

THABONG (WELKOM)

The further particulars to the indictment as amended (p.81) allege that during 1984 the UDF and COSAS organised and riots and disturbances occurred. On 11 August 1984 accused No 20 made a speech at the funeral of a person who was killed in the riots and he called on the mourners to fight till eventually liberty and freedom were attained. He called on the women to participate in the fight which according to him had started already in 1912.

A workshop was held in Thabong during 1983 by accused No 19 and accused No 20 to explain the UDF to COSAS members. Notes of accused No 19 and No 20 on a meeting with COSAS on 7 October 1983 state that the strongest organisation in Thabong is COSAS, though there are others. Accused No 20 spoke on the history of resistance in South Africa and accused No 19 on the history and nature of the UDF. The students emerged out of the meeting with renewed determination and resolved to form a UDF Area Committee. They sent a delegate to talk to people in Bloemfontein and Brandfort about it. Accused No 19 and accused No 20 saw a lot of prominent individuals as well and explained the UDF. Their immediate concern was the Black local authority elections. A follow-up visit was to be made by accused No 20 and accused No 21 on 9 November 1983. Exh C.52. That the UDF was very active in that area also appears from the minutes of the UDF GCM of 30 June 1984 (exh Q.2) where accused No 19 reports that over 3 000 signatures were collected in Welkom and Parys.

On 26 January 1984 accused No 20 was arrested in Welkom.

On 25 February 1984 accused No 20 and Aubrey Mokoena spoke at a UDF million signature campaign meeting in the Roman Catholic church Thabong. Bishop Tutu was also on the programme. It was widely advertised.

The UDF officers reported to the UDF NEC on 1 June 1984 that there were no affiliated organisations in the Orange Free State except COSAS but that the Thabong Youth Congress of Welkom was supportive of the UDF. [According to Saspu National November 1983 p.9 (exh AU.8) it had been launched in October 1983 and would work closely with COSAS and organise the youth in that area who were not part of COSAS].

During 1984 COSAS was active in Thabong. Billy Makobo was on the executive. Regular public meetings were held by COSAS. In July 1984 the Teto High School closed after a class boycott following on the refusal of the principal to accede to claims by the scholars. Teto scholars disrupted classes at Thutagauta High School.

On 1 August 1984 the Matrics had to re-register. A group of non-Matrics numbering approximately 400 led by Billy Makobo attended singing freedom songs. They were told to disperse. They ran into the township creating amuck. Children from Teto and Thutagauta schools disrupted Lebogang High School who then joined them with calls for SRC's. Vehicles were set alight, a liquor vehicle was plundered, the

beerhall attacked and all schools were disrupted. The police were attacked with stones at the Thutagauta School, road-blocks were erected. The schools were closed on 1 August 1984.

On 2 August 1984 at approximately 12h00 there was a general eruption of violence. There was intense rioting and attacks on the police. Bird-shot was used, one scholar was fatally injured. That was Ephraim Loape.

On 1 and 2 August 1984 primary schoolchildren were assaulted by senior pupils when they attempted to go to school.

The funeral of Loape took place on 11 August 1984. A prominent speaker at this funeral was accused No 20. Banners of COSAS, UDF and AZAPO were exhibited. Loape had not been a member of any organisation and the funeral was taken over for political propaganda purposes. Aubrey Mokoena also attended, displaying a RMC banner. A photograph of the cortège in exh W.64 p.1 shows a wild fist-waving, shouting, running mob of youths in front of the coffin. After the funeral the police were attacked by a crowd of approximately 1 000 after they had given the order to disperse. Tear-smoke was used. Accused No 20 was invited by the COSAS branch to this funeral.

The defence urged us to find that accused No 20 in his speech at the grave disavowed violence and proclaimed the UDF to be a peaceful organisation. Reliance is placed on two witnesses, Mrs Leeba and Mr

Pathe. Mrs Leeba was, however, wholly discredited on her version of the speech of accused No 20. Pathe we found to be unreliable, a man who fabricated evidence. As accused No 20 was an untrustworthy witness himself there is no reliable evidence before court on the contents of his speech. It did, according to Pathe, contain an attack on the police, accusing them of violence and of shooting this crippled child (without cause). The programme of this funeral (exh AAW.12) gives a clear indication of the type of speech made. Apart from the sermon there are speeches by speakers of COSAS, Thabong Youth League, AZAPO, RMC, NUM, AZASM and Thabong Residents Action Committee. All are interspersed with freedom songs. There are no hymns on the programme. It states that Papiki Loape, an 18 year old cripple, "was brutally murdered by a member of the Notorious Racist Paramilitary Force during the school uprisings". "As death is the way of flesh may his fertilise the Azanian Soul". "Long live the Spirit that is toiling the masses of South Africa, Long live the Spirit of the International Mankind, long live Nelson Mandela, Long live Solomon Mahlangu. Aluta! Continua! Amandla! Amandla! Amandla!"

