

THE VAAL TRIANGLE

On 3 September 1984, the day the new constitution creating the tri-cameral parliament became effective, the day upon which the first executive state president took the oath of office, the Vaal exploded and unrest and rioting spread country-wide.

The Vaal Triangle which made world headlines in September 1984 is part of the industrial heartland of South Africa. It lies to the south-east of Johannesburg. Its base is between Vereeniging and Sasolburg and its apex lies somewhere to the south of Johannesburg. For our purposes the term Vaal Triangle is used for the Black residential areas in this industrial complex which are under the jurisdiction of the Lekoa town council and the Evaton Town Council.

The area of Lekoa comprises the townships of Sebokeng, Sharpeville, Bophelong, Boipatong, Zamdela (Sasol) and Rifeng Kgotso (Viljoensdrift). Evaton consists of Evaton, Evaton Small Farms and for certain purposes a certain portion of zone 7 Sebokeng. Lekoa consists of large sub-economic housing schemes and Evaton and Small Farms are plots which are privately owned by Blacks and on which tenants squat. Sebokeng is by far the largest township and the whole area is sometimes loosely referred to as Sebokeng. The Orange Vaal Development Board inter alia has all these areas under its overall jurisdiction.

Lekoa had a community council functioning under control of the administration board. The community council was replaced by the Lekoa town council with increased powers and the Administration Board became

the Orange Vaal Development board with different functions. Elections for the new Lekoa town council were held on 29 November 1983 and it began to function on 1 January 1984. (The old name "administration board" was often still unofficially used where the new development board was referred to.)

The elections were held amidst a heavy campaign of the UDF and its affiliates against Black local authorities. One such affiliate was the Vaal Civic Association (VCA). It was launched on 9 October 1983 as a civic organisation of Lekoa. It was clearly not intended as an organisation with purely local civic objectives. At its inaugural meeting resolutions were passed on matters of national concern like the education system, the Black local authorities system, the Koornhof Bills and President's Councils constitutional proposals, the homeland system, the Ciskei government and the banning of the South African Allied Workers Union. A resolution was immediately adopted to join the UDF. Exh AN 13.

The VCA had some peculiar features. It had no constitution and no membership. Its officials were elected at a public meeting by whoever happened to be there. It claimed to be the mouth-piece of "the people" and the representative of the inhabitants of Lekoa, but at best it could only have had a mandate from a fraction of the population. Before the riots in September 1984 a number of witnesses from that area had never heard of the VCA.

The VCA was in fact a small group of political activists which given the right issue at the right time, had the ability to activate the masses.

The right time was the second half of 1984. Due to a lengthy drought the South African economy was in a recession. Inflation was devouring the income of all South Africans. The steel industry was hit by a slump in the international steel market and large numbers of workers in the Vaal area were retrenched and without work or income. It was also the time of Black disappointment and bitterness about the new constitution and a heightened political awareness.

On top of this there was a vast ignorance and lack of understanding of the local government system in general and the factors influencing the determination of rents and service charges. There was a perception that the rents increases which were generally of an annual nature and which were said to be for development projects were allocated to other uses. There were rumours of bribery, corruption and self-enrichment on the part of councillors. Although these were generalised views and perceptions which in the main may well reflect unfairly upon the councillors as a group, it is true that there were instances of actual corruption; eg councillor Knox Matjila is known to have been convicted in a court of law for such behaviour. This fact contributed, along with some administrative errors and a number of unfortunate decisions by individual councillors and by the council as

such, to a bad public image which the opponents of the Black local authorities system were quick to exploit. A few examples will suffice. There were complaints about the action taken against rent defaulters. The allocations of liquor outlets to councillors was regarded as underhand. Evaton residents were afraid their freehold rights would be expropriated. In Bophelong a R50 deposit on existing electrical accounts was incorrectly claimed by the superintendent in August 1984 in the face of a resolution of the council. The councillors and their administration were not held in high regard.

The issue was inevitable. The new councillors having been elected on a platform that they had far more powers than the old community councils, had to fulfil their election promises and tarring of streets, electrification, high mast lighting, crèches, sportsgrounds, storm-water drainage and clinics had to be attended to. There being no other source of revenue the improvements would have to be funded by increasing the service charges paid by the residents. The vast majority of the inhabitants of Lekoa live in sub-economic housing and lease their houses from the state. The rent and service charges were paid in one monthly amount and the total was called rent.

