

PUBLIC SECTOR — PRISONS

1991

JULY — AUGUST.

## Strikers backed

THE ANC has expressed its full support for prisoners on hunger strike in Bophuthatswana prisons. *Sowden 11/191*

The ANC rejected the argument of South African Justice Minister Mr Kobie Coetsee that he did not have jurisdiction over prisoners in homelands.

According to the ANC, there were more than 50 political prisoners who had been on a hunger strike for 15 days

However, Bophuthatswana's Commissioner of Prisons, Major-General CSS Delport, said only 35 prisoners were now declining food - *Sapa*.

## Boerestaat hunger striker in hospital

JOHANNESBURG — A Boerestaat Party member, Mr Fanie Goosen, on his sixth day of a hunger strike to secure his release from jail, has been admitted to Johannesburg Hospital for treatment, a Prisons Department spokeswoman confirmed yesterday.

Boerestaat Party leader Mr Robert van Tonder said yesterday that he had appealed to the authorities to release

Mr Goosen immediately. (253)

There was still no confirmation that 10 prisoners in Rooigrond Prison in Bophuthatswana had embarked on a hunger strike yesterday.

The Human Rights Commission said yesterday that there were 35 prisoners on hunger strike in the homeland and 28 of them were in hospital — Sapa

# One-third remission for first offenders

253  
CT 217191

**PRETORIA.** — First-offender prisoners of all categories have been granted a conditional one-third remission of sentence, and the prisoner-release programme concluded at negotiations between the government and the ANC is to be terminated, President FW de Klerk said yesterday.

This followed agreement between the government and the ANC at a meeting on Sunday at which finality had been reached for the process of releasing prisoners as set out in the Groote Schuur and Pretoria Minutes.

"It was also agreed that the results of the process were acceptable to both sides," Mr De Klerk said.

In terms of Sunday's agreement, no further applications for the release of prisoners, in terms of the Groote Schuur and Pretoria Minutes received after July 15 will be considered, Mr De Klerk said in a statement.

The prisoner-release programme set out in the Groote Schuur and Pretoria

Minutes had virtually run its course, resulting in the release of more than 1 040 prisoners, but had benefited only a specific category of prisoners.

"This brought about an imbalance, and a more even-handed approach is called for. I have, therefore, decided to grant a one-third remission of sentence to all sentenced first offenders who were serving sentences on 1 July 1991."

He said he was also "considering further proposals as to what may be done, if anything, in respect of second and further offenders".

The one-third remission would not apply to prisoners serving life sentences, sentences for sexual offences, child abuse and molestation "and a few other exceptions".

It was agreed at Sunday's meeting, attended by Justice Minister Mr Kobie Coetsee and ANC representatives, that the government would not consider further applications. — Sapa

# Dispute brews over 'accord' on prisoners

By TOS WENTZEL  
Political Staff

A MAJOR dispute over the release of political prisoners is brewing between government and the African National Congress after an agreement on procedures and a time limit was announced by President De Klerk

An ANC spokesman has dismissed the suggestion of an agreement as "propaganda" while top government sources today maintained that an accord had been reached

Problems have arisen over the number of political prisoners still to be released and those held in Bophuthatswana

The matter is expected to be raised at the ANC conference in Durban

Mr De Klerk announced yesterday, a settlement between ANC officials and government repre-

sentatives including the Minister of Justice Mr Kobie Coetsee was reached in Pretoria on Sunday

He said it was agreed that finality had been reached in terms of the process and release set out in the Grootte Schuur and Pretoria Minutes regarding prisoners inside South Africa. There was also consensus that the results of the process were acceptable to both parties

No further applications for the release of prisoners in terms of the minutes received after July 15 would be considered, he said

Those submitted later would be considered if the delay was not the fault of the prisoner or his representative

Prisoners whose applications for release had been refused by the government could approach an advisory body of judges established in terms of the minutes for further advice to government

More than 1 040 prisoners had been released

In an apparent reference to prisoners in Bophuthatswana Mr De Klerk said

"The government is confident that other issues such as prisoners in neighbouring countries could suitably be discussed among responsible parties. The government is prepared to play an intermediary role"

There would also be a general remission of sentence for a broad spectrum of prisoners

Following the weekend negotiations there has again been contact between the ANC and the government and the ANC is now expressing misgivings about the agreement

ANC spokesman Mr Saki Mazonza said that meetings of an audit committee had taken place but as far as he was aware no agreement had been reached

253  
ARF 2/7/91



## Hunger striker in hospital <sup>253</sup>

Boerestaat Party member Fanie Goosen, on his sixth day of a hunger strike to secure his release from jail, was admitted to the Johannesburg Hospital on Friday for treatment, a Department of Correctional

Services spokesman confirmed yesterday

Boerestaat Party leader Robert van Tonder said yesterday he had appealed to the relevant authorities to release Mr Goosen

## 67 Bop prisoners are now on hunger strike

Another 30 prisoners at Bophuthatswana's Rooigrond Prison joined a hunger strike yesterday morning — bringing the total number of hunger-striking prisoners in the homeland to 67

General Caspir Delpert, Bophuthatswana's

Commissioner of Prisons, confirmed the figure yesterday, saying 30 hunger strikers had been admitted to hospital — 14 at the weekend.

