



CRISIS NEWS

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A bulletin of news and theological reflection on the
South African emergency

Feb/March 1988

IS THIS LAW AND ORDER ?

The South African Police have created a monster that is clearly getting out of hand. Supreme Court orders have become necessary to restrain this ill-trained force of 'special constables'. Many of these kitskonstabels, the government's 'instant' solution to unrest in the townships have become more or less what the media cautiously predicted a year and a half ago: law enforcement officers who do not obey the law themselves.

The kitskonstabels hit the streets and townships in October 1986 after what was then called three weeks training but later turned out to be six weeks at Koeberg in the Cape. They were recruited from all over and standard school requirements for entering the SAP were thrown overboard. After their short training course they carried guns, ammunition and sjamboks. They had the same powers and authority that fully trained police force members had.

Hardly a year later Adrian Vlok, Minister of Law and Order had to admit in Parliament that "several" of the 4 000 kitskonstabels trained at Koeberg had been charged with serious offences in-

cluding murder, rape, assault, robbery, theft and housebreaking. The Minister refused to supply detailed statistics "because the work involved in compiling these statistics would be so voluminous and time consuming, (that) it is not practically feasible to furnish this information."

While this evasive answer is totally unacceptable to the majority of South Africans, especially to those who suffer under the atrocities of the kitskonstabels, it does at the same time admit to the enormity of the problem.

As it became obvious that no real responsibility would be taken by the Minister of Law and Order and his Depart-

ment for the behaviour of their created monster, other ways and means had to be found to stop the kitskonstabels from what they were doing. The residents from different harassed communities decided to take legal action. As individuals these residents experienced great trouble by going through the 'normal channels' as so often advised by

high ranking police when wanting to make complaints. Affidavits filed in interdict proceedings against kitskonstabels in the last eight months describe attempts to lay assault charges, being met with further assaults, threats of assault and refusals to accept charges. Very often when charges were accepted nothing came of it.

Combined action, whereby a number of residents, or an organisation representing residents took legal action,

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A moment of reflection during the passing out parade of the next batch of kitskonstabels after only six weeks training.



proved to be more effective and led to no less than three Supreme Court applications in less than six months.

Bhongolethu, Oudshoorn

An application brought by the Bhongolethu Civic Association and six other residents led to an undertaking by the divisional commissioner for the South Western Cape in the Supreme Court in July 1987 that he would instruct police not to unlawfully arrest, assault or threaten residents of Bhongolethu.

Despite this undertaking the Civic found it necessary to bring a further application in January this year. They said in papers before court that the police had breached their original undertaking. The Supreme Court made an order restraining all members of the SAP in Bhongolethu from unlawfully shooting at and killing any inhabitants.

Eluxolweni, Hofmeyer

In November 1987 a judge issued an interim order restraining 13 kitskonstabels from the Hofmeyer township from arresting, detaining, assaulting, threatening or intimidating eight Eluxolweni residents.

Thembalesizwe, Aberdeen

In January this year a judge of the Supreme Court in Grahamstown made an order of court an undertaking by 12 kitskonstabels and two SAP members that they would not unlawfully assault or act in any unlawful manner towards the residents of Thembalesizwe.

The above three communities are by no means the only communities struck by the unlawful behaviour of the kitskonstabels. They are also not the only examples of legal action which has been taken. Further cases came to court in Beaufort West, Cape Town, Grahamstown, Soshanguve and Leandra in the Eastern Transvaal. Closer to home there are affidavits and newspaper reports about court cases which deal with shootings, assault, theft, sexual abuse and rape by kitskonstabels in KTC, Khayelitsha, Nyanga and Gugulethu.

All this points to a monster that has gotten so far out of hand that only a court order can perhaps restrict these special law officers and their overseers in their unacceptable approach to law and order.

In 1986 newspaper editors asked cautious questions about the brevity of the kitskonstabels' training course and the fact that police spokespersons declined to answer questions about the nature and the content of the course. There were statements by high ranking officers that these 'special constables' would be used against the 'comrades'. This led to further speculation in the press and in Parliament that this "special" force might give further momentum to the cycle of violence instead of upholding law and order and creating peace.

The police reacted to this caution by accusing the press of sensationalism.

Police Commissioner, general Johann Coetzee stated that the kitskonstabels were intended to assist the police in combating crime in general. He attempted to allay public fear about the constables by saying he would not

tolerate irresponsible action by staff under his control.

He said that the constables would operate under supervision. "Media reports implying that the constables would, after basic training be sent into the townships armed with guns and sjamboks to deal with certain troublemakers is to say the least misleading."

These words were spoken in September 1986, only weeks before the first kitskonstabels were unleashed. Since the nearly every possible nightmare about kitskonstabels has become true. There are literally hundreds of affidavits in court records that testify to this and this might only be the tip of the iceberg.

It is practically impossible for CRISIS NEWS to give a complete report on the contents of these affidavits but we have read through a great number of them and they all together spell out a horrific pattern. One of unlawfulness, of police operating way beyond the law, of brutality and assault, one of indiscriminate use of weapons, drunkenness while on duty, personal grudges, and sexual abuse.

Most worrying is the apparent impossibility or ineffectiveness of laying charges against kitskonstabels. Supreme Court actions stay out of reach of the ordinary citizen and can only be instituted when and where legal organisations and funds are available.

Personal Grudges

A good example of how deviously these kitskonstabels were deployed is the case of Bangi Saalman and his brother Zolile who were stationed in Bhongolethu, near Oudtshoorn, the township where they lived before.

