



Mxenge's funeral in King Williams Town

— too many few answers

some dogs from a friend,' Mrs Mxenge said.

During the inquest proceedings the counsel for the family, Louis Skweyiya, asked the investigating officer whether he would be pleased if he helped him find the whereabouts of the 'untraceable' man who had found Mxenge's body.

And, after Det-Sgt Wilmot Ntshangase had said he would 'jump around for joy', Skweyiya told the Court the man's address and where he was working.

He added that 'although I am not a policeman' between the close of the proceedings the day before and that morning he had been able to trace the man.

Under cross examination by Skweyiya, Det-Sgt Ntshangase admitted he had not talked to the night watchman of the building where Mxenge was last seen nor had he talked to the people living in the flats

in the area.

Det-Sgt Ntshangase then told the court that the reason he had not done this was because he 'was not used to Durban' and especially the area where Mxenge was last seen.

The investigating officer also said he did not know the whereabouts of the shirt which Mxenge was wearing when his body had been found and had not examined it for clues.

He thought it had been handed over to the Mxenge family but Mrs Mxenge told the Court she had only received his trousers, belt and socks.

Neither the shirt or the trousers had any blood stains on them, the Court was told by various witnesses, in spite of the fact that Mxenge had 45 wounds on his body.

The first State witness, Dr Johannes van Staaten, said the cause of Mxenge's death was 'multiple clean cut injuries to the lungs, liver and heart.'

He said the majority of these had been caused by a knife or knives but a number of wounds on the head had been inflicted by a blunt-edged instrument 'like a hammer'.

Describing the wounds, Dr van Staaten said most of the wounds had not been fatal but a 'potentially fatal' wound had been the cut slightly above the Adam's apple which had severed the neck to the bone.

Also giving evidence at the inquest, Advocate Pius Langa who was reputedly the last person to see Mxenge alive said he had met Mxenge in Victoria Street where he had handed over a case file late that afternoon.

He had then U-turned the wrong way up Victoria Street when he heard urgent hooting from what could have been Mxenge's car.

'Thinking back, I believe that if the hooting had come from the deceased it was the hooting of someone in distress or somebody trying to draw somebody else's attention,' Langa told the Court.

But, he said, he had ignored it thinking someone was hooting because he was going up the street the wrong way.

The inquest was adjourned to 'a date still to be established.'

Parole as Island turns 21

TWENTY ONE years ago, Robben Island was proclaimed a maximum security prison for political prisoners. This year's anniversary was marked by the Government's move to grant remission to political prisoners for the first time in the history of Nationalist Party rule.

The first prisoners granted parole were Henry Africa (25) and Siphiwe Ngwenya both of Soweto, Joe Mati (49) of Mdantsane, Mluleki George of Qongqotha township near King Williams Town and at least three others. All had been jailed for contravening the Suppression of Communism Act. Before release they had spent 42 months at Helderstrom Prison near the Free State town of Caledon.

Also recently released were three Swapo members who have just completed terms of six and five years. The men are believed to be Sakria Nashandi (34), Michael Shikongo (42) and Nabot Limene (43).

The government's remission policy has been welcomed but is open to speculation and scepticisms in view of the circumstances and conditions under which certain prisoners are eligible for parole. In May, the Minister of Justice, Kobie Coetzee announced in Parliament that parole and remissions would

'only apply to those with good prognosis. In other words, those who have co-operated and shown that they have in fact turned their back on crime.'

A Release Advisory Board, appointed by the Minister, met on 2 July. Its function is to decide 'whether the prisoner is ready to be a productive member of society and to be reunited with it'. If there are any conflicts of opinion on the Board, the Government has the final say.

The remission policy has led to speculation on the possible future release of prisoners such as Mandela, Sisulu and others serving long or life sentences. There has also been speculation about the possible release of Herman Toiva ya Toiva, the Namibian leader who is serving a 20-year sentence. However this has been dismissed by prison authorities and it is likely that mainly short-term prisoners due out before 1984 are in line for parole.

The government's unprecedented move should be viewed with greater caution, rather than over-optimism, observed a Black Sash member. 'In the light of detentions, bannings and banishments this move can hardly be seen as a change in the state's attitude,' said another commentator.

The Island has housed opponents

of the Government since the 18th century. In 1918, Makhanda, the Xhosa war doctor, became the first black political prisoner. Other rebellious chiefs were imprisoned on the island by the British colonisers. In 1860 one prisoner drowned in an attempt to escape to the mainland.

John Vorster and a few other Nationalist Party leaders also spent time interned on the Island during the Second World War. They were members of a pro-Nazi organisation opposed to the Smuts' government's support for the Allied forces.

In 1959 it was officially declared a penal settlement and initially held criminal and political prisoners. After the banning of the ANC and other organisations in the early 1960's and the trials that followed, many people were imprisoned on the island. Nelson Mandela, Govan Mbeki, Walter Sisulu, Raymond Mhlaba, Elias Motsoaledi, Andrew Mlangeni and Ahmed Kathrada were all sentenced to life imprisonment during that time. Some of them have recently been moved off the island to Pollsmoor Prison on the Cape Peninsula.