On Friday there were 35 hunger strikers in hospital, but five had started eating, General Del-

port said. "The remaining hunger strikers are under continual medical surveillance"

Yesterday was the 17th day since the first group of prisoners at Rooigrond Prison embarked on a hunger strike, contending that

they are political prisoners and should be released in terms of the Pretoria Minute.

Many of the prisoners were convicted of treason for taking part in the attempted 1988 Bophuthatswana coup — Staff Reporters.

# ANC denies agreement on <sup>(253)</sup> release of political prisoners

Own Correspondent <sup>Stew</sup> 2/7/91

CAPE TOWN — The dispute about the release of political prisoners between the Government and the ANC is growing

President de Klerk announced agreement had been reached on procedures and a time limit for the release of prisoners, but the ANC now denies this

An ANC spokesman dismissed the suggestion of an accord as "propaganda", while top Government sources today maintained that agreement had been reached.

The sticking points that have again arisen are the number of political prisoners still to be released and prisoners held in Bophuthatswana

The matter is expected to be raised at the ANC conference in Durban.

Mr de Klerk announced agreement had been reached at negotiations between ANC officials and Government representatives, including Justice Minister Kobie Coetsee, in Pretoria on Sunday.



Kobie Coetsee . . . agreement said to be reached.

The President said it was agreed that, with regard to prisoners jailed within South Africa, finality had now been reached in terms of the process and release set out in the Groote Schuur and Pretoria Minutes. It had also been agreed that the results of the process were acceptable to both

He said it had also been agreed that no applications after July 15 for the release of prisoners in terms of the Minutes would be considered, except if the delay was

not the fault of the prisoner or his representative

The release in terms of the Minutes had now virtually run its course, resulting in the release of more than 1 040 prisoners.

In an apparent reference to prisoners in Bophuthatswana Mr de Klerk said "The Government is confident other issues such as prisoners in neighbouring countries could suitably be discussed among responsible parties. The Government is prepared to play an intermediary role."

ANC spokesman Saki Mazonoma said meetings of an audit committee had taken place but as far as he was aware no agreement had been reached.

He said any statement to the effect that an agreement had been reached was "propaganda"

● Mr de Klerk has also announced there will be a general remission of sentence for a broad spectrum of prisoners

He said first offender prisoners in all categories would be granted a conditional one-third remission of sentence

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## Agreement reached on prisoner release

*Bl Day 21/7/91*  
PRETORIA — First offender prisoners in all categories had been granted a conditional one-third remission of sentence and the fate of second and further offenders was being considered, President F W de Klerk said yesterday.

This followed agreement between government and the ANC at a meeting on Sunday that no further applications for the release of prisoners in terms of the Groote Schuur and Pretoria minutes received after July 15 would be considered, De

Klerk said in a statement.

*(253)*  
“The release programme which had followed upon the Groote Schuur and Pretoria minutes benefited only a specific category of prisoners. This brought about an imbalance,” he said.

It was agreed at Sunday's meeting that finality had been reached for the process of releasing prisoners as set out in the Groote Schuur and Pretoria Minutes, and that the results of the process were acceptable to both sides. — Sapa

## Prisoners to meet FW

JOHANNESBURG

The Order Boeryok, with two right-wing prisoners on a hunger strike, has called for a meeting with President F W de Klerk to discuss the release of the men.

It was important to get them out of jail, because the "NP government is going to capitulate and hand over political power to the ANC", said a statement.

A second prisoner, Mr Corrie Lottering, joined Mr Fanie Goosen on Monday in his bid for freedom by starting to refuse food on the day Mr Goosen was admitted to hospital — Sapa

# Zolani woman on hunger strike

253 ET 3/7/91

THE only woman political prisoner in the Western Cape has been on hunger strike for nine days to demand her indemnity and release, Cape Town attorney Mr Alan Dodson said yesterday.

Ms Phyllis Fante, 28, was being denied the same privileges of the 19 male political prisoners in Pollsmoor Prison, where she is also being held, he said.