In a founding affidavit filed last year to stop the kitskonstabels of Bhongolethu from their indiscriminate shooting and drunken assaults Elliot Maseti, a bishop in the Bantu Zion Church, stated the following:

"It is clear to me that there is some sort of hierarchy amongst the kitskonstabels and that the two main culprits would seem to be Bangi Saalman and Basie Madewu. It would seem that Bangi who has a strong personality decided to team up with his brother Zolile Saalman who was forced out of our township during 1985 due to the community's negative sentiments towards him. Bangi also has a history of having been a Bantu Administration Official who used to vigorously execute and enforce pass-laws. Our community has no good memory about the dompas-system. Zolile's house was burned down during 1985 and it would now seem as if he, Bangi and Basie have returned to our township with a vengeance. They are particularly full of themselves because they hold themselves out to have the full protection of the Law whilst settling their vendetta. I say that these persons' acts surmount to a gross and intolerable misuse of power. The impression is however created for the whole of the community to see that these persons' power is institutionalised and entrenched and that there is no way one can act against them."

Referring to all the Bhongolethu kitskonstabels the Bishop said: "I say these uncouth and rude people who bear no resemblance to any civility, who regard themselves above the Law, are in our township to perpetrate a reign of unchallengeable terror and unbearable oppression. What is particularly annoying is the gross violation caused to the inhabitants' privacy and that it would seem to be in many cases the destitute, the drunk and the people without any protection who suffer most from their actions."

In nearly all the affidavits the names of the above mentioned kitskonstabels are mentioned in connection with the unlawful use of rifles, assault, drunkenness and intimidation. Just more than seven months later, after Supreme court action led to an undertaking that the SAP and the kitskonstabels will no longer misuse their powers, Basie Saalman died a violent death in Oudtshoorn. It was said that his death was unrelated to the township incidents but at that time kitskonstabels were again, despite the court undertakings, involved in the shooting of three residents and several assaults.

Drunk while on duty

In every set of affidavits filed to curb unlawful action by the kitskonstabels we found incidents of drunkenness while on duty. As random examples we quote from three affidavits referring to the Hofmeyer township.

Rev Joe Mahasela, Methodist Minister of the Cradock and Hofmeyer circuit went to Eluxolweni to give communion to a very old lady who was seriously ill.

"In the middle of my prayer, a kitskonstabel who is unknown to me, came into the house and into the room, interrupting my prayer and the

communion. He claimed to be making a routine check-up on the car we were using and asked us to identify ourselves. We did so.

"He was very drunk at the time, although he was dressed in his full uniform and was fully armed. Although we gave him the information he wanted, he just remained in the room and I continued with my communion. At the end thereof the said kitskonstabel was literally on the verge of collapsing, because of his drunkenness."

Annie Vuwanl (42) from Hofmeyer pointed out a kitskonstabel the resi-

Trying to lay a charge

In the affidavits filed in the interdict cases many people complained about how difficult, often impossible, it was to lay a charge against the kitskonstabels. We publish examples from an affidavit in the Hofmeyer case.

Ndenzile Mantla from Hofmeyer ran into the same problem as several of his fellow residents. After being severely beaten up during his arrest he ended up in court on a minor charge of drunkenness. He found that the local warrant officer Mike Pretorious acted as prosecutor in court. In the absence of the magistrate Pretorious threatened Mantla that he would change the charge to assault on a policeman if Mantla persisted in pleading not guilty. Later that day when Mantla went to lay a charge of assault against the kitskonstabel the officer on duty was Mike Pretorious who told him bluntly: "Voetsek, go home!"

About this prosecutor/policeman role Abner Sani said: "We cannot understand how warrant officer Pretorious, who is in overall charge of the kitskonstabels and must receive complaints in connection with them, at the same time acts as prosecutor and thus as representative of the attorney general in our area who decides whether they must charge or not. How can we be sure of such a person's neutrality?"

In Annie Vuwani's case her charge of assault against a kitskonstabel, was accepted at the Hofmeyer charge office. It was promised that the case would come up within three months. When nothing happened Vuwani went to inquire. She was told the curious story that the attorney general had declined to prosecute because both she and the kitskonstabel were innocent.

Mondile Duna from Hofmeyer: "After a long wait constable Mario came and told us the warrant officer has said we in the location are against the kitskonstabels and he won't allow us to lay a charge. (He) said we were troublemakers and that we must go home. He refused to listen to our request to lay a charge."

dents know as Boetietjie, to her lawyers present. He, "...was dressed in a mixture of his uniform and civilian clothes, walking down the street. He was clearly so drunk that he could not walk in a straight line and he was weaving down the road. As usual he was fully armed with his long gun and a whole belt full of bullets slung around his shoulders. He was walking through the township past the other kitskonstabels who were in full uniform and were clearly on duty. He even spent some time talking to them. Now if it was one of the residents of the community, we

More harassment claims against 'kitskonstabels'

THE conduct of "kitskonstabels" and municipal police has come under the spotlight in the Cape Transvaal. Allegations of assault, theft

Girls (17) claim they were beaten after refusing to have sex with the constables.

Police held in killings

Special constable opens fire on police

'Kitskonstabel' shoots wife, then turns gun on himself

Court told of terror by 'drunk' kitskonstabels

Call to halt kitscops 'murders'

KITSKONSTABELS in Oudtshoorn's Bhon lethu township allege went on a spree violence over a weekend which 1 three residents dead 10 injured, in revenge for the killing of one --

Brevity of SAP's 'crash course' slated

'Konstabels beat pupils with shotguns'

Simile Jaxa (Hofmeyer): "At the police station warrant officer Pretorious, who had been the prosecutor at my trial that day, threatened he would beat me up and lock me up. Faced with this threat I left the charge office and did not take the matter of laying criminal charges further."

would have been arrested immediately, put in jail (usually for the whole week-end) found guilty on Monday morning and fined R30 - R60. Needless to say that this is a very heavy penalty to pay for people like us, where some of the menfolk earn no more than R20 per week. What is even more annoying is that double standards are being used, where they can walk around drunk and absolutely nothing is done to them, even when they are on duty."

