM: Cocked a snook at a livid P W Botha over mixed bathing restrictions.



AMONG THE TOP BRASS: Seated on the reviewing stand watching a police passing-out parade of coloured officers.

Intention to murder could

STAR 30/5/91

THE APPEAL Court yesterday set aside the death sentences imposed on 14 of the 25 people convicted of the murder of a municipal policeman, Constable Lucas Sethwala, at Paballelo, Upington, on November 13 1985.

Terms of imprisonment that varied from one year, conditionally suspended for five years, to 12 years' jail were substituted.

The convictions of 18, including Evelina de Bruin — who is in her mid-50s and who was the only woman on Death Row — and her husband Gideon Madlongolwane, were changed from guilty of murder to guilty of public violence.

The convictions and conditionally suspended imprisonment of six years of Xoliswa Dube, Roy Swartbooi and Ivan Kazi were set aside.

The court dismissed the appeals of Zona Mokgatle and Zolile Yona against their convictions for murder, but substituted imprisonment of 12 years for Mokgatle and 10 years for Yona instead of the death sentences.

Justice Bekebeke, who had leave to appeal only against his death sentence, succeeded to the extent that he has been jailed for 10 years.

Elisha Matshoba unsuccessfully appealed against his imprisonment for eight years.

Twenty-six people were convicted by Mr Justice J J Basson in the Circuit Court at Upington on April 27 1988 after 25 were found guilty of murder and one of attempted murder.

After a long adjournment for argument in mitigation to be prepared, judgment on extenuation, was delivered between May 23 and 25 1989. In the case of 14, no extenuation was found for the murder, and the death sentence, which was obligatory at the time, was imposed.

The remainder received terms of imprisonment that varied between six years, suspended on condition that they did community service, to actual imprisonment of between six and eight years.

Yesterday Mr Justice E M Grosskopf, with the concurrence of Mr Justice Smalberger and Mr Justice Nienaber, gave judgment in the appeals of the 25 who had leave to appeal.

Enoch Nompondwana, who was jailed for eight years for attempted murder, did not have leave to appeal.

The judgment was 212 pages long.

Constable Sethwala was killed after he had fled from his house when it was stoned.

The legal doctrine of common purpose was used in the '80s to gain multiple convictions in instances of mob killings. The concept is considered afresh in the Appeal Court judgment on the Upington 26.

Mr Justice Grosskopf said that in the appeal, the honesty of the State witnesses' identifications was not in question.

Dealing with Boy Japhta, the Appeal Court found it could not be said the trial court erred when it rejected his alibi, and to find that he was present and had thrown stones at Constable Sethwala's house. To that extent, his appeal did not succeed.

Elizabeth Bostaander had been identified by only one witnesses, who was at school with her and knew her well. The witness said she had paid attention to the stone-throwers so that she could identify them later.

To convict a person of murder it had to be proved that he had the intention to kill

The Appeal Court found the trial court was justified to reject the evidence of Bostaander as not reasonably true. It was thus proved she had thrown stones at the house.

It was held that the trial court had not erred in accepting the identification of Jeffrey Sekiya and finding he was one of those who stoned the house.

The possibility of an honest misjudgment in the identification of Mr Swartbooi could not be excluded and his appeal succeeded.

For reasons similar to Sekiya, Neville Witbooi's appeal

failed on the alibi question.

In the case of Ivan Kazi, it was found that there was insufficient guarantee of the reliability of identification. His appeal succeeded.

On the question of the 16 who had received leave to appeal on the basis that they formed part of the crowd at the house and which threw stones, the judge said that to convict a person of murder it had to be proved that he had the intention to kill a person and, generally speaking, he had committed the act that had caused the person's death.

Mr Justice Grosskopf said,

not be proved

after an analysis of the facts, that it was the court's view that the crowd's conduct before and during the stone-throwing did not indicate that the whole crowd intended to drive the policeman out of the house so that he could be murdered.

There was a section of the crowd that wanted him killed, but it could not be found that it was the intention of the whole crowd.

After Constable Sethwala was out of his house, David Lekhan-yane entered the property and threw a stone through the win-

dow. As far as the evidence went, that was the only time one of the attackers was on the property, said the judge.