Her prosecution followed civil unrest in the Zolani township near Ashton, about 160km east of Cape Town, said Mr Dodson. She was arrested with seven other people and sentenced to 15 years in jail on

a charge of attempted murder after her conviction in 1987.

Five of her co-accused since been released under the Indemnity Act, he said. More than 1040 prisoners have been released on the grounds of indemnity.

Ms Fante had lost nearly seven kilograms since embarking on her water-only diet nine days ago, bringing her weight down to 72kg, said a statement from the lawyer's office.

Prison officials allegedly refused to give her sugar and salt and a female warder

allegedly tried to force feed her, the statement claimed.

"Ms Fante applied for indemnity under the terms of the Pretoria Minute prior to April 30 and, to this day, still has not received any response from the government.

"Not only were most of her co-accused released last month, but her husband passed away in June," said a statement from the lawyer's office.

Ms Fante, who had been held with common-law criminals, was moved to an isolation cell after she started her lone fast last Sunday, he said — Sapa

## 'Significant progress' on new prisoner deal

610am  
217/91 ALAN FINE (253)

DURBAN — Almost all ANC-aligned political prisoners will probably be released soon as talks between government and ANC negotiators reach a critical stage.

A senior ANC official said last night the ANC/government working group had made significant progress.

But President F W de Klerk's statement on Monday on the issue had been exaggerated and ill-conceived and this had caused the matter to become a point of dispute between the two, the source, who asked not to be identified, said.

A stage in the talks had been reached where all but about three prisoners clearly identifiable as ANC-aligned would be released soon. Some would even be released in time to participate in the latter stages of the ANC national conference, he said.

Three prisoners unlikely to be released included Magoo's Bar bomber Robert McBride and another two whose offences were comparable. These prisoners' cases would be categorised as "grey area" cases and would be considered by a panel of jurists established for that purpose.

Other people who had applied for release but who were not clearly linked to the ANC — some of whom had committed common law crimes — would have their cases examined on an individual basis.

The ANC source said De Klerk and his advisers had, through either ignorance or a deliberate attempt to make propaganda points during the week of the ANC conference, issued a potentially misleading statement. If it was a propaganda attempt it had misfired. He said government's foot-dragging on the issue remained unacceptable and counter-productive to the peace process.

Star 3/7/91

## Prisoners: Govt, ANC are talking of different things

Political Staff

(253)

The issue of political prisoners was hotly debated yesterday — for the umpteenth time.

But it was clear that the main parties — the Government and the ANC — were talking about different things

ANC deputy president Nelson Mandela, opening the organisation's national conference in Durban, dismissed as "a lie" President de Klerk's announcement that the Government and the ANC had agreed that all

political prisoners had been released.

However, Justice Minister Kobie Coetsee pointed out that nowhere in a statement issued by Mr de Klerk was it said all political prisoners had been released.

The statement and the agreement with the ANC dealt with finalising the remaining applications and claims for release.

"There is, therefore, no reason or foundation for any repudiation of the State President's statement by anyone," Mr Coetsee said.

# Nelson optimistic on prisoners' deal

er 4/7/91

From ANTHONY JOHNSON

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**DURBAN.** — Mr Nelson Mandela last night hinted that the vexed question of the release of political prisoners could be resolved soon.

The release of the prisoners is the last of five conditions the South African government has to meet in order for the US to lift sanctions.

Once the US Congress lifts punitive measures affected by the Comprehensive Anti-Apartheid Act (CAAA), a number of other countries, including Japan, are expected to follow suit.

After a row had broken out on the prisoner issue earlier this week, Mr Mandela said last night that "productive discussions" between the ANC and the government on the issue were continuing through the joint working group.

He then added. "The resolution of this obstacle is, therefore, not completely out of sight."

"According to our count, in excess of 900 are still in South African prisons," Mr Mandela said.

ANC spokesman Mr Saki Macozoma said the ANC regarded Mr Mandela's statement as "the last word" on the matter.

# Woman prisoner 'enticed with food'

A WARDER allegedly held food to the lips and nose of the only woman political prisoner in the Western Cape, apparently to entice her into breaking a hunger strike, Cape Town lawyer Mr Alan Dodson said yesterday.

He said the Department of Correctional Services had confirmed such an incident involving Pollsmoor prisoner Ms Phyllis Fante last week.

Ms Fante, serving a 15-year sentence for attempted murder, wanted to be accepted and classified as a political prisoner, quali-

fyng her for indemnity, said Mr Dodson

She started refusing food last Monday, he said, and not the previous day as reported in a press statement. The statement had been issued by a friend of Ms Fante and "not by the writer or the writer's firm".