Zenzile Lethwantsi (19) also from Hofmeyer saw how five

Three policemen face assault charge Judge puts curb on 'kitscops' in E Cape township

Kitskonstabels on assault charges Kitskonstabels

Times, Mc in court 21, 1987 3

Newsman, woman shot by 'kitscops'

Cops charged with extortion

Constable 'showed' bus driver his rifle

Court Reporter THREE policemen assaulted a man who was unable to pay them the R50 they demanded in exchange for not charging him with theft, Wynberg Regional Court heard yesterday.

'Kitskonstabel' crimes: Vlok refuses details

Robbery: Policeman jailed

Mbhithi Fuba, also from Hofmeyer: "From warrant officer Labuschagne's conduct it was made clear to me that I would not be able to lay a charge... and on my way out Andile October (the kitskonstabel who according to Fuba assaulted him) threatened to deal with me in the future."

kitskonstabels beat up his brother and a friend. The two were drinking in the shebeen when they were ordered out by the kitskonstabels. They were then beaten up, arrested, charged and fined but, said Lethwantsi:

"The kitskonstabels themselves had been drinking. Zola Winter in fact, in my presence, removed a bottle of Old Boy out of the front of his pants, from which they all drank. This is while they were waiting for the police van to fetch Peter and Nane."

WHO KILLED THEM ?

Recent attempts of magistrates to try to turn the inquests into the deaths of East Cape community leader Matthew Goniwe and Durban civil rights lawyer Victoria Mxenge into informal hearings; and the recent murder of Sicelo Dlomo shortly after he was picked up by the police and questioned for four hours, brought the focus back onto at least 20 political activists who were murdered or vanished during the past 10 years and the curious inefficiency of the state's "law and order" machinery to find the perpetrators.

Church worker murdered

On Sunday evening (January 24) Sicelo Dlomo an eighteen year old church worker walked home after having had a meal with friends in Soweto. He never got there. The following day Sicelo Godfrey Dlomo, Detainees' Parents Support Committee worker had become one more name on a long list of political activists who have been murdered or have vanished under mysterious circumstances. He was found in a field nearby his home with a bullet through his head.

This dedicated and popular youth leader has been detained several times, which seriously disrupted his school career at Pace College, Soweto.

Only a few days before his death he was detained during a raid by the police on the DPSC offices in Khotso House in Johannesburg. He was taken in for questioning and later released. A few days later he was dead.

The Tuesday following his death the police issued a statement in which they claimed that they were in possession of a sworn affidavit by Dlomo, claiming that he was instructed by an overseas TV director as to what to say on film about his previous detentions and the torture which he had undergone.

The film referred to was the CBS documentary "Children of Apartheid". The participation of PW Botha's own daughter in this documentary has caused the State considerable embarrassment.

Since this statement by the police the CBS have "categorically denied" that it had "coached" any of the interviewees, including Dlomo on what to say in broad-

casts. From DPSC has come the word that Dlomo, after his very last detention and questioning, told fellow workers and his lawyers that he denied police suggestions that anyone had dictated the content of what he said in the film.

Further conflicting information, as reported in the Afrikaans press (see 'Verdraai in die Afrikaanse Pers' in this issue) and the fact that Adrian Vlok afterwards found it necessary to devote a substantial part of his political address at Standerton to Dlomo as a poor 'misused boy' to 'spread lies about South Africa', the 'load of rubbish and untruths blurted out to the world' by DPSC and the fact 'that there is not a single youth in South Africa who is being held for political reasons' makes Dlomo's death more than just a thorny issue. All these statements by state ministers, high ranking police officers and the smearing of Dlomo's character in the conservative press certainly points towards the direction from where his killers might have come.

On his release after one of his bouts in detention under emergency regulations Sicelo Dlomo said the following: "I am not going to retreat. I am going to go for it, to fight for my people and fight for my rights: for a democratic South Africa. I may die to achieve this idea. I am not going to stop or retreat."

Dlomo certainly kept to his promise. At a press conference following his death, several speakers expressed the fear that Dlomo's death was part of a chilling pattern of unexplained murders. Rev Frank Chikane, general secretary of the SACC of which the DPSC is a division, said the "...seriousness of the war in South Africa had been further un-

derlined by the murder of Sicelo Dlomo."

Death Squads

Dlomo was not the first political activist to die under mysterious circumstances. More than two dozen cases of political murder and abduction came to mind - most of them remain unsolved.

The potential victims of the Apartheid death squads as they are called by New Nation, include unionists, civil rights activists, church workers and possibly any member of anti-apartheid organisations.

Since 1978 there have been 13 incidents involving the execution of no less than 20 activists. Five of these occurred in 1987 - the highest number so far for any year. Not one of these murders has been solved. This list is by no means complete but it certainly reflects a growing trend.

"I am going to fight for my people, my rights and for a democratic S.A. I may have to die to achieve this.

- prophetic words by Sicelo Dlomo

1978

Dr Richard Turner, a banned lecturer in political science at Natal University, was shot dead in the early hours at his home in Durban when he answered a knock at his door. This happened a few weeks before his banning order expired. His assailants have never been found. His mother, who is still searching for her son's killers has attempted to interview Col. Mike Hoare, the leader of the abortive Seychelles coup for information she believed could assist her.

