

Judge Lets Mandela Charges Stand



Mandela

JOHANNESBURG, South Africa — A judge refused Tuesday to dismiss kidnapping charges against Winnie Mandela, overruling defense claims that prosecutors failed to provide enough evidence to proceed with the trial.

The judge, however, ruled that Mandela should be given more details about the state's charges on her alleged role in the kidnapping of four people in December 1988. The trial was adjourned until Monday to give prosecutors time to respond to the orders.

THE CITIZEN

6/2/91

LETTERS

The Citizen PO Box 7712
Johannesburg 2000

DP 8 should resign

EIGHT Democratic Party MPs, including Mr David Dalling, the MP for Sandton, joined the Communist-controlled ANC's protest march in Cape Town on Friday.

The leader of the Democratic Party described their action as poor judgment. Many voters in the constituencies they represent strongly oppose their behaviour, entirely dissociate themselves from, and contemptuously repudiate it.

Do these MP's have a mandate from the voters who elected them to pub-

licly associate themselves with the Communist-controlled ANC?

We suggest that these eight men show the courage of their convictions by resigning their seats in Parliament and standing again, this time representing the Communist-controlled ANC.

This will enable the voters who elected them to exercise their civil rights by firmly rejecting the actions of these public representatives and the radical policies of the Communist-controlled ANC.

Will these Democratic

Party MPs have the guts to tell the public whether or not they sympathise with and support the ANC's demand for a constituent assembly and an interim government?

Do they agree with the ANC's persistent attempts to vilify and discredit our police?

Will these MP's give direct answers to these questions?

JR LAMBSON
Chairman
University Freedom of
Speech Association
Sandton

White Right's Hottel

SACC slams Kane-Berman for attack on churches

By Sapa and
Citizen Reporter

THE South African Council of Churches has expressed its disgust at the "vicious and unwarranted attack" on churches by Mr John Kane-Berman, the executive director of the SA Institute of Race Relations, in his address to the Sandton Rotary Club on Monday night.

In his address, Mr Kane-Berman said that Black people were "reaping a whirlwind of violence that the churches

have helped to sow."

He further said that Christian leadership in South Africa had helped to legitimate violence as an instrument of liberation.

In a statement released yesterday, SACC general secretary Rev Frank Chikane said the SAIRR and the SACC had for years maintained opposing views on issues such as sanctions, and he was therefore not surprised that Mr Kane-Berman should attack the churches in this way.

"It is clear that Mr Kane-Berman has taken an ideological stand against the victims of apartheid. Because of this, he fails to comprehend church leaders when they have said they understand why the people have resorted to force. Because he misunderstands, he misrepresented the churches' position on Monday night," said Mr Chikane.

The ANC Youth League yesterday also accused the SA Institute of Race Relations of biased

research for blaming the unabating violence on young people or youthful supporters of the ANC who were not prepared to listen to the leadership.

The League was responding to Mr John Kane-Berman who charged that the church had sanctioned violence through its beliefs in liberation theology. This had filtered down to the undisciplined youth.

"If there are people, who have campaigned tirelessly against all forms of violence in this country, it is the church leaders.

"It is disturbing that a research institute of the stature of the SAIRR should stoop to such low levels as to be blind to the courageous efforts the men of the cloth have made to achieve peace in our country," said the ANC Youth League.

The church advocated the use of organised violence employed by a disciplined liberation movement to advance the cause of liberation but not the stabbing and necklacing of people, the ANC Youth League said.

"The youth league wishes to argue that the argument and findings of the SAIRR are not balanced. Whilst the exact figures of deaths as a result of violence might be correct, the reasons put forward for such violence are not convincing," said the spokesman.

VX7:4--

6-1-81

Keep sanctions: UN body

UNITED NATIONS. — The UN anti-apartheid committee yesterday urged the European Community and all other nations to keep economic sanctions on South Africa until a new constitution is adopted.

On Monday, European Community Foreign Ministers said they planned to scrap sanctions as soon as South Africa's Government formally asked Parliament to repeal key apartheid laws.

The UN Special Committee Against Apartheid, however, said that move would be premature.

The committee chairman, Nigerian Ambassador Ibrahim A. Gambari, said sanctions should be maintained to keep bargaining pressure on Pretoria until the nation adopted a new constitution.

Mr Gambari said he was concerned that South Africa could "backslide" on its reforms if it was rewarded too soon.