Five of Ms Fante's fellow accused had been indemnified and released following their incarceration on charges arising from civil unrest in 1986 near Ashton in the Boland, Mr Dodson said

Ms Fante, 28, was still on hunger strike yesterday and had complained of a throat infection, he said

Mr Dodson said he had been informed Ms Fante had sufficient clothing and had access to glucose and similar "life-sustaining ingredients"

The Department of Correctional Services on Tuesday said Ms Fante was being treated in accordance with the Tokyo Declaration on prisoners' rights — Sapa and Staff Reporter

# Officials 'drag feet' over release

By SHARON SOROUR,  
Staff Reporter

(253)  
ARC 4/7/91

THE ANC Women's League has demanded the immediate release from Pollsmoor prison of the Western Cape's only woman political prisoner.

Phyllis Fante, 28, entered the 11th day of a hunger strike today. She stopped eating after her application for indemnity in terms of the Pretoria Minute was turned down.

The Women's League regional executive said she embarked on a hunger strike "as a last resort" and had taken only water since June 24.

"Her decision to embark on a hunger strike without any moral support is a desperate act to draw attention to her fate," said secretary Ms Nomatyala Hangena.

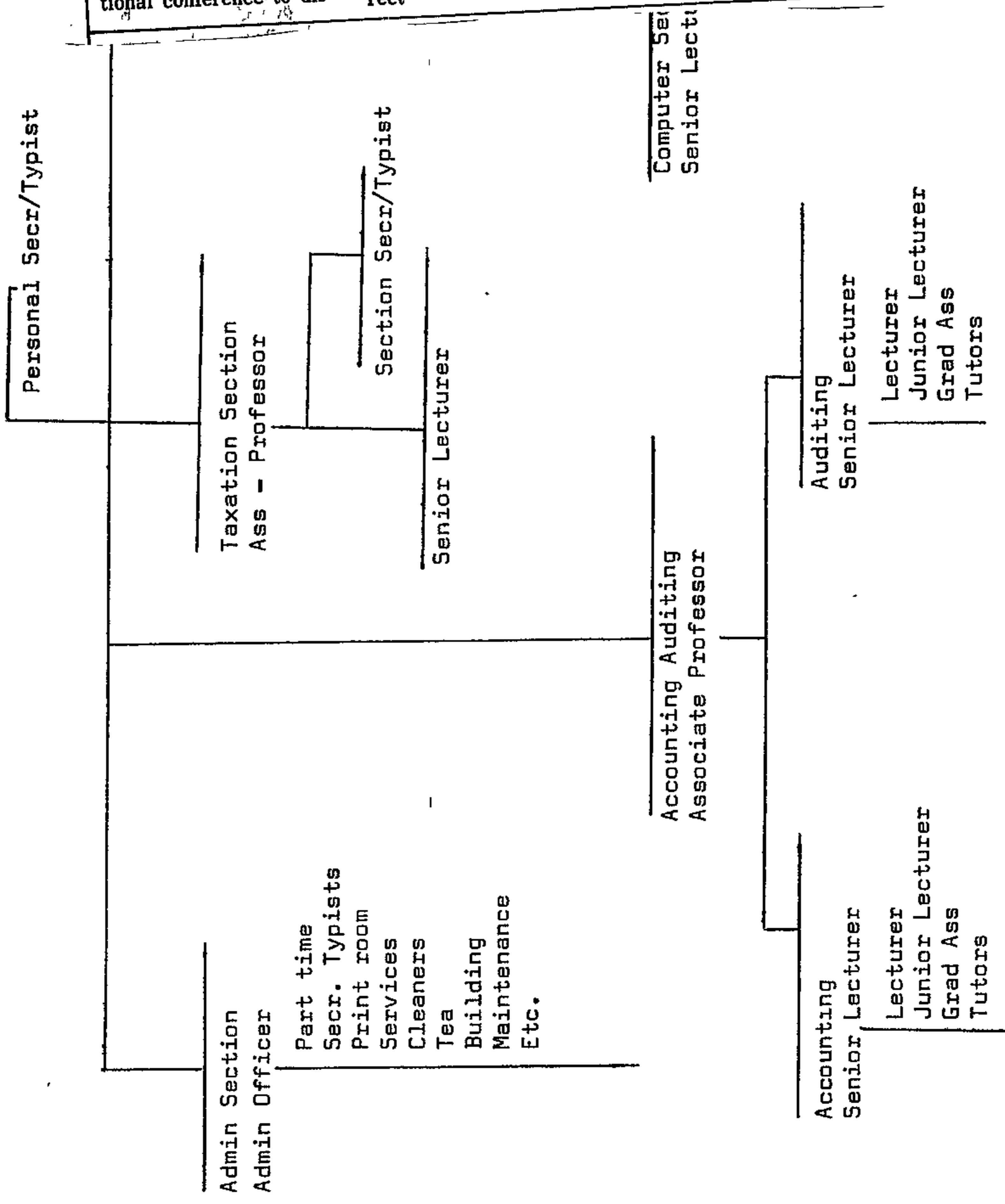
Fante was sentenced to 15 years in jail in 1986 with seven other people from the Zolani township in Ashton. At least five of her co-accused have been released under the Indemnity Act, according to her attorney.