The first budget of the Lekoa Town Council was approved on 29 June 1984. It had to provide for increased service costs due to inflation. It also included some new projects for which the residents had clamoured. Projects proposed by councillors were scaled down drastically to keep the budget within bounds.

Nevertheless a rent increase of R5,90 per month was inevitable. For purchasers of houses the charges were increased by R5,50 per month, as they paid separately for water. It was unanimously approved by the council which included eight members of the Bavutsana Party - the party of the poor. It had been intended that it would take effect on 1 July 1984 when the new book-year commenced, but due to administrative difficulties that could not be and it was announced that it would take effect on 1 September 1984. Notification of the increase in rent was done by advertisement in two newspapers on 1 August 1984. It was further announced at information meetings held by the councillors (except those of Bophelong) on 5 August 1984. There was initially no serious objection to the rent increase. Circulars were sent to all 30 500 households in Lekoa on 6 August 1984 setting out in detail the reasons for the rent increase. Similar circulars were sent to employers. Exhs AAQ 19 and AAT 9.

There was no immediate reaction. Matthysen, the city treasurer of Lekoa town council, had no inkling of dissatisfaction till 3 September 1984. In fact after their report back meeting of 5 August 1984, the councillors reported that there was no dissatisfaction on the rent increase. That general dissatisfaction became evident only in the later half of August 1984 can also be seen from the evidence of P Mo-koena, A Jokozela, S P Mofokeng, Patricia Phosisi, Mohajane and E C Mahlatsi.

The observation of M P Louw, the town clerk of Lekoa Town Council on the cause of the riots, is worth mentioning. The general view that the rent increase caused the riots should be rejected as the increase was revoked on 18 September 1984 and in 1985 and 1986 there were no rent increases at all and yet only 18% of the residents pay their rent and the riots continued.

Significant is the remark of the Rev Benjamin Photolo chief spokesman for the residents at a meeting with Louw on 5 September 1984: "Look Mr Louw it is not so much the concept of Black Government the people do not like - but the Blacks have been excluded from the new tri-cameral parliament. The R5,90 is just supplementary." Ex: AAT 12. Louw pointed out that in 1983 there had been a R9,00 increase in rent and no riots.

In Zamdela (Sasolburg) which falls under the jurisdiction of the Lekoa Town Council the rent increase of 1984 also applied, but there were no riots in the week of 3 September 1984, neither had there been protest meetings. There is also no evidence of protests and riots in Rifeng Kgotso, also part of Lekoa.

The Orange Vaal Development Board did not expect trouble on 3 September 1984 and took no steps to warn its employees. Motsoeneng, inspector of the Orange Vaal Development Board, had no inkling of the impending stay-away till 3 September 1984.

The rent increase activated the Vaal Civic Association which had largely been out of the public eye since the Town Council elections of November 1983.

At its inaugural meeting of 9 October 1983 area representatives had been elected who were to organise in their respective residential areas by means of house meetings with a view to having an area committee elected.

The evidence is that only in zone 7 Sebokeng an area committee had been established by August 1984. From the evidence it would appear that generally a lethargy descended on the VCA after the elections of November 1983 were over.

In the beginning of 1984 there was a public meeting in zone 12 (which was not successful) and a public meeting at Small Farms where the Vaal Organisation of Women (VOW) was launched. On 19 February 1984 at a public meeting the zone 7 area committee was elected. Lord McCamel, the VCA chairman, became relatively inactive due to employment circumstances and Esau Raditsela, the vice-chairman, took over. He was a member of the zone 7 area committee.

This public inactivity was abruptly broken by the rent increase. The VCA sprung into action. In zone 3 four housemeetings were held from 14 August 1984 in preparation for a public meeting on 26 August 1984 and a joint meeting between the area committee of zone 7 and the action committee of zone 3 was held for the same purpose.

The first public meeting was, however, not held by the VCA but by accused No 3 in his church St. Cyprian Anglican Church Sharpeville on 12 August 1984. This was followed by another on 19 August 1984. These were not religious gatherings but political meetings on the rent increase.