The same night that Dr Turner was assassinated, an attempt was made on the life of Durban sociologist **Professor Fatima Meer**. Also her assailants were never found.

1981

Durban civil rights lawyer, former political prisoner and ANC member **Griffiths Mxenge** was found brutally murdered in November near the Umlazi sports stadium with more than 40 stab wounds. The inquest magistrate found that he was killed by "certain unknown persons". His wife Victoria who took over his

practice after his death was convinced that there was a link between the death of her husband and the murder of Rick Turner.

1982

Siphiwe Mtimkulu Congress of South African Students (COSAS) national chairperson went missing and was never found. He was admitted to Groote Schuur Hospital in Cape Town after being released from detention in 1981. He was diagnosed as having thallium poisoning. Thallium is an extremely rare poison, illegal in most of the world. It attacks the nervous system. Mtimkulu then instituted an action suing the Minister of Police for damages. He returned to Port Elizabeth to recuperate. During a visit to Livingstone Hospital for a check-up Mtimkulu, in a wheelchair, and his friend Toksie Madaka who accompanied him went missing. No trace of either was ever found.

1985

Sipho Hashe, Champion Golele, Qaqawuli Godolozzi three executive members of the Port Elizabeth Black Civic Organisation received an urgent message to go to the airport. Mr Hashe who was halfway through his supper, got up and left his meal. All three then disappeared. Their families have made several applications to the police for the return of the three men. In one of the applications an airport porter said he recognised the three arriving at the airport. A group of men met them, he said and took them away in another vehicle. Mrs Hashe and Mrs Godolozzi have continued to experience police harassment and Mrs Hashe was recently evicted from her Port Elizabeth home for rent arrears.

Four prominent Eastern Cape activists in this same year were killed under mysterious circumstances. They were **Matthew Goniwe**, Cradock teacher, founder of the Cradock Residents Organisation and rural regional organiser of the UDF; **Sparrow Mkhonto**, chairperson of Cradock and UDF member; **Fort Calata**, member of the UDF regional exec and **Sicelo Mhlawuli**, teacher from Oudtshoorn and member of the UDF. Goniwe and Calata's bodies were found in Blue Water Bay, Port Elizabeth a few days after the charred bodies of Mkhonto and Mhlawuli were found next to the gutted car the four had used after a UDF meeting in Port Elizabeth on 27 June 1985. Over the telephone, just before they left the meeting Goniwe had promised his wife that the only person they would stop for would be a uniformed policeman. The inquest into the deaths of the four was postponed until January 26, 1988. There were definite attempts from the magistrate in this case to keep the inquest to an informal hearing which meant that no witnesses would be called and cross-examined. In an informal inquiry the magistrate simply reads the affidavits presented to him and reaches a decision based on the papers alone.

Statements by family and other people saw to it that the inquest was postponed to 26 April. This will now be a formal public inquest. Nyameka Goniwe, the widow of Matthew Goniwe recently said that she did not believe anyone would be charged with the deaths of the four men. "Nobody expects any progress," she said, "on June 28 it will be two years since Matthew and the others went missing. It hurts to know that this is going to be the pattern."

"We have become used to people being murdered by faceless cowards who seemingly escape the law."

- Sowetan editorial, July 1987.

Victoria Mxenge, wife of Griffiths Mxenge was hacked to death four years after her husband was murdered. This happened in full view of her children and the Reverend Xundu of the UDF who had given her a lift home. Her killers have never been found. In her case there was again an attempt to keep the inquest into her death an informal one. The family and lawyers challenged this decision and the case was postponed to February 22 to allow further affidavits to be filed. On that date the magistrate will decide whether to hold an informal hearing or to agree to a formal public inquest.

1986

On June 10 this year **George De'Ath**, cameraman ITN, was fatally assaulted while filming the second day of fighting between the witdoek vigilantes and residents of KTC. On that second day police mysteriously let through media people at the roadblocks with verbal warnings that they were doing this at their own risk. Relief-workers and community workers though were turned away. His assistant, Andile Fasi, said later that the vigilantes were backed by the police who wasted time filming the bleeding De'Ath slumped against a wall, before he was taken for medical care. The inquest on August 7 1987 found De'Ath died after he "was extensively assaulted by persons unknown to the state". The matter was referred to the Attorney-General after his family argued that his death could have been caused by omissions on the part of the police. The magistrate found that De'Ath's death was due to an act or omission which amounted to an offence. His killers have never been found and there are still allegations that the film that the camera-man had taken seconds before the assault was tampered with by the police.

Also in 1986 Dr **Fabian Ribeiro** and his wife **Florence** were gunned down at their home in Mamelodi on December 1. Their son Chris Ribeiro said the two gunmen appeared to have "dark, black faces" but as he tried to pull one of the

gunmen out of their getaway car he saw from the drivers hand that he was a white man. He thought the driver had worn something over his face to make himself look black. Noel James Robey a former Selous Scout was the first person known to have been brought to court in connection with any of several alleged assassinations of black leaders in recent years. He was acquitted. Legal observers predicted that the mystery of the Ribeiro slayings would probably never be solved.

1987

This year saw five different incidents of assassinations.

Nkosinathi Solomon Shabangu, a 19 year old standard 9 pupil of Dlamini, Soweto, a member of the Senoane Secondary School SRC and a member of SOSCO was gunned down in front of his teachers and fellow students on June 5 by three unidentified men. One had a balaclava on. An eye-witness said: "As he was lying on the ground and foaming at the mouth, another shot ran out. One of the men fired another shot in his ear apparently to make sure he was dead." Police claimed they knew who one of the suspects was and expected to make an arrest soon. No arrests have been made.

