

ATTERIDGEVILLE/SAULSVILLE

The further particulars to the indictment (p.79) allege that since August 1984 to February 1985 ASRO organised and intimidation, riots and violence occurred.

From January 1982 there was unrest on a small scale in schools in this area. This was accompanied by some class boycotts. It lasted through 1983.

The UDF started its activities in the Pretoria area in June 1983.

Atteridgeville/Saulsville Residents' Organisation (ASRO) was active during 1984 and 1985 calling for Black councillors to resign. As a result of its pressure an announced rent increase of R16,00 per month as from June 1984 was not proceeded with. It only became operative from March 1985. Accused No 19 spoke at one of its meetings on 17 February 1985 (AAW.6). In March 1985 it promoted the non-payment of rent. Exh AAW.7.

The whole of 1984 was marked by schools unrest. The schools were closed from July 1984 to 9 October 1984. When they reopened on 11 October 1984 COSAS' pamphlets were distributed in favour of a continuation of the boycott (exhs AAW.8 and AAW.9) stating "we shall stop at nothing to fight for this demands" (sic)

and "Forward to a peoples' education in a peoples' republic. Maatla ke a rona. Forward with the Education Charter". High school pupils intimidated and disrupted primary schools on 12 October 1984 and police were attacked. On 23 October 1984 D H Petha High School was attacked by pupils.

On 5 November 1984 which was the start of an announced two day stay-away in solidarity with COSAS streets were blocked, delivery vehicles, buses and the police were attacked. The resignation of all community councillors was demanded, the withdrawal of the army and police from the townships was called for and the release of all detainees and political prisoners. It was demanded that rent increases be stopped. AAW.10.

In November 1984 the schools unrest increased in intensity and the pressure on councillors to resign increased. They were called puppets of the White regime by COSAS and ASRO in meetings.

On 28 November 1984 two houses of councillors were petrol-bombed.

The year 1984 ended with a Black Christmas campaign. In a COSAS pamphlet (AAW.11) in support of this campaign it was stated that its purpose was "to remember all those who were brutally murdered by the apartheid and racist Government ...".

It is common cause that in the period August 1984 to February 1985 schools were disrupted by general stone-throwing by groups and school buildings were damaged by the stone-throwers. Groups also threw stones at the police. Road-blockades were set up by the groups and the flow of traffic was impeded. Stones were thrown at buses. Cafes were damaged and a bottle-store and beerhalls were set alight. Police vehicles and other vehicles were damaged by groups. Exh AAS.3 para 12.

There is clear evidence of UDF involvement in this area.

The secretarial report to the UDF general council meeting of 10 December 1983 (exh N.3) reported that the UDF campaign against Black local authorities had been conducted in all areas. The UDF Transvaal provided information and general co-ordination. The campaigns were in the names of local affiliates. See also exh E.2. This was no idle statement as far as Atteridgeville/Saulsville is concerned.

At the general council meeting of the Transvaal UDF on 17 September 1983 SAYO (Saulsville Atteridgeville Youth Organisation) stated that it planned a house to house campaign. This was also set out in the programme of action of the UDF. Exhs K.1 and K.2.

It is common cause that there was at all relevant times a COSAS branch active in this area.

ASRO was formed in February 1984 and immediately affiliated to the UDF. Its chairman Dr Nkomo conceded that ASRO adhered to the policy aims and objects of the UDF. Its purpose was to mobilise and organise in the freedom struggle and it clearly took up UDF campaigns. (This concession by Dr Nkomo relates to the UDF's declaration and not to covert aims).

Exh C.118 an emergency UDF working document dated 25 September 1984 found in possession of E A Saloojee national treasurer of the UDF on 15 February 1985 states that in the light of the detentions and suppressive measures of the apartheid regime because of "our victories in the past few weeks" it is suggested that area committees be established and set into action immediately, inter alia the Pretoria area committee consisting of inter alia Atteridgeville, with priority assignment to take up the campaign against the KaNgwane elections with the people of that area and other assignment the community workers and students etc struggle.

The minutes of the National Secretariat of 12 January 1985 reported that the UDF area committee of Pretoria had been formed and was functional. Exh T.15. This was an improvement upon the situation on 7 December 1984 where the minutes of the REC reflect that the evaluation commission reported that the Pretoria area committee was functioning sporadically. Exh S.17. The minutes further reflect that a rally was organised for 16 December 1984 in Pretoria. D Mahapo was to speak.