On 25 August 1984 there was an important meeting. It was held by the VCA zone 13 branch in St Michael's Anglican Church. It was advertised by exhs AN.15.4, AN.17.1 and AN.17.2. There were advertised speakers of the UDF, the Release Mandela Committee (RMC), the VCA and the Congress of South African Students (COSAS). The mayor of Lekoa, E C Mahlatsi, attempted to persuade the local magistrate to ban this meeting and others advertised by "Asinamali pamphlets" because he had obtained information that the murder of councillors was advocated. The local magistrate refused to act. This meeting resolved not to pay the increased rent, to stay away from work on Monday 3 September 1984, to hold protest rallies on that day and that councillors should resign.

On 26 August 1984 four public meetings were held. The self-appointed Boipatong Residents' Committee which had been formed on 15 August 1984 by accused No 11, the area representative of the VCA, convened a meeting, chaired by accused No 11 in the "Los My Cherry" Boipatong Anglican Church. After being addressed by inter alia accused No 11, Esau Raditsela and Edith Letlaka the meeting resolved to march from Boipatong to Houtkop (the seat of the administration of Lekoa) on 3 September 1984, that there would be no transport or school that day and that a general stay-away from work was decreed. No rent would be paid till the discussions at Houtkop with the councillors had taken place and should councillors refuse to heed their requests their businesses were to be boycotted and they must resign. (The mood for this meeting was set by the reading of Jeremiah's Lamentations 5 verses 1 to 7. See exh AT 6.)

On the morning of 26 August 1984 the Evaton Rate Payers' Association (ERPA), an affiliate of the UDF, held a meeting in the Roman Catholic Church Small Farms, Evaton. It was chaired by accused No 6. Accused No 17 and Rina Mokoena spoke about the rents and accused No 5 on the youth. (Again the mood was set by the aforementioned portion of Jeremiah's Lamentations).

In the afternoon of 26 August 1984 at the same venue accused No 8 chaired a meeting of zones 3 and 7 of the VCA. Accused No 5, No 8, No 10 and No 17 were amongst the speakers. Accused No 15 attended. The

meeting resolved to stay away from work on 3 September 1984 and march to Houtkop to speak to the councillors of Lekoa about the rent increases. It further resolved not to pay the increase, that councillors should resign and that their businesses should be boycotted. Shops and businesses would be closed and buses and taxi's would not run. An area committee for zone 3 was elected.

As in Bophelong no report back meeting had been held by the councillors, they somewhat belatedly held a meeting there on 29 August 1984. Its purpose was to explain the rent increase. It was totally disrupted by youths. The councillors were threatened that they and their homes would be set alight should they not resign. The lights were switched off and while the hall was pelted with stones the councillors fled.

On 2 September 1984 at 9h00 the area committees of the VCA met at the Roman Catholic Church Small Farms. It was not a public meeting. Arrangements were made for the march.

On the same day a meeting was held in St Cyprian's Anglican Church, Sharpeville, where a pamphlet (exh AN.15.2) was handed out. According to the witness ic.8 it was a joint meeting of the organisations of the Vaal, AZAPO, COSAS and VCA. Whether this was so is in dispute. Accused No 2 and No 3 were amongst the speakers. The stay-away from work and march to Houtkop on 3 September 1984 were discussed inter alia.

An important fact which has not been mentioned yet is that for the period 1 April 1984 to 31 March 1985 for the maintenance of the public peace all gatherings had been prohibited by the Minister of Law and Order in terms of section 46(3) of the Internal Security Act 74 of 1982. Three exceptions were allowed: bona fide sports meetings, meetings inside buildings and meetings expressly authorised. In terms of the definition in the Act a gathering includes a procession of any number of persons having a common purpose, whether such purpose is lawful or unlawful. We will deal later with the effect of the decision of S v Mahlangu & Others 1986 1 SA 135 (T) which declared the prohibition contained in Government Notice 579 of 30 March 1984 (exh CA.2) invalid on 6 September 1985.

It is against this background that the indictment against all the accused except No 19, No 20 and No 21 should be read.

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