Yvonne "Suster" Ntsele a standard 7 pupil of the same school was shot dead outside her home on May 10 by unknown assailants.

Amos Tshabalala a CCAWUSA organiser (Cosatu), member of Tsakane Civic Association and Tsakane Parents Crisis Committee was stabbed and killed on October 17. A family member said: "There were stab wounds all over his body. This made it difficult to recognise him. Up till today his killers remain unknown."

Petrus Mnisi was attacked on November 15 and died of stab wounds the following day. This was the second time he was attacked by unknown assailants. Mnisi who lived in Sebokeng was the regional educator of the Unemployed Workers Co-ordinating Committee-Vaal. He was also an executive member of the Vaal Youth Congress. The UWCC

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Nobody expects any progress. On June 28 it will be two years since Matthew and the others went missing. It hurts to know that this is going to be the pattern."

- Nyameka Goniwe on the prospects of the inquest into her husband and three others' death.

WHO KILLED THEM ?

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said that they certainly believed the attack was politically motivated.

Zakhe Mabanga (26) died in hospital where he was being kept under police guard. Five days before he was shot at the home of a relative in Waterval. This was on May 27. He was a member of the Waterval Youth Congress. Family members claimed Mabanga was shot by Mbokodo vigilantes in the presence of security forces. KwaNdebele police confirmed the shooting but denied that they were present. His killers have not yet been brought to book.

Eric Moxolle Mntonga (35) was found dead in his car on Friday July 24. At that stage he had been detained four times since 1981. Mntonga, the IDASA Border region director was found dead the same week the IDASA leadership returned from a meeting with the ANC in Dakar. His hands and feet were tied. The post mortem revealed that despite a knife wound in the heart, Mntonga had died from a cerebral haemorrhage as a result of a severe blow. His father Norman Mntonga said he was not hopeful that anyone would be brought to justice for his son's death. "It has happened several times before that people have been killed like this and no one has ever been arrested". Mr Max Mamase of the Port Elizabeth office of IDASA said the organisation was distressed at the apparent lack of investigation into the death of Mr Mntonga, or in attempts to find and bring his killers to justice.

Warning

The above list is by no means complete. It mentions merely the names in more well known cases. It does reflect however what appears to be a growing trend with frightening implications.

The recent murder of activist Sicelo Dlomo has once again raised the importance of a full-scale inquiry into the political killings and other clandestine activities of secret death squads.

Unless the killers are brought to book, speculation as to who was responsible for these senseless slayings and also the bombings of Cosatu, UDF and other progressive organisations headquarters, will abound.

At this stage most people affected already believe that the assassinations, abductions and bombings take place to render organisations leaderless, to deter others from taking their place and to make it impossible for progressive organisations to function from known premises. This certainly is not law and order and as a church organisation whose premises have been bombed and whose work gets disrupted by regular bomb threats, the WPCC would echo Frank Chikane and the SACC's call for urgent investigations.

Theological Reflection Romans 13 and the kitskonstabels

This edition of Crisis News focuses on the widespread abuse of law and order in South Africa by those appointed to maintain it. It tells of the atrocities of the kitskonstabels committed against people in the townships. It draws attention to the fact that the police have curiously failed to find the murderers of more than 20 political activists over the past ten years. It questions the way they daily execute their extensive powers.

Through many court cases we hear of people who say they were unlawfully beaten or tortured. Ironically the state of emergency that was proclaimed by the government to restore and uphold law and order, in many ways made a number of actions by the police that would be regarded as unlawful before, lawful. In this way emergency regulations gave the police more scope to abuse the concept of law and order.

What is the response of Christians in South Africa to this violation of justice?

The kitskonstabels, like other members of the police force, are appointed to keep the peace and protect the people. Ill-trained and under-qualified as they are, they were brought into the townships to restore order.

Their daily atrocities went way beyond so-called unrest situations when their unprofessional behaviour was applied to ordinary criminal cases. Progressive legal organisations outside the system, and certainly not the State's own legal watchdogs, took the trouble to assist the victims of unlawful kitskonstabel actions by bringing the cases to

court. Several restraining orders were handed down. Notwithstanding the orders handed down by the courts against certain kitskonstabels we are informed that most of these kitskonstabels have not been suspended from their duties.

These kitskonstabels' authority is directly related to their ability to fulfil their responsibility as a peace-keeping force. Clearly they have failed to perform this duty and therefore forfeit any authority with which they have been invested.

Romans 13, the state's favourite bible passage to litigise their authority and the people's submission to it highlights several points. It emphasises that the only legitimate use of force is to *reinforce right and control wrong*. Underlying this is an understanding that the state itself exists to serve God and the good of the people... in other words God's servants working for the GOOD of the people.

For he is God's servant to do you good.

Roman 13:4

As soon as it departs from this purpose it loses its right to govern, and similarly the kitskonstabels and any officer of the law who abuses justice, have relinquished their right to act.

However they continue to operate, armed and undisciplined, with only the courts to check their abuse of power. A chilling thought then, if magistrates hesitate about formal or informal inquests into the deaths of political activists, as has happened recently.

If the church is sincerely concerned about the escalation of conflict in this country, it is essential for it to respond to this state of affairs.