This is indeed a strange funeral for a crippled boy of 18 who had no schooling since he was 8 and who belonged to no organisation. COSAS with which he had no connection arranged the funeral and accused No 20 of the UDF who did not know him drove all the way to Welkom to speak there.

We do not find that accused No 20 spoke out against violence at this funeral. The programme shows that Papiki Loape was elevated to a freedom fighter who had died in the school uprisings at Thabong. The reference to the executed terrorist Mahlangu and the phrase from the Mozambican revolution Aluta Continua shows that the violence was seen as part of the revolution. Accused No 20 had on 1 August 1984 in a speech at a Natal Indian congress meeting in Natal (exh V.17 p.42) stated that the riots in Welkom that afternoon were part of the rising tide of resistance of the people. It was organisation which is resistance of the people which must bring the government to a fall.

On 14 August 1984 militant slogans were painted on the Teto School stoep.

The school boycott continued. On 5 September 1984 a meeting of parents was called by the Department of Education and Training. It was attended by 50 parents and 250 uninvited scholars who disrupted it by singing freedom songs and breaking windows. They were led by Billy Makobo the secretary of COSAS. The majority were wearing UDF and COSAS T-shirts. They shouted Tambo, Mandela, Viva UDF, COSAS, Amandla. They sang "White people are dogs, we will shoot them with cannon". Billy Makobo shouted that they would set fire to warrant officer Morolong's house. Thereafter the youths left the hall and ran into the township and set fire to his house. R30 000 damage was caused. His Cortina was also damaged. Billy was arrested but absconded after being granted

bail. Approximately twenty youths were convicted of public violence, all of them COSAS members.

We have reached the above conclusions after having had due regard to the credibility of the witnesses who testified about this meeting. Our comments on them are set out in annexure Z. Warrant officer Morolong's evidence is corroborated by that of warrant officer Hugo in the following material respects: The meeting was to have started at 18h00 but did not. At 19h00 scholars totally disrupted the meeting. A group under Billy Makobo ran out and into the township. The meeting did not continue. This evidence was never challenged by the defence. Both police officers were good witnesses. The defence version which came as a surprise more than twenty months later was that the meeting had run its full course. On the details of the meeting itself the defence evidence was, however, contradictory on material aspects. It is rejected.

On 12 September 1984 a COSAS placard (exh ABA.53) was affixed to the fence opposite the Lesedeng Secondary School threatening the pupils to stop going to school. That was the only high school still functioning.

It is common cause that during 1984 the following happened in Welkom. A group threw stones at the police, road-blockades were set up which impaired the flow of traffic, ten vehicles were set alight,

business vehicles were looted and set alight, vehicles were stoned by a group and one was set alight, a motor cyclist was stoned and stabbed, buses were stoned, stones were thrown at ten police vehicles, stones were thrown at the police at a funeral, a vehicle of the Development Board was set alight, stones were thrown at workers who were busy working, a beerhall was set alight as well as a vehicle of the Board, an attempt was made to explode a bomb at a beerhall, petrolbombs were thrown at the house of a policeman which was set alight and his vehicle was also damaged. A truck was set alight.

There was no rent boycott in Thabong and there seems to have been no action directed at councillors, though the property of the Development Board was attacked.

We conclude as follows in respect of Thabong:

1. The two youth organisations both had links with the UDF. COSAS was the dominant one. It was affiliated to the UDF and had very close links with it.
2. COSAS organised or played a major role in the violence in Thabong.
3. The violence was related to school issues and not to a campaign against Black local authorities.

4. Throughout COSAS could rely on the support of the UDF for its role in the so-called freedom struggle.

DELMAS TREASON TRIAL 1985-1989

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