Robben Island may not be a prison for very much longer. The government has announced that it wants to change it into a holiday resort and move the prisoners to an inland jail by 1983.

Hogan alleges heavy handed action by SP

AN AWAITING trial prisoner, Barbara Hogan, 30, told a Johannesburg Magistrate's Court that she was assaulted by a security policeman who told her he took delight in beating terrorists and communists, including women.

Hogan, who has been in detention since September 22 last year, has been charged with treason and will appear in the Rand Supreme Court on August 15.

Two security policemen, Warrant Officer (WO) Nicolaas Johannes Deetleefs, 32, of Beach Avenue, Primrose, Germiston, and WO Lawrence Charles Phillip Prins, 31, of State Residences, Government Mortuary, Springs appeared before Mr G J Schoeman on July 22.

The State alleges that the policeman hit Hogan with fists and open hands on her face, head, ears and back on October 22, 1981. They

pleaded not guilty.

She said on October 22 she was taken from her cell at about 9am to an office on the 10th floor of John Vorster Square and intensively interrogated by a group of security policemen.

Later that morning, WO Deetleefs and WO Prins came in. Her hands were tightly handcuffed behind her back so that she could not move.

'They were shouting and screaming at me and calling me a communist,' she said, adding that throughout her interrogation she had been screamed at and threatened with physical violence.

She said it seemed that violence was a pattern the Security Police used when interrogating detainees.

At lunchtime, the handcuffs were removed and she was shouted at and told to swallow her food quickly.

'After lunch, WO Prins came and stood behind me. A question would be asked and he would hit me from behind across the right side of my face,' she said.

'He started hitting me regularly then. He hit me on my face, back and neck. He made a special point of hitting me on my ears and said this would break my eardrums.'

'Deetleefs would ask the questions and Prins would hit me. As I recall, there must have been between 25 and 30 blows. They were not continuous but interspersed with very aggressive questioning, screaming and shouting.'

She said she was deeply shocked and numbed by what she described as an 'overwhelming experience'.

She said she could not say if the assault was serious or minor because 'in the circumstances, you have little power, you are in the control of the Security Police and you are mentally strained. To have two men beating me was traumatic.'

When she was eventually allowed to go to the toilet, she noticed the rectal fissure she had developed in detention had started bleeding.

She was taken in a Security Police car to a district surgeon, Dr Jacobson. On the way there, she was warned by WO Deetleefs not to speak about what had happened, and was threatened with further assaults.

She said WO Deetleefs had once said to her he was 'not scared of assault charges because they always get squashed'.

'When I got to Dr Jacobson, he asked me if I had any complaints. I pointed to my face and started crying,' she said.

'Dr Jacobson became angry when he saw my bruises. He asked me to strip down so he could take note of all the bruises on my body. He called in another doctor to verify the injuries. I begged him not to say that I had been assaulted.'

She said she had bruises under her right eye and a larger one on her right cheek. Her back, neck and ears were also painful.

The doctor's report was handed to the Security Police as they left the consulting rooms, and she said WO Deetleefs told her he would be nice to her because she had not told the doctor about the assault.

Mr T T A Bornman, for WO Prins, put it to Hogan that she was a member of the ANC and that she had received instructions on how to behave in detention 'to put the police in a bad light'.

Hogan refused to say if she was a member of the ANC because it could incriminate her. She denied she had any knowledge of how to behave in detention.

Latest laws are no fairy tale

FIXING UP the legal niceties for South Africa's security measures is like trying to pass off Little Red Riding Hood's grandmother in the pension queues.

But, such has been the shake-up of security legislation in the wake of the Rabie Commission recommendations that even the security boys have been getting themselves twisted in confusion over who they are holding under what law.

On June 24, seven people were detained under Section 22 of the General Law Amendment Act which allowed them to be held for 14 days without recourse to lawyers, family and friends. These detentions were widely reported by the media before the security police, for the first time ever, prohibited further publication of the names in terms of Section 27(c) of the Police Act.

So far so good, everyone's used to this sort of thing, but here comes the catch.

Not only had Section 27(c) been removed from the statute books eight days before the detentions, but Section 22 ceased to be law a week after the incarcerations having been eclipsed by the new Internal Security Act.

The recent shake-up of security legislation has only changed a few names of the country's most draconian laws and streamlined them for easier application.

The shake-up was heralded early in June by the introduction of the Intimidation Act, which has already been put to use in the current wave of labour unrest in Natal.

The onset of July saw the disappearance of the infamous Terrorism Act, Internal Security Act of 1950 and several others where were collectively replaced by the Internal Security Act 74 of 1982.

The new act is likely to be used extensively in future security police investigations.

People taken in for interrogation will be held under Section 29 while potential state witnesses will be held under Section 31. Those detained because the Minister of Law and Order so desires will find themselves victims of Section 28. If any charges are made the Attorney General may, in terms of Section 30, refuse bail.

With effect from the beginning of July any warrant officer or higher rank, may detain a person without a warrant if he feels the detention will combat public disturbance, disorder, riots, or violence.