The league could see no reason for Fante's release to be delayed any longer.

"We suspect government officials are guilty of deliberately dragging their feet."



HEAD OF DEPARTMENT  
PROFESSOR



**900 still in prison, says Mandela**

Political Reporter (253)

DURBAN — Nelson Mandela yesterday again accused the Government of having created a false impression about an agreement with the ANC on the release of political prisoners.

In the latest development on the issue, Mr Mandela issued a statement at the ANC's national conference to dis-

pute President de Klerk's announcement on Monday that an agreement had been reached on Sunday.

Mr Mandela said recent media statements by the Government had created an impression that an agreement between the ANC and the Government "has resulted in the issue of political prisoners reaching finality". This was incorrect

He said. "For the ANC the issue will reach finality when all political prisoners are released. According to our count, in excess of 900 are still in prison"

Productive discussions on the issue were continuing through the joint working group on indemnification, and the resolution of this obstacle is, therefore, not completely out of sight", he said.

Sec Sec.

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# Hunger strikers fasting in shifts, says general

Staff Reporter

Star 4/7/91

253

Hunger-striking prisoners in Bophuthatswana have changed their tactics, says homeland commissioner of police Major-General Cas Delport.

"During the last two weeks a routine developed whereby prisoners who resume eating are replaced by other prisoners who join the strike," he said yesterday.

Seven prisoners who were in the Bophelong Hospital have been transferred to Victoria Hospital in Mafi-

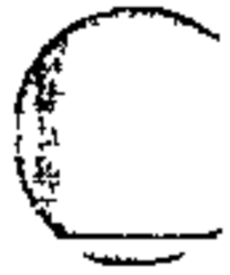
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They were moved to make room for prisoners in Bophelong, said General Delport.

Two more prisoners were referred to Bophelong Hospital yesterday, and two resumed eating.

The number of hunger strikers now stands at 66.

"On such a relief basis the strike can continue indefinitely. While this does not detract from the seriousness of the hunger strike, it does change the traditional principles of a hunger strike considerably," the general said.



# Top PAC man, eight members freed

JOHANNESBURG. — A top member of the Pan Africanist Congress, Mr Enoch Zulu, and eight other PAC members were released from Pollsmoor Prison yesterday afternoon, the organisation said.

Mr Barney Desai, the PAC's secretary for information, said in a telephone interview that although the nine had refused to apply for indemnity, they had been unconditionally released by the authorities.

He considered the prisoners' release to be a victory, he said, for the organisation's policy that all political prisoners should be released unconditionally. Mr Zulu, in his '60s, was the deputy commander of the Azanian Peoples' Liberation Army. He was arrested in 1986 after the death of two policemen.

The Minister of Justice and of Correctional Services, Mr Kobie Coetsee, yesterday confirmed the releases, saying they were the re-

sult of correspondence between the government and the inmates' attorneys.

However, Mr Coetsee said the releases were based on the strength of a composite statement on behalf of the nine prisoners made by their attorneys, "to the satisfaction of the government".

"Their offences also fall within one of more of the categories applied since last year in the programme of release of political prisoners," he said. — Sapa

AUGUS 5 1991

## Nine PAC members released from jail

A TOP member of the Pan Africanist Congress, Mr Enoch Zulu, and eight other PAC soldiers have been released from Pollsmoor Prison, the organisation said

PAC secretary for information Mr Barney Desai said that although the nine had refused to apply for indemnity, they had been unconditionally re-

leased

He considered the release to be a victory for the organisation's policy that all political prisoners be released unconditionally

It was reported earlier that those released yesterday were Mr Zulu, Mr Ndoda Gcanga, Mr Bandile Joyi, Mr Kali Mhohlo, Mr Nkosemtu Naki, Mr

(253)

Mnikeli Williams, Mr Norman Baloyi, Mr Mgagula Abrahams and Mr Simon Ngcime

Mr Zulu, who is about 60, was the deputy commander of the Azanian People's Liberation Army. He was arrested in 1986 after he attempted to kill several policemen by hurling a hand-grenade at them — Sapa

**CONFERENCE IN DURBAN**

at main 517-11/7/91

## **Bop is the main obstacle in ANC prisoner dispute**

By GAVIN EVANS

(253)

BOPHUTHATSWANA'S nominal independence is threatening to become the key obstacle in the way of a resolution between the government and the African National Congress of the political prisoners dispute

According to the Human Rights Commission at least 133 political prisoners are currently being held in the "independent homeland's" jails, 61 of them currently on hunger strike.