Noordhoek Clarification

The article in the last issue of Crisis News described the plight of the Noordhoek squatters who felt isolated from any help during their removal. Our description specifically mentioned the absence of any members of Black Sash and Surplus People's Project at the time of our reporter's visit. In doing so we seem to have offended these organisations. We would like to clarify the situation. Our reporter described what was happening in the camp at that time and was trying to present as powerfully as possible the desperate isolation of the people. No slight was intended to

those organisations. We know that the Black Sash and the SPP were prevented from entering the camp by the roadblocks and the massive police presence. We know they were active in monitoring the removal on the day and had been working closely with the people before. We have the highest regard for their work and would not like to be the source of any discreditable impression. We therefore apologize for any negative impression which may have been perceived but which was not intended.

DUBIOUS LAW AND ORDER

Police kill Methodist minister in New Crossroads

People loved his gentleness and kindness and nicknamed the Rev Cameron Dalimthetho Kani Archbishop. But in the early hours of Wednesday, February 4 1988, the New Crossroads minister was shot dead by police during an incident of mistaken identity.

According to members of the Kani family and neighbours, a senior police officer was heard to say "You have shot the wrong man!" Apparently the police were chasing another man through the Kani property after a policeman was wounded earlier. The Reformed Evangelistic Methodist minister was mending his car in the entrance to his garage at the time and was shot in a hail of police bullets. The bonnet of the car was open, the garage light was on and the minister was working under a light extension. The large car practically blocked the entrance to the garage.

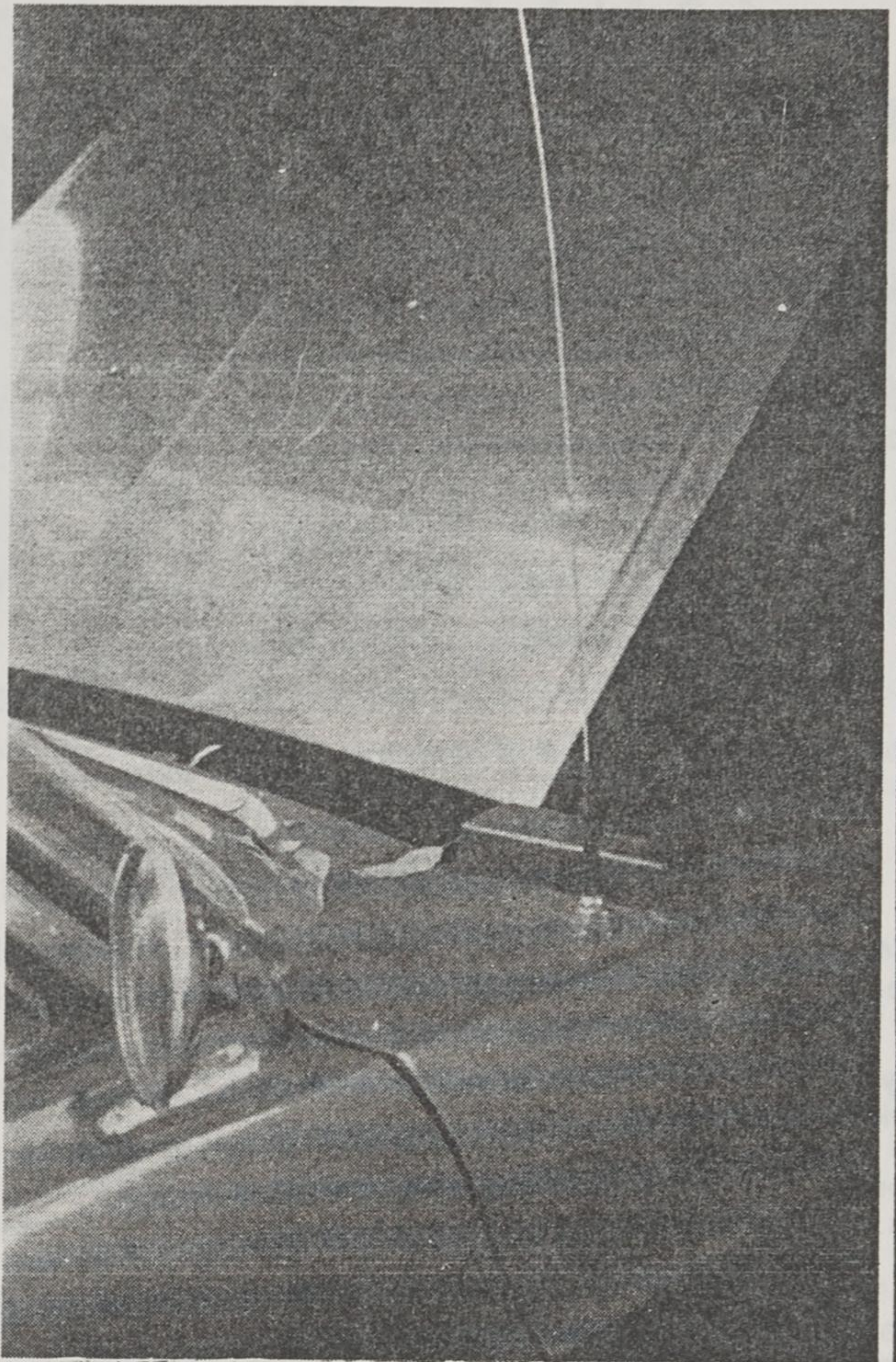
The police claim a man ran into the garage and there was an exchange of fire resulting in Kani's death and the wounding of a police lieutenant E. Bester. Members of the Kani family and neighbours deny that the shootings occurred at the same time. The

policeman was not shot on the Kani property, say the neighbours. The Rev Kani's 15-year old son Lawrence Dumsani Kani was at the window at the back of the garage at the time of the incident. He said he saw the police shoot his father at close range. The next day, neighbours pointed out bullet holes on the inside wall of the garage and a number of 9mm cartridge shells.