Mr Gambari said the UN's anti-apartheid committee, consisting of nations active in the struggle, would hold a series of meetings in the near future with Western European, Eastern European, and Latin American nations to persuade them to maintain sanctions. — Sapa-AP.

8 die in township

Citizen Reporter

POLICE yesterday described the situation in the West Rand township of Bekkersdal as tense. Unrest has left eight people dead since Saturday. One man, whose head was bashed in, had both feet cut off.

West Rand Police liaison officer, Captain Henriette Bester, said two of the victims died of bullet wounds and the rest were hacked to death.

Six people were admitted to Leraton Hospi-

tal with hack wounds. Eighteen houses were destroyed by petrol bombs.

A police sergeant's house was attacked by a group of about 200 youths. The sergeant fired in self-defence.

A man was fatally wounded. The group dis-

persed when reinforcements arrived.

The police found a handmade handgrenade on the body of the dead man.

Police and the SADF have been deployed in the township in large numbers.

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CITIZEN 6/2/91

Bush's man in Baghdad may be headed for SA

WASHINGTON — Joseph Wilson, the cigar-chomping charge d'affaires who was President George Bush's "man in Baghdad" in the run-up to the Gulf war, is being considered to replace William Swing as US ambassador to Pretoria, sources here say.

They say Swing is likely to be called home a year short of the usual three-year term, and that his departure can be expected by mid-year.

The replacement process is still in its early stages and the State Department has not yet sought "agreement" from SA.

Swing took over the Pretoria mission in

SIMON BARBER

late September 1989. There have been indications in Washington that the US administration is unhappy with the embassy's analysis of developments in SA.

Wilson, 41, became Bush's chief representative in Baghdad after Ambassador April Glasple was permanently recalled following Iraq's invasion of Kuwait.

He was finally withdrawn from Baghdad on January 11, five days before the war started. Bush was so impressed with his courage and style that he was offered a

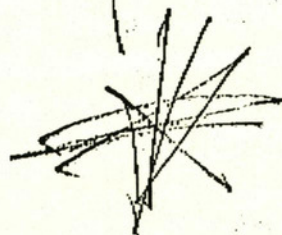
choice of embassies.

SA was his first choice, sources said. Before Baghdad, all his postings had been in Africa, including a year in Pretoria.

Jack Bryant, the executive director of the State Department Bureau of African Affairs, was quoted in the Los Angeles Times as saying Wilson was "a very capable diplomat, the kind of person who can go in there and hear a stern message from Saddam Hussein and not be intimidated".

A US embassy spokesman in Pretoria said he did not know of any plans to recall Swing.

Feb 4 to Feb 5



Criticism of church role draws fire

Business Day Reporter

SA INSTITUTE of Race Relations executive director John Kane-Berman was criticised yesterday for saying that some church leaders had helped to legitimise violence as an instrument of liberation.

SACC general secretary the Rev Frank Chikane said in a statement the council was "disgusted" by his "vicious and unwarranted attack on the churches".

The ANC Youth League accused the institute of misrepresentation, one-sided research and sweeping generalisations.

The league said Kane-Berman's reference to the 1987 endorsement by church leaders of armed struggle could not be equated with the current township violence.

They were responding to recent remarks by Kane-Berman that township residents were "reaping a whirlwind of violence that the churches helped sow".

Report goes to FW, Mandela

PATRICK BULGER

ANC and government positions on the organisation's suspended armed struggle have been referred back to President F W de Klerk and ANC deputy president Nelson Mandela.

The ANC-government working group on the armed struggle met yesterday and decided to refer a report on the matter back to their principals, a source said.

The meeting considered a report drawn up by ANC intelligence chief Jacob Zuma and government representative SS van der Merwe.

At a previous meeting, the source said, the ANC was given the option of handing in its weapons or facing security force action and prosecution for illegal possession of arms.

The ANC rejected the ultimatum.

No date had been set for a future meeting, the source said.

8/Day
6/2/91

Bid to ease refugees' indemnity conditions

By Robin Drew
Star Africa Service

HARARE — The National Co-ordination Committee for the Repatriation of South African exiles is to put more pressure on the South African Government to relax the indemnity conditions to make it easier for refugees to return home without fear of prosecution.

The general secretary of the South African Council of Churches, the Rev Frank Chikane, said a general amnesty should be granted.