So far there have been no moves to release these people and the problem has been compounded by the Bophuthatswana government's application for the extradition of 1988 coup leader Rocky Malebane-Metsing — now an ANC member — who received indemnity from the SA government to attend the ANC conference in Durban

ANC spokesman Karl Niehaus stressed that the movement saw no distinction between the Bophuthatswana political prisoners "and those held in the rest of South Africa", and placed responsibility for their release on Pretoria's shoulders

The Malebane-Metsing arrest, which was ordered by the attorney-general's office following a Bophuthatswana request, seems to have taken the justice and foreign affairs departments by surprise. He was detained by police at Jan Smuts airport on Monday and later released on R100 bail to allow him to attend the Durban conference

Metsing led the 1988 coup which briefly toppled the government of President Lucas Mangope, before the SADF restored their man to power.

ANC deputy president Nelson Mandela reiterated on Wednesday that there had been no agreement between the government and the ANC on the political prisoners issue. "For the ANC the issue will reach finality when all political prisoners are released," he said, adding that there were still over 900 political prisoners in South Africa.

But he added a note of optimism: "Productive discussions with the government are continuing through the relevant working group. The resolution of this obstacle is therefore not completely out of sight."

4 200 freed  
from prison  
this week

THEO RAWANA

BY MIDNIGHT tonight, about 4 200 prisoners will have been released from SA jails, this week, cutting about R78 500 off the R1,6m the state spends daily on feeding, clothing and housing inmates.

Correctional Services spokesman Col Danie Immelman said last night that the 4 200 first offenders were all benefiting directly from the special one-third remission of sentence announced by President F W de Klerk on Monday.

Yesterday Correctional Services said there were 87 000 prisoners in SA's 202 jails.

It cost R18,67 each day to keep one prisoner in jail.

This translated into a daily bill of R1 624 290 for the prisoners' upkeep.

Immelman said attention was also being given to the possible release on parole of prisoners where the nature of their crimes justified such a release.

Sapa reports that top PAC member Enoch Zulu and eight other PAC soldiers were released from Pollsmoor Prison near Cape Town yesterday.

PAC secretary for information Barney Desai said in a telephone interview that although the nine had refused to apply for indemnity, they had been released unconditionally by the authorities.

Justice Minister Kobie Coetsee said the releases were based on a composite statement on behalf of the nine prisoners by their attorneys "to the satisfaction of the government".

## PAC military men released from jail

Star 5/7/91  
A PAC military commander, Enoch Zulu, and eight other PAC guerillas were released from Pollsmoor Prison near Cape Town yesterday afternoon, the PAC said

They were released after their attorneys had made satisfactory representations, Justice Minister Kobie Coetsee said last

night. (253)

He said their offences fell within one or more categories applied since last year with regard to the release of political prisoners

Mr Zulu, who is about 60, was the deputy commander of the Azanian People's Liberation Army. — Staff Reporter

## PAC man's new details

JOHANNESBURG — The PAC yesterday clarified the position of one of its top members, Mr Enoch Zulu, who was released from prison on Thursday. Mr Zulu was not arrested following the deaths of two policemen, as Sapa reported earlier. He was in fact charged with being a member of a banned organisation, for leaving the country illegally, for undergoing military training in exile and for terrorism and possession of arms of war.

The deputy commander of the Azanian Peoples' Liberation Army, and now aged about 60, Mr Zulu was arrested in 1986.

Eight other PAC members were also released on Thursday. — Sapa



# Continued imprisonment of Sharpeville 6 queried

Star 6/7/91

253

SUE OLSWANG

LAWYERS for Human Rights will expect the State to provide a "comprehensive motivation" for applying different criteria if it does not release the Sharpeville Six, who had their death sentences commuted at the same time as former Murder and Robbery Squad policemen Jack la Grange and Robert van der Merwe

The two former policemen, who murdered two Reef drug-dealers in 1987, and Maureen Smith, who had her husband murdered in 1982, were this week released under the State President's offer of remission for first offenders. All three were initially sentenced to death for their crimes.

Colonel Dame Immelman, spokesman for the Department of Correctional Services, yesterday reportedly confirmed that Robert van der Merwe and Maureen Smith were released on Thursday and Jack la Grange yesterday morning.

Captain Hendrik Johannes (Jack) le Grange, former commander of the East Rand Murder and Robbery Squad, and Sergeant Robert van der Merwe, formerly with the Brixton Murder and Robbery Squad, received



FREE: Captain Jack la Grange



FREE: Maureen Smith.

double death sentences in March 1988.