The evidence created the possibility that the crowd in the street into which the man fled consisted of only some of those who had earlier been in front of his house.

The judge said that in the state of chaos that existed in Paballelo, it would have been unrealistic to presume that any crowd would consist for a long period of the same persons.

The crowd which killed the man was apparently a different one from that which had attacked the house. Even if it were possible to find that every member of the crowd present

when he was actually killed had the intention to kill him, it would still not prove that the crowd which stoned the house had the same intention.

The judge said it followed that the intention of those accused could not be inferred on a general basis from their participation in the activities of the crowd which stoned the house. An appellant could be convicted of murder only if it were proved against him as an individual that he had the necessary intention to kill.

The judge said nothing more had been proved against several of the appellants than that they stoned Constable Sethwala's house. Stones thrown at an occupied house was not the sort of conduct that would normally cause death or serious injuries.

In this case no one was injured in the stonethrowing.

The judge said that, in the court's view, there was no room for an inference merely from the stoning that any of the accused had the intention to kill.

Appellants who fell into this category were Kenneth Khumalo, Eric Tros Gubula, Abel Kutu, David Lekhanyane, Myner Gudlani Bovu, Zuko Xabendlini, Andrew Lekhanyane, Ronnie and Wellington Masiza, Barry Bekebeke, Japhta, Bostaander, Gideon Madlongolwane, Albert Tywilli, Sekiya, Sarel Jacobs and Witbooi.

The conclusion that the relevant accused were wrongly convicted of murder did not mean they must go unpunished. The advocate for the appellants had conceded, rightly in the court's view, that the people who threw stones at the house were guilty of public violence.

The appeals of those who merely threw stones at the house had to succeed and their convictions changed from murder to public violence.

This conclusion was not necessarily applicable to Mokgatle, De Bruin and Yona.

For a person to be guilty of murder in terms of the principles of common purpose, it not only had to be shown that the accused had the intention to kill, but also that he had actively associated himself with the acts of the person or persons who actually caused the death.

That Mokgatle had the intention to kill appeared from the

fact that he had taken part in the attack, by stabbing the policeman when he was already defenceless and apparently lying seriously injured on the ground.

That Mokgatle did not withdraw from the attack could be deduced from the fact that, after it was over, he had walked back with Bekebeke and Yona and they had expressed pleasure at the death.

Even if the death had been caused by burning, Mokgatle was, while the body was burning, still actively associated with the common intent of the murder group, which included

group that threw stones. While the stone-throwing was in progress she had said: "Let the dog come out, let us set the dog on fire alive."

The appeal judges did not agree with the trial court's find-

ing that De Bruin knew without doubt that the policeman had been killed and set on fire and that she had enthusiastically approved of this.

Her conviction for murder could only stand on the basis of her conduct during the stone-throwing. Her conduct had gone further than those who had merely thrown stones. By her remarks she had clearly shown that she had the intention to kill him. In her case, the State had proved she had stoned the house in order to drive Constable Sethwala out so that he could be killed. But was she guilty of murder?

It had been conceded that she could have been found guilty on the basis of incitement. But she had not been charged with incitement, and incitement to murder was not a competent judgment on a charge of murder.

De Bruin could, thus, just as the others who only threw stones, be found guilty only of public violence.

The direct evidence showed that Yona actively took part in the stone-throwing and that shortly after the man was killed, he had shown his knowledge of it and expressed pleasure at it.

What he himself had actually done at the murder scene was not proved, but such proof was not necessary for a conviction. The court found Yona was rightly convicted of murder.

Mr Justice Grosskopf said of

the 26 accused that there were only four whose convictions for murder still stood: Bekebeke, Mokgatle and Yona who had been sentenced to death, and Matshoba, who had only received leave to appeal against his imprisonment of eight years.

In the case of Bekebeke, the judges found that the death sentence was not necessarily the proper sentence. The death penalty was not imperatively necessary in the case of Mokgatle and the court found Yona did not deserve the death sentence.

In regard to what was a proper sentence, Mr Justice Grosskopf said there was insufficient reason to differentiate between the three. A sentence of 15 years would be appropriate in each case.