But the Government was insisting on knowing exactly what offences had been committed so it could grant indemnity for each act.

The long bureaucratic process was discouraging people from applying for indemnity, he said.

Mr Chikane was speaking in Harare after meeting with church agencies and other organisations concerned with the estimated 40 000 South Africans who will need the help of the repatriation committee.

He said no guarantees

could be given about the safety of returning exiles.

Mr Chikane said that despite the announcements by President de Klerk, apartheid was still in place, as was the security legislation.

About 300 people had returned in the past year.

Ironically, hundreds more had left South Africa in the same period because of the security situation.

Botswana, Tanzania and Swaziland had all

received hundreds of refugees in the past month, he added.

Mr Chikane said the repatriation committee wanted the United Nations High Commission for Refugees (UNHCR) to be fully involved and the UNHCR was holding

negotiations with the South African Government on the question.

This was a sensitive issue, and urgent clarification was required as this would affect fundraising.

Mr Chikane said no country or organisation should put pressure on exiles to return home, as no refugee should be forced to go home.



Frank Chikane . . . seeks amnesty.

16/1/20

Traditional weapons: law suit against FW

NATAL WITNESS

6 FEBRUARY 1991

by CARMEL RICKARD
Durban Bureau

A MAJOR new Supreme Court action to prevent the carrying of dangerous weapons has been brought against the State President, claiming regulations which permit the carrying of "Zulu traditional weapons" are discriminatory and invalid.

The legal action which will test the validity of regulations permitting the carrying of such weapons as part of Zulu traditional practice is being brought by Durban freelance journalist Lechesa Tsenoli.

In his application for the regulations to be declared invalid, he said he was a Mosotho and that the regulations discriminated against him.

As they stand, the regulations prevent any black person in Natal from carrying dangerous weapons except for those who carry them for Zulu traditional reasons.

Tsenoli said from his work as a journalist he had come to believe that if the security forces had disarmed both sides of all dangerous weapons, many deaths and a large number of injuries could have been prevented.

Tsenoli also claimed the regulations discriminated against him. He said there were occasions on which Basotho persons would "like to" carry weapons for traditional ceremonial purposes. However, in Natal they were unable to do so.

"The special dispensation to those who adhere to Zulu usages, customs and religions is and will be perceived to be a form of political favouritism which will only exacerbate the existing violence and widen

the cleavages in our deeply divided society."

He also said non-Zulus were at risk from Zulus "encouraged by the new exemption to carry dangerous weapons ostensibly in accordance with traditional Zulu usages, customs or religions".

There were no grounds for the State President to believe that with respect to the carrying of weapons, Zulus were "more responsible and restrained in their conduct than any other tribe".

Supporting his application, Natal University anthropologist Mary de Haas said there were South Sotho customs involving the carrying of weapons. She said that as an anthropologist she believed it was "meaningless" to make an exception to the ban on carrying dangerous weapons for people who did so in accordance with traditional Zulu custom.

This was because any customs which may once have justified the carrying of weapons by Zulus, have been prohibited by law for 100 years.

The application was supported by Legal Resources Centre attorney Howard Varney and deputy director of the Centre for Adult Education at the University of Natal, John Aitchison, who submitted evidence in the application.

He claimed his research indicated violence was more likely to occur after the gathering of an armed group than after the gathering of an unarmed group and that the failure by the police in many cases to prevent armed people gathering with lethal weapons had led to an increase in deaths and injuries.

"I am of the opinion that much of the violence which has plagued this province could have been prevented if the police and army had disarmed all persons carrying dangerous weapons," he said.

STAR 4 APRIL 1991 Cosatu lists constitutional demands

By Shareen Singh

Cosatu last night spelt out its views on the process and content of change in South Africa and how workers' rights could be protected.

The federation, at a press conference in Johannesburg, reiterated demands for the inclusion of basic workers' rights in a new constitution, including the right to strike; the right to organise workers; protection from interference in trade union organisation; and a separate labour court on which

union nominees could sit.

Ebrahim Patel, spokesman for Cosatu's Workers' Charter Committee, said this would not mean a duplication of labour statutes in the constitution. The reason for including basic union rights in the constitution was to ensure that they were permanent and could not be eroded by a change of government.

Trade unions had to be independent from the State, bosses or political parties, he said.