They were found guilty of murdering Benny Ogle, of Ennerdale, in September 1987 and Peter Pillay, of Eldorado Park, in October the same year.

In November 1988 President P W Botha commuted

the former policemen's death sentences and the death sentences of the Sharpeville Six. Jack la Grange's death sentence was commuted to 25 years' imprisonment and Robert van der Merwe's to 15 years. Both men served only three years.

Maureen Smith spent one year on Death Row before her sentence was commuted to 20 years' imprisonment. She spent nine years in jail.

Lawyers for Human Rights yesterday said in a statement: "Since they (La Grange and Van der Merwe) are both first offenders, their sentences qualify for remission of one third of the period in terms of the recent presidential decree. With that in mind, a prisoner with a 25-year sentence would expect a sentence of approximately eight years less, namely 17 years."

"Not surprisingly, we were shocked to hear this morning that both La Grange and Van der Merwe had been released after spending three years in jail."

LHR said it made enquiries with the Department of Prisons and the Parole Board and established the Department of Prisons was also entitled to shorten any sentence by one third based on good behaviour.

## 27 end hunger strike, says Bop prison

Stew 6/7/91

PAT DEVEREAUX

AT MIDDAY yesterday 27 prisoners on hunger strike in Bophuthatswana's Rooigrond Central Prison began eating again, according to the homeland's commissioner of prisons.

Only two prisoners, said Major-General Cas Delport, were refusing food. A total of 35 prisoners on hunger strike had been admitted to hospital.

The Human Rights Commission reported that the president of the Anti-Apartheid Movement in Britain, Archbishop Trevor Huddleston, had been refused permission to visit Bophuthatswana political prisoners.

He received a letter from General Delport stating that Bophuthatswana "does not have so-called political prisoners incarcerated in its (Rooigrond) prison".

The letter added it would consider a request for the archbishop to visit prisons and prisoners in general.

The HRC earlier yesterday morning said there were a total of 59 prisoners on hunger strike — 58 being held in Bophuthatswana and one at the Pollsmoor women's prison.

Twenty-nine of the Bophuthatswana hunger strikers had been admitted to hospital, it said.

By DESMOND BLOW

CP Press 7/7/91

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# KILLER

# COLOS

# FREE

## Lawyers outraged while the political prisoners wait . . .

THE release of murderers Jack le Grange and Robert "Wonderwefeld" van der Merwe on Friday after only three years' imprisonment has outraged leading Johannesburg lawyers

One senior counsel described it as "a travesty of justice and a slap in the face of the South African judiciary"

The release of the two common-law prisoners also threatens to blow into a political row about the non-release of "political" prisoners who are treated as common-law prisoners

Le Grange and Van der Merwe, who had originally been sentenced to death, were released on Friday under State President FW de Klerk's remission policy which provided for a remission of one third of a sentence for first offenders.

But former policemen Le Grange and Van der Merwe had only served three years of a 25-year and 15-year sentence respectively

The senior advocate pointed out that the two men were given an honest and expensive trial and were found guilty of committing cold-blooded and premeditated murders for monetary gain. Judge Irving Steyn had found no extenuating circumstances

Both were sentenced to death for two murders plus a further 10 years for an attempted murder

Le Grange had been a captain in the SAP and in charge of the East Rand Murder and Robbery squad. Van der Merwe had been a sergeant with the Brixton Murder and Robbery unit

They had shot two men to death for payment in a drug war and wounded a third

The first to die was Bennie Alex Ogle who was shot outside his home in Ennerdale in September 1987. Three hours later they attempted to murder Ernest Molokoane when they shot and