From a schedule presented to the court by the counsel, it appeared that Bekebeke and Yona had been in custody for five years and Mokgatle for three. Account had to be taken of this, and the necessary adjustments were made in the sentences substituted by the Appeal Court.

In regard to Matshoba, the court found that community service would be a totally inadequate punishment in the light of the seriousness of the crime. The trial court had not misdirected itself and the sentence imposed was not strikingly inappropriate. The appeal had to fail.

In regard to those convicted of public violence, the judge said there was no doubt that it was a serious form of public violence.

He took into account the appellants' personal circumstances, potential for future usefulness in the community, sentences already served and community service rendered.

Khumalo, David Lekhanyane, the Masizas, Japhta, De Bruin and Tywilli were all sentenced

to two years, wholly suspended for five years on condition that they are not convicted of public violence during this period.

The remainder were sentenced to one year, suspended on the same conditions.

With reference to the appropriate sentence for De Bruin, the judge said she was relatively aged, having been born in about 1935.

There had been the incident where she had argued with the constable when she had been on his erf. That was when she had made the remark to "show him". After he had been burnt to death she had walked past his house and cheered.

The judge said this showed her state of mind and attitude towards the policeman, which must have influenced her earlier action during the stone-throwing. It was relevant in consideration of a sentence for public violence. She had no previous convictions.

An appropriate sentence would be five years' jail which, in view of the time she had been in prison, had to be scaled down to two years. This, in view of her age and clean record, had to be totally suspended, said the judge. — Sapa.

INTENTION TO MURDER
COULD NOT BE PROVED
FROM PG 3

Upington 'common purpose' murder judgment overturned

Reprieve for jubilant 14

STAR

30 MAY

1991

By Jo-Anne Collinge
and Esther Waugh

The Appeal Court has set aside all 14 death sentences and overturned all but four out of 25 murder convictions handed down in the highly politicised Upington 26 murder trial.

The sweeping reversal of the original outcome spelt immediate freedom for 11 of the 14 Death Row prisoners — including the only woman, ailing mother of 10 Evelina de Bruin, who was transferred from Pretoria Central Prison to Upington Prison late last year.

Legal experts greeted the appeal judgment as a long overdue act of justice and a stinging indictment of the 1988 judgment and sentencing, which occurred a year later.

The 10 reprieved men seemed dazed yesterday as they emerged from the Death Row cells where they have spent exactly two years and two days.

They climbed slowly out of a white minibus at the prison gates, clutching their letters, books and photograph albums. Then they spotted their legal team — and jubilation erupted in the prison parking lot.

Nightmare

Andrew Lekhanyane said the judgment had "come out of the blue. To tell the Gospel truth, it was a nightmare on Death Row." Admitting that he was no legal expert, he added that he had felt throughout his trial "we were never given the benefit of the doubt".

A former mayor of the Upington township of Paballelo, Kenneth Khumalo, said the sudden freedom was "unreal" — especially after the frustration they had felt when the prisoners were not released by April 30 in terms of the Pretoria Minute.

Originally, 25 out of 26 on trial were convicted, in terms of the doctrine of common purpose, of the murder of municipal policeman Lucas Sethwala at Paballelo in November 1985.

The Appeal Court judgment yesterday made the following changes:

- In 18 cases, convictions for murder were overturned and public violence convictions substituted. Sentences of one or two years' jail, suspended for five years, were imposed.
- In three cases, both conviction and sentence for murder were set aside.
- In two cases, conviction on the murder charge was upheld, but a jail sentence was substituted for the death

penalty — 12 years in the case of Zonga Mokatle and 10 for Zolile Yona. In two further cases, leave to appeal against conviction for murder was refused. In the case of Justice Bekebeke, sentence was replaced with a 10-year jail term and Elisha Matshoba had his original term of eight years confirmed.

The murder convictions were overturned largely on the Bench's finding that the crowd which had stoned the victim's house was not necessarily the same as the crowd which had later killed him.

Therefore, those accused who had been identified during the stoning alone could not be seen as having the murderous intent of the second crowd.

Upington 26 attorney Andy Durbach said: "It's the kind of judgment one would have expected from the trial court."