In order to ensure an accountable government, Cosatu proposed the new constitution

should include a referendum process to overturn unpopular laws; all Government information should be accessible to the public; radio, television and newspapers should not be State controlled; and there should be limited terms of office for heads of government.

It also proposed that the government should not be able to suspend workers' constitutional rights, even in a state of emergency, and there should be an independent court to protect constitutional rights.

The constitution should also

provide that the State could intervene in the economy to ensure it serves all people and that trade unions should take part in economic planning.

Equality between men and women in all spheres should be recognised in the constitution.

These demands would be taken to Cosatu's allies, the ANC and the South African Communist Party, for endorsement and inclusion in a new constitution.

Cosatu plans rallies in May and June to gain support for these demands.

16/1/11

Winnie: more details ordered

Daily News 6/2/51

Daily News Correspondent

JOHANNESBURG: The State was ordered by Mr Justice Stegman to supply Winnie Mandela and her three co-accused with more details of the charges against them when he refused an application by defence counsel to quash the charges in the Rand Supreme Court yesterday.

The trial was adjourned until Monday.

Mrs Mandela (56), her driver, John Morgan (61), Nompumelelo Falati (18) and her mother Xoliswa Falati (36) are appearing on four counts each of kidnapping and four of assault with intent to do grievous bodily harm.

Four young men, who were also due to stand trial, failed to do so and warrants for their arrest have been issued.

The accused before court have not yet pleaded to

Traditional weapons:

NATAL WITNESS 6 FEBR. 1991 law suit against FW

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The Times
6/2/91
London

Judge decides Mrs Mandela court hearing must go ahead

FROM RAY KENNEDY IN JOHANNESBURG

THE trial of Winnie Mandela and three other defendants was adjourned last night until next Monday, after the judge ruled that none of the eight charges of kidnapping and serious assault against them would be quashed.

However, at the end of the second day of the trial in the Rand Supreme Court in Johannesburg, Mr Justice M. C. Stegmann ordered the state to prepare a much more detailed indictment, to give the accused and their counsel more information about the charges.

In what appeared to be a mild rebuke of the state's preparation for the trial, the judge said the original 11-page indictment, enlarged by summary particulars demanded by the defence, now stretched to 140 pages "in which the state's allegations have become somewhat diffusely scattered". After considering argument for the quashing of the charges, the judge said: "Since I find it possible to set out (the indictment) in straightforward terms, it is fair and reasonable for the defence to be able to grasp the case against them and prepare a case for the defence."

The trial arises from the alleged abduction of four black youths

from a Methodist church manse in Soweto in December 1988, to Mrs Mandela's home in the Diepkloof district of Soweto by members of her former squad of bodyguards, the so-called Mandela United Football Club. Last May Jerry Richardson, aged 40, the club's "coach", was sentenced to death for the murder of one of the youths, "Stompie" Moeketsi Scipri, aged 14.

Four of the seven originally accused of kidnapping and assault with Mrs Mandela have jumped bail and arrest warrants have been issued. Sharing the dock with Mrs Mandela are John Morgan, aged 61, who is alleged to have been the driver of her minibus in which the four youths were abducted, Xoliswa Felati, aged 36, and her daughter, Nompumlelo, aged 18. It is alleged that Mrs Felati and her daughter lived in the manse, and pointed out the four youths to the bodyguards who arrived to abduct them.

Nelson Mandela, deputy president of the African National Congress, remained in court throughout yesterday.

● **CAPE TOWN:** The image of the "new" South Africa — a young black man, arms raised in a peace gesture, walking towards a burning barricade and an armoured police vehicle — is being projected on television screens and billboards throughout the country, and evoked by radio broadcasts, as the government tries to promote reconciliation (Gavin Bell writes).

With the slogan "Let's put peace first", the emblem of a multi-coloured dove flying over southern Africa, and a catchy tune, Pretoria hopes to end chronic political violence threatening the reform process. Launching the campaign yesterday, Dr Gerrit Viljoen, the minister of constitutional development, said it was a non-partisan attempt to instil the culture of democracy in the face of a disconcertingly high level of violence. The initial three months will cost £600,000, but he believes it will be money well spent.



"Stompie" Moeketsi: killed and left in a ditch

*The Times 6/2/91
London*

Major leads campaign to dismantle sanctions

By ROBIN OAKLEY
POLITICAL EDITOR

JOHN Major and Bob Hawke, the Australian prime minister, agreed yesterday to work together in winning other Commonwealth heads of government round to the steady dismantling of sanctions against South Africa in response to President de Klerk's initiatives on ending apartheid.