It is clear that the UDF was one of the originators of the Black Christmas campaign in which COSAS participated so actively. Exh AAW.11, exh T.15.

In a report entitled UDF and the Black local authorities dated February 1985 (exh C.110) found in the UDF office Johannesburg on 23 July 1985 the resignations of councillors and the suspension of the rent increases of the Black local authorities in the Transvaal was claimed as an important victory for the Front and its affiliates in local areas. It is stated that Mr Z Z Mashao the mayor of Atteridgeville resigned in November 1984 and that the organisation active in the area is ASRO. It would appear however from the report that Mr Mashao resigned because he was against the rent increase in the first place and there is no indication that his resignation had anything to do with illegal pressure put to bear on councillors.

UDF leaders from outside the area spoke at various meetings in this area. Accused No 19, D Mahapo, Father Mkhatswa, Dr Motlana, Professor Mohammed and the Reverend Frank Chikane. Deacon Mathe, on the REC Transvaal and Cedric Kekana, both leaders of SAYO, were active in this area. So was accused No 21. He was one of the secretaries of the UDF Transvaal and involved with the Northern Transvaal. He was also Master of Ceremonies at the funeral of Emma Sethakge on 18 February 1984. She was a COSAS member who had been overrun by a police vehicle. We will deal with his alleged

statement to the police on school boycotts when his situation is dealt with.

It is of some significance that at a meeting on 17 February 1985 where accused No 19 and Father Mkhatswa were the prominent speakers ASRO decided to pay no rent at all - despite the attitude of its committee that only the increase in rent should not be paid.

That the violence was organised and directed at schools, the town council, the Development Board and the police is clear.

There is no evidence however that ASRO organised it or that it necessarily flowed from ASRO's organisation. The chairman, Dr Nkomo, denied that violence had been preached at its mass meetings. However he attended public meetings of ASRO only till March 1984 (apart from one on 4 November 1984) and became inactive. This witness is clearly a moderate who was side-lined before the real action started. He fell out of favour with the radicals. His surgery was attacked in May 1985 after he had taken steps to rescind a total rent boycott decision by an ASRO meeting.

We can make no finding on whether at a meeting on 4 November 1984 he spoke in favour of the school boycott. Warrant Officer du Toit's evidence is uncorroborated. The uncontradicted evidence of Dr Nkomo is that ASRO was in favour of the re-opening of schools and

took steps to negotiate with the Department of Education and Training in this regard.

As we have seen SAYO was active in the area. It campaigned already against Black local authorities elections in November 1983. Of its leaders Deacon Mathe and Cedric Kekana in action we have a video. Both spoke at the UDF Youth Rally on 28 July 1984. Exh V.15. Kekana in military uniform gave a particularly revolutionary speech. It is admitted by the defence that this Kekana attended one or more UDF Transvaal General Council meetings. This speech of his was made just before the violence flared in August 1984.

We have dealt elsewhere with COSAS' revolutionary policy.

There were attacks on schools which were clearly related to the schools unrest. There were attacks on councillors homes and businesses and the property of the Development Board was set alight. The type of violence is in line with COSAS' and SAYO's attitude.

There is no direct evidence of COSAS or SAYO involvement. There is also no indication that any other organisation (apart from these two and ASRO) was politically active in Atteridgeville/Saulsville.

The violence on 12 October 1984 following closely upon COSAS' activity against the re-opening of the schools, taken in conjunction with the contents of the pamphlets, leads to the conclusion that COSAS had a hand therein. The violence of August 1984 following closely upon Kekana's speech leads to an inference on the probabilities that SAYO was involved.

The defence emphasised that the state chose only to mention ASRO in its further particulars and not COSAS or SAYO and that its case in respect of Atteridgeville/Saulsville should fail if the case against ASRO is not made out.

There is merit in this approach as far as SAYO is concerned. It cannot be said that the defence will not be prejudiced if the evidence of SAYO's involvement in Atteridgeville is taken into account. As far as COSAS is concerned, that evidence was led by the state without objection and it is relevant to the involvement of accused No 21 and the UDF with the schools crisis. Accused No 21 and No 19 dealt with it. In our view the defence is not prejudiced thereby.

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