According to the family the Rev Kani did not own a gun.

While he lay dying in a pool of blood and car grease the police searched his home and turned away the first two ambulances that arrived on the scene. This was told by neighbours who returned from night shift. By the time the third ambulance arrived the minister was dead.

Dominican sisters at the nearby St Mary's convent on the other side of Kani's wall in Nyanga East said the minister was well loved in the community and was often seen working on his cars late into the night. His tinkering was a well known activity in the community. Recently Rev Kani had come to the convent to borrow a cloak from a priest for a church service.



The bonnet of the car that Rev. Kani was working on. This is the day after he was shot. It mysteriously shows no bullet markings. If there was an exchange of fire from the garage, as is being alleged, certainly some of the bullets would have hit the car. There is also very little room for a man in full flight from the police to have entered and left the garage during the shooting incident.



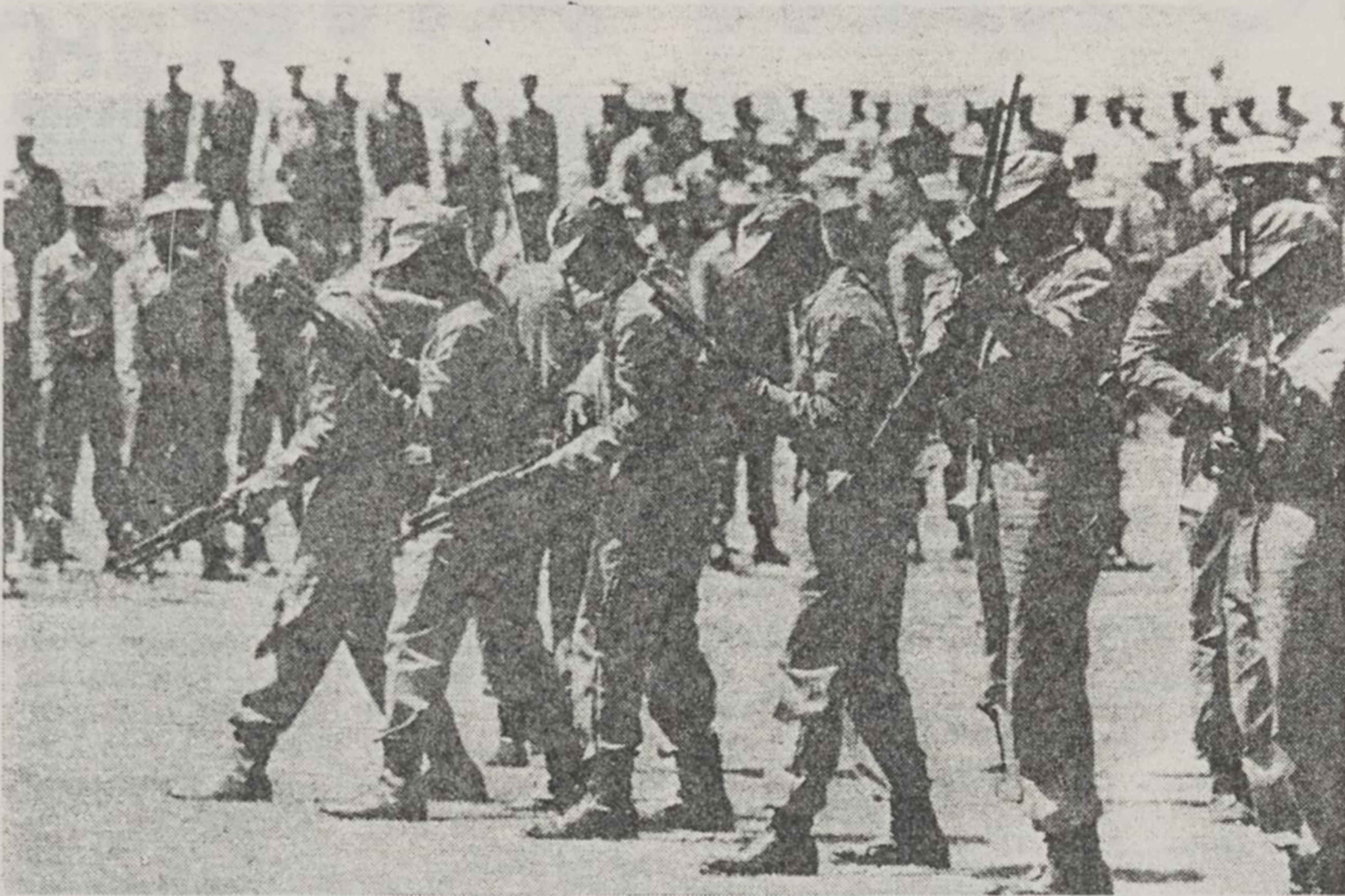
Family and neighbours gather in the Kani yard to discuss the previous night's shooting of the man they fondly call the "Archbishop". The car and the garage door are still in the same position as the moment Rev. Kani got killed, caught in the crossfire according to the police



Inside the Kani garage. The markings on the floor were made by the police and shows where Rev. Kani died. On investigation we found bullet holes in the right hand wall. The light in the background comes through the window through which Kani's 15 year old son said he saw the police shoot his father at close range.

IS THIS LAW AND ORDER ?

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Showing off their guns. As undisciplined as they look here in training, so would their be-

haviour later be with the same lethal weapons in the townships.