She added that the thoroughness with which the result had been reversed was a loud indictment of the trial court.

Lawyers for Human Rights national director Brian Currin commented: "The end result is wonderful. It shows that justice can be

done in South Africa ... and I think it goes a long way in restoring the legitimacy and credibility of our courts."

But the Upington trial in its entirety was "a savage indictment" of the South African legal system.

"The fact is that we've got the judgment of the first instance — 25 guilty of murder and 14 sentenced to death, refused leave to appeal and forced to spend two years on Death Row. At the end of it, 11 out of 14 walk free today, with one to two years' suspended sentences," Mr Currin said.

National Association of Democratic Lawyers publicity secretary Johnny de Lange said: "Obviously one is delighted that they are all off Death Row — every one of them. But so often it seems the result of a case depends on the time it is being heard and the specific judge before whom it is being heard. The whole question of justice doesn't seem to be one that is equally applied."

Mr de Lange welcomed the fact that "the whole doctrine of common purpose is once again put in its proper perspective".

It was one of those common-law principles which had been extended beyond its usual limits during the '80s to help curb the kinds of uprisings then taking place.

● Intention not proved —

Africa calls for sanctions on SA to stay

STAR
30 MAY 1991

By Barney Mthombathi
Star Africa Service

ABUJA (Nigeria) — African foreign ministers meeting here yesterday urged the international community to maintain sanctions on Pretoria.

Relaxing or scrapping punitive measures at this stage would prolong the struggle against apartheid, they said.

The Ministers are meeting in preparation for the Organisation of African Unity summit next week.

They made the boycott call after being addressed behind closed doors by ANC director of information Thabo Mbeki and PAC foreign affairs spokesman Gorah Ibrahim. They are both believed to have called for sanctions to be maintained.

African countries were urged at the meeting to reassess their attitude towards South Africa in the light of President de Klerk's reform initiatives.

OAU secretary-general Dr Salim Ahmed Salim of Tanzania said the organisation would have to "re seize the initiative

and dictate the pace of change" or risk being left out of the equation.

"We should reassess the situation (in South Africa) and see whether, indeed, we need a review of policy and whether the necessity of sanctions has waned or not," Dr Salim said.

"To remain ambivalent in our words and deeds will only give solace and credence to the detractors of Africa's freedom. We should not be seen to be oblivious to change and possibly miss an opportunity for constructive involvement in the evolutionary process now under way in South Africa," he said.

He welcomed measures taken thus far to dismantle apartheid, including the signing by the South African Government and the ANC of the Pretoria and Groote Schuur minutes which he said laid the foundation of a society committed to unity, equality and democracy.

The Ministers yesterday began discussing behind closed doors Dr Salim's report on southern Africa.

The report will form the basis of decisions to be taken by next week's summit on the situation in South Africa.

STAR 30/5/91

Thousands of shotguns illegally shipped to SA from US - claim

By David Braun
Star Bureau

WASHINGTON — The US Department of Commerce is investigating allegations that thousands of shotguns may have been exported illegally to South Africa.

There are fears that they have been used in township violence.

A spokesman for the Commerce Department in Washington confirmed this week that an investigation was being made into the possibility that shotguns, supposedly shipped through Cape Town for Zimbabwe and Namibia, had remained in South Africa.

She said she was not permitted to provide any further information, and would not confirm that

the US Commerce Department had sent investigators to South Africa only a few weeks ago.

The allegations about the shotguns were brought to the attention of the US Commerce Department and the State Department by Dumisani Kumalo of the New York-based Africa Fund, one of the oldest and most respected anti-apartheid activist organisations in the US.

Mr Kumalo, a South African-born US citizen, last week sent letters to anti-apartheid activists and organisations which said more than 20 tons of shotguns and ammunition had left the US for South Africa in the past 10 months.

While Nelson Mandela was touring the US in

June last year, eight tons of shotguns left New York harbour for South Africa, he said.

"Since we discovered that thousands of shotguns were going to South Africa, more than 1 000 people have died violently in the townships, many from shotgun wounds," he said.

He said the guns were not being smuggled out but were being shipped with US government licences on the pretext that they were going to Zimbabwe or Namibia.