In a 20-minute telephone call to the prime minister, Mr Hawke said Australia had played the leading role in the imposition of

sanctions and now wanted to play a leading role in getting rid of them, beginning with those which were "people oriented". The two prime ministers believe sport should be an early target for the phased removal of sanctions and that it can happen piecemeal according to the degree of integration reached.

In the Commons yesterday Mr Major told MPs that he and Mr Hawke "both very strongly agree that the time has come to begin lifting the Commonwealth measures, in particular the sports

sanctions". He said: "President de Klerk has taken a truly massive move forward. It is for the international community to respond. I hope very much they will do so."

Mr Major, who believes Nelson Mandela is wrong to call for sanctions to be maintained, may visit South Africa at some stage and discuss the problem with him, although no date has yet been pencilled in. But he is anxious to stimulate progress on sanctions within the next few months, to prevent the issue once again

dominating the Commonwealth heads of government meeting due in Harare, Zimbabwe in October.

A report by leading figures in the Commonwealth on the future of the organisation is intended to be the centrepiece of this year's meeting and Mr Major, who is keen to see new life breathed into the Commonwealth, wants that report to be the focus of this year's discussions. He and other leading heads of government in the Commonwealth have already had to postpone a meeting on the report which was due last month.

If that session can be reconvened for June the prime minister will seek formal approval there for the unwinding of the Gleneagles agreement which binds the Commonwealth governments to discourage sporting links.

Efforts by Douglas Hurd, the foreign secretary, to press the European Community to scrap its remaining sanctions against South Africa, covering the import of iron and steel, coal and krugerrands, have met a mixed response.

Message of peace, page 10

Tutu speech mixes religious theory, humanitarianism

By BILLY BRUCE

From Our West Volusia Bureau

DELAND — Archbishop Desmond Tutu separated the politics of war from the moral obligations of mankind and called for Christians to respond to their responsibility to God to oppose all war and oppression during his speech at Stetson University's Edmunds Activities Center Monday night.

Tutu spoke at the invitation of Dr. Clyde Fant, Dean of the Chapel at Stetson. His speech was delivered as the inaugural James A. Stewart Lecture in Christian Ethics, a series of lectures to be sponsored annually by Stetson's Institute for the Study of Christian Ethics.

More than 4,500 people jammed the Edmunds Center to hear the world-renowned

Nobel Prize winner speak.

"We must know that our planet and human survival are at risk unless we change our moral and ethical perspectives," Tutu said, mixing complicated religious theory with straightforward humanitarian logic.

"We belong to God by creation, by redemption and by sanctification," he said. "Consequently to treat one such person as if they were less than this, to deny them their fundamental inalienable rights as through disenfranchisement, through discriminatory law, segregated housing, education, restricted access to health, welfare and recreational facilities, to treat one such child of God as if they were less than a child of God is not only wrong as it undoubtedly is, not only painful as it must often be for the victims of injustice and oppression ... it's downright

blasphemous and sacrilegious.

"It is a veritable spitting in the face of God, and to engage in the struggle for justice, equity, reconciliation and peace are fundamentally not political enterprises. Ultimately and profoundly it is a religious, a moral engagement."

He pounded out his opinions against the Persian Gulf War, continuing his emphasis that his words were of moral obligation, not political convictions.

"A bit of chauvinism goes down well with many, our country right or wrong, and it is difficult to think of the enemy also as children of God, the fathers of children, the wives of husbands, that they're not just statistics," he said. "As we indicated earlier, America isn't lily white, if you know what I mean. She attacked Grenada and Panama,

and behaved in a way some of us find unacceptable in Nicaragua. Whilst opposing linkage of the Palestinian issue with the Kuwaiti question, she wasn't averse to a linkage of Cuban withdrawal from Angola in the matter of Namibia.

"We want peace and condemn Iraq's invasion and annexation of Kuwait, but we believe this war could've been postponed a little longer to give sanctions a chance to bite," he said.

After a standing ovation, Stetson President H. Douglas Lee conferred an honorary doctorate degree of laws to Tutu. James A. Stewart, for whom the lecture was named, delivered the benediction. Tutu arrived in DeLand Sunday night and spent the day touring and visiting the university. He was slated to return to Africa today.

Compliments of

Cliff Gossney