Seksuele afdreiging

Die kitskonstabels in Aberdeen se woonbuurt is 'n skokkende voorbeeld van hoe hierdie "geregsdienaars" seksuele afdreiging gebruik.

In beëdigde verklarings ten einde 'n hofbevel teen die plaaslike kitskonstabels te kry het plaaslike vroue hulle onder andere sterk uitgespreek teen hierdie vorm van seksuele geweld.

Evelyn Jack, 'n 37-jarige moeder van vyf het die volgende gesê: Dit is in die algemeen bekend dat die kitskonstabels vrouens forseer om saam met hulle te slaap en dan bied hulle die vroue geld aan om stil te bly. As die vrou weier sal sy weet dat sy beslis nie veilig in die woongebied is nie. Omdat vrouens bang is, is dit vanselfsprekend dat hulle onder die huidige omstandighede nie enigsins bereid is om hierdie voorvalle te rapporteer nie. Mev Jack verwys hier na die praktiese onmoontlikheid om klagtes teen kitskonstabels in Aberdeen te lê. Haar sienswyse word bevestig in 'n verklaring van Elizabeth Jantjies, 'n 24-jarige onderwyseres. Sy sê:

"Ek dra ook kennis van verskeie vrouens in ons gemeenskap wat seksueel aangerand is deur kitskonstabels. Ons vrouens is baie bang om sake te maak van verkragting en van hierdie vrouens het my kom spreek oor hulle vrees om sulke sake openbaar te maak. Hulle sê dat hulle liever sal stilbly, want hulle wil nie die persoonlike gevolge dra as hulle name bekend gemaak word nie. Seksuele mishandeling van vroue is 'n saak wat, veral in ons landelike gemeenskap oor geswyg word."

In ander verklarings meld jong vroue van hierdie gemeenskap hoe hulle deur spesifieke kitskonstabels seksueel bedreig is. Nonsisi Matyalana (22) vertel hoe kitskonstabel James Dunjana haar seksueel gedreig het; haar op 'n stadium gegryp het maar moes los omdat daar ander mense aangekom het. Op 11 Desember 1987 het vyf kitskonstabels haar tannie se huis binnegedring, waarop Dunjana duidelik te kenne gegee het dat dit die nag was waarop hy haar sou kry. Sy het so bang geword dat sy die kamer onder valse voorwendsel verlaat het, by die agterdeur uitgesluip en gevlug het. By 'n latere geleentheid het Dunjana haar aan die arm gegryp en haar geklap toe sy weier om met hom omgang te hê.

Kitskonstabel Simon Mahane het sy amp gebruik om Thandiwe Jantjies onder valse voorwendsels na die polisiestasie te neem. Op pad het Mahane seksuele voorstelle aan haar gemaak.

Toe Rachel Sas by 'n ander geleentheid by dieselfde Simon Mahane 'n klag probeer lê kort nadat sy deur 'n onbekende man verkrag is, het Mahane dit aan haar gestel dat sy liever van die klag moet vergeet en met hom omgang hê. Toe sy weier het hy gedreig dat hy haar vir dronkenskap sal opsluit wat hy dan ook gedoen het. Sas het by die polisiestasie 'n saak van verkragting probeer lê maar is opgesluit sonder dat 'n dokter haar kon ondersoek of dat die klag opgeteken is. Toe sy die Maandag in die hof verskyn is die saak teen haar laat vaar. Haar saak van verkragting is egter nooit ondersoek nie.

The latest Kitskonstabel killings

Through the more than a hundred affidavits studied by Crisis News ran the ominous pattern of indiscriminate use of fire weapons and random killings. One of the most chilling is the recent spree that the Bhongolethu kitskonstabels with the help of ordinary police went on.

Mzukisi Skosana Southern Cape Council of Churches' fieldworker states in an affidavit that on January 16, 1988 three people were killed and ten injured as a result of a shooting spree by kitskonstabels. In his affidavit he gives an eyewitness account of the shootings.

This fieldworker rushed off to phone lawyers after he was told that Soyisile Douse had been killed in the veld by kitskonstabels. On his way back in a car, he stopped at the place where a group of schoolteachers were arguing with some policemen. A kitskonstabel present pointed to a passenger in Skosana's car, Mzukisi Mooi who was wearing a T-shirt with a picture of Govan Mbeki on it. Another teacher in the group was also wearing one.

Mooi was told by a white policeman, known as Frazer to take this T-shirt off. When he refused another police officer was called over.

The T-shirt argument came to a sudden halt when a kitskonstabel started assaulting a member in the group. One of the teachers, Moses Mvimbi, intervened and he then was severely assaulted with sjamboks and rifle butts by Frazer and the kitskonstabels. Mvimbi backed off.

In another affidavit Mzukisi Mooi states that when Moses Mvimbi was about 10 yards away from the policemen, one of the kitskonstabels fired at Mvimbi.

"The first shot hit him on the right hand side of the jaw. He looked amazed at what was happening. Blood started flowing from his mouth. The next shot hit him in his right shoulder or in that region of his body and he fell down. When on the ground another shot was fired at him. My eyes were glued to Moses. Some more shots followed.

"I came to my senses when Frazer spoke to me. He asked me whether I was still reluctant to take off my T-shirt. He asked whether I wanted the same to happen to me. I took off the T-shirt and gave it to Frazer and I ran to my father's car."

Two people were killed in the shooting incident and ten were injured. Moses Mvimbi ended up in hospital on the critical list. Mooi stated that as a result of the shootings the township is very tense. He says the kitskonstabels are still heard singing their song: "We are going to kill comrades."

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