The letter said that the Africa Fund had, in November 1990, given the US Department of Commerce details about the shotgun shipments but that six months later, the department was still investigating.

Evidence exists to catch killers

The reason why perpetrators of the present violence in the PWV region have not been brought to book is, according to the Minister of Law and Order, Adriaan Vlok, the lack of sufficient evidence. This is not so.

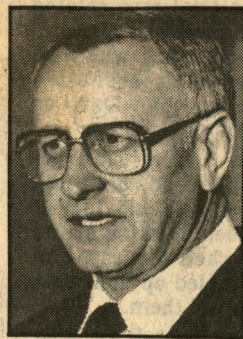
The ANC (PWV) Region, as well as other independent and impartial monitoring groups and individuals, have in the past few months assisted the police by producing comprehensive information that should have led to the arrest of the present spilling culture of violence. Not only have we provided Mr Vlok with information as to the perpetrators of violence but we have also forewarned the police of impending attacks ... only to be ignored.

We provide here below some of the examples of Mr Vlok's unwillingness to bring this violence to an end:

1. In Sebokeng, early this year, scores of people were massacred at a night vigil after police were forewarned of an imminent attack. The police failed to prevent the attack.

2. Not long afterwards a similar situation occurred in Alexandra. Complainants in this instance were refused a police escort back to the scene of another night vigil. Shortly afterwards, gunmen mercilessly opened fire and killed scores of people.

3. Prior to the May Day celebrations the ANC warned the police of imminent attacks. These attacks, it was alleged, would include at-



Adriaan Vlok ... was given information on perpetrators.

tacks on taxi ranks, trains, leaders and individuals. The police yet again did nothing. The result — death, injury and mayhem.

4. A few weeks ago in Swanieville, near Krugersdorp, when the police were approached by residents for security they were turned back. In

this particular instance, the police actually escorted the culprits and perpetrators from the scene of the massacre.

5. In Sebokeng, a few days ago, at the Korporasie Beerhall, five people were shot dead and 21 others injured when gunmen opened fire on patrons. In this instance, the

suspect who was seen to be leaving the scene of the massacre shortly after it took place was identified to the police by an ANC officer. Despite the fact that the suspect was previously implicated in previous similar instances and that he was armed the police let him go. This was after a threat on the life of the ANC officer by the suspect in the presence of the police.

The response from the Ministry of Law and Order in each of these and other instances, was a standard reply: that the police have acted impartially and professionally and our allegations were therefore without substance.

This attitude by the Ministry of Law and Order calls into question the preparedness of the police to solve politically motivated violence.

In view of the above, it has now become a senseless exercise to provide the police with any information on acts of violence. Our people cannot continue to offer evidence which in the final analysis will be dismissed even without investigation.

In view of the above, the ANC PWV region therefore calls for the immediate constitution of an independent commission of inquiry.

This would enjoy the confidence of all the people to investigate the behaviour of police in its handling of the violence. Ordinary peace-loving citizens would be able to turn to it in times of crisis and have the confidence that the full might of the State would be brought to bear against the perpetrators of this violence.

R Mamoepe,
ANC PWV Regional Office
Johannesburg

Police need all support they can get

STAR 30/5/91

My sincere thanks and everlasting gratitude must go to the Honeydew Police who without doubt, by their prompt action and expertise, saved my daughter's and my life on May 23 when we were victims of an armed robbery in our home in Randpark Ridge.

In these violent days when so much criticism is levelled at our police force and when nothing they do appears to be right, I feel it my duty as a South African citizen and one who loves this country to let the public know that this understaffed and over-

worked police force of ours needs all the support they can get.

Their reaction time, once they were informed of our plight by a neighbour, was little short of amazing and the efficient and dedicated manner in which Constable Jaques Meyer — who was involved in a shoot-out with the robbers — first secured my home, thinking the armed assailants might still be in the house, was very reassuring.

Recognition must also be given to Constable Gert Schultz who by his prompt

action arrested one of the suspects moments later.

But I think that most of all, their considerate and caring attitude throughout the rest of the night and the sensitive manner in which the West Rand Murder and Robbery Unit interviewed my 11-year-old daughter must be brought to the attention of the public who all too quickly condemn and criticise our gallant police in these violent and troubled times.

Jenny Yanai
Randpark Ridge

SA reform, but none in Israel

Israel is occupying territories of three neighbouring countries — Lebanon, Syria and Palestine — in violation of the UN Security Council resolutions. Meanwhile, South Africa agreed to abide by the UN resolutions giving Namibia its full independence and thereby establishing full cordial relations with her. Since then, South Africa has not occupied any alien territory.

Israel has expelled, is still expelling or is willing to expel, huge populations of Palestinians from their country by replacing them with Soviet Jews. No similarity there with South Africa!

President de Klerk and his team are by a sane policy installing major reforms with admirable courage and determination.

Meanwhile the extremists in power in Israel, who refuse to take any measure to give Palestinian people their independence, are driving Israel to the brink.

The paradox comes from the attitude of countries like the US, which while condemning Israel twice at the last UN Security Council sessions, still sent \$13 billion to help Israel.

At the same time, and while President Bush praises President de Klerk, the US Congress is sticking to its sanctions against South Africa. It seems most unreasonable.

I Skaaf

Lower Houghton

Black man's life 'nothing'

I was shocked and angered by a police spokesman (The Star, May 13) who said the murderers were escorted back to the hostel after murdering 28 people, injuring countless others and destroying their homes at Swanieville, Krugersdorp.

To the security forces a black man's life is nothing. I fail to understand how the police can afford to station a huge number of police in cities, especially in Smal Street, while the townships are burning. Maybe this is good for overseas visitors, but what about us, the locals, who are heavily taxed for police salaries.

Even though I don't support the ANC-SACP-Cosatu alliance I agree with them that the police are favouring Inkatha. If ANC members and supporters had massacred the Inkatha-drunk Zulus and destroyed their hostel I wonder whether they would have been escorted to Swanieville? Surely not. The security forces need to be re-trained and depoliticised.

C L Cossa

Boksburg

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In The Star (May 3), Minister of Justice Kobie Coetsee gave examples of unrest-related prisoners released in terms of the agreement between the Government and the ANC.

One of them had been serving a 10-year sentence for stoning a baby to death.

Could Minister Coetsee and the ANC please explain to me how stoning a baby can be justified politically.

Mary Loewenthal
Halfway House

Violence and the blind eye

30/4/91 STAR

THE GOVERNMENT of President de Klerk seems quite unable to grasp that the image of the security forces in the townships is deteriorating so fast that soon it may be impossible to maintain any order at all. That is a harsh judgment, but a real one in the eyes of many township dwellers — and others.

Even Mr de Klerk's suggestion of some sort of permanent commission to investigate complaints seems perfunctory and to have been made without urgency.

Once again the police were accused at the weekend of turning a blind eye to violence. Eye-witnesses insist that heavily armed Inkatha supporters were allowed to run wild while policemen watched during the dreadful slaughter that followed a funeral in Meadowlands, Soweto.

Once again, the reply was all virtuous denial and indignation. A spokesman explained: "It is not in the nature of the SAP or any of its members to stand idly by."

According to Sunday Star reporter Jon Qwelane, the same thing happened in and around Kroonstad police station last Friday. He witnessed wild men with weapons being allowed to go on the rampage without let. Similar complaints of security force partiality are made nearly every time there is a riot. It is hard to imagine how such a campaign could be orchestrated when the damning witnesses are, very often, ordinary people happening on the event.

ANC anxiety over violence was behind the ill-considered "ultimatum" earlier this month. Now, making matters much worse, the allegations of a third force have resurfaced with greater vigour and the ANC has revealed what it claims to be an assassination plot.

The atmosphere is feverish. At the very least, it ought to be dampened. Yet the security forces — and their respective Cabinet Ministers — remain hugely satisfied with the instant self-exonerations and internal inquiries, invariably favourable. They hardly seem to notice that, on those rare occasions when a judge has become involved, blame in varying degrees has been laid at their door.

This newspaper is in no real position to say where the truth lies. But one thing is clear: the ability of the security forces to maintain order is being daily undermined. If this is allowed to continue, then one day soon they will be so discredited in the townships — on every side — that anarchy will indeed prevail.