wounded him outside his home in Mapetla

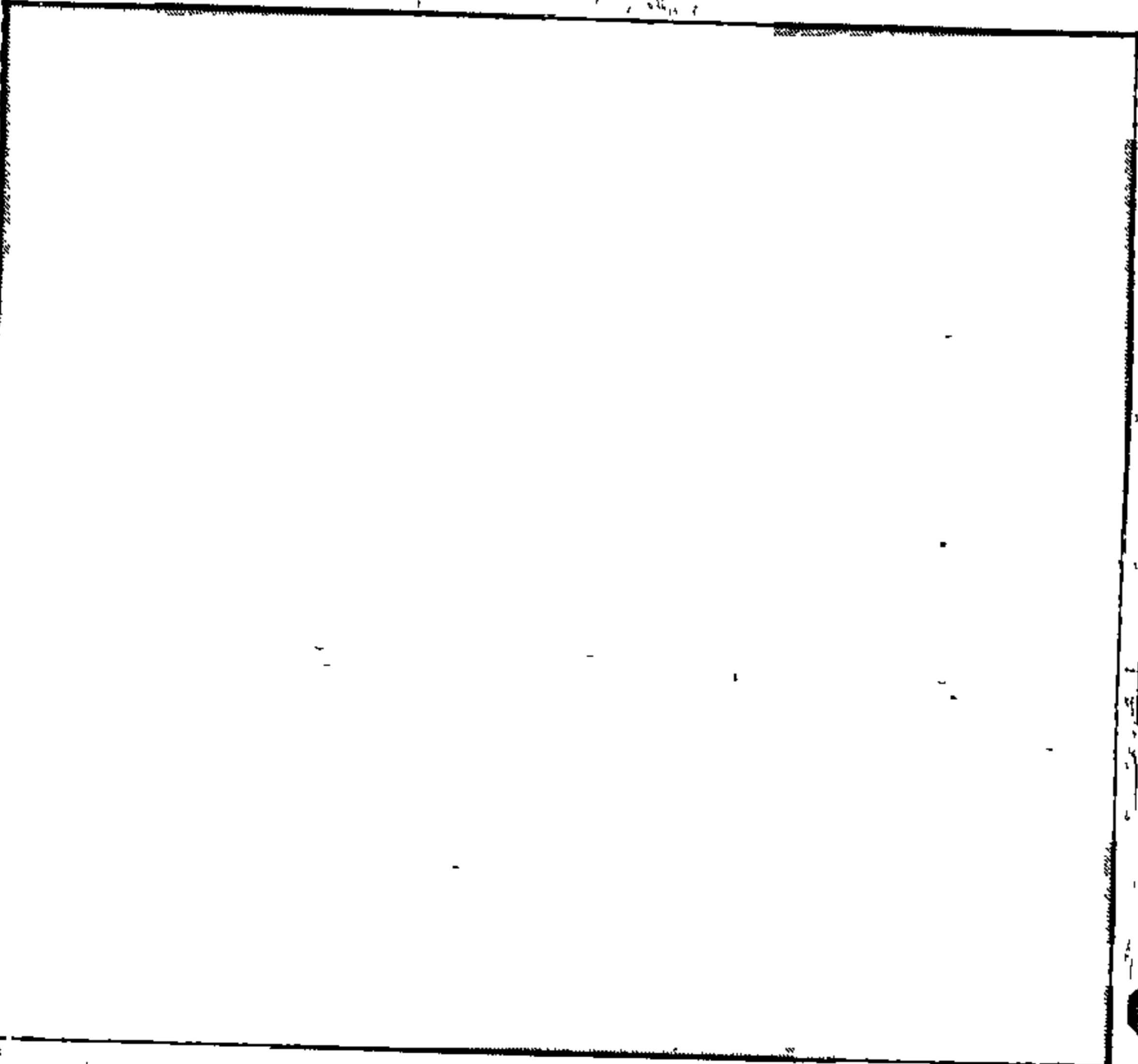
Five days later they gunned down Peter Godfrey Pillay, an Eldorado Park taxi owner on a dirt road near Riverlea

Judge Irving Steyn refused the two killers the right to appeal against their death sentences, but several months later State President FW de Klerk commuted their sentences to imprisonment after a petition had been presented to him by sympathisers of the killers

Lawyers for Human Rights have compared the release of the two former policemen to the non-release of the Sharpeville Six who were sentenced to death for the killing of Vaal councillor Jacob Dhlamini in September 1984, although there was no direct evidence to link them with the killing

The judge sentenced them to death because he found there had been "a common purpose"

They were later reprieved to serve sentences between 18 and 25 years following legal and international pressure on De Klerk



ASSASSINS ON THE LOOSE . . . An artist's impression of Sergeant Robert van der Merwe (left) and Captain Jack le Grange in the dock.

# Fox Street killer Protter goes free

FOX STREET siege killer David Protter was freed from Pretoria Central Prison this week.

Protter, now 41, killed an Israeli official when he seized control of the Israeli consulate in Johannesburg on April 28 1975. In a bloody 17-hour siege, he opened fire on passers-by, wounding 45 people.

He was released on Friday after serving 16 years of his 59-year sentence. In his trial, the judge said he was a psychopath and ordered that he serve an effective 25 years.

The Department of Correctional Services said this week that Protter benefited from the State President's remission granted to first-time offenders.

A relative, Mr A Protter of Johannesburg, said last night "David is overjoyed and will be well-off financially. I am looking after him. His parents have emigrated to Canada."

By HERMAN JANSEN

Protter spent part of his sentence in the psychiatric hospital at Zonderwater prison, near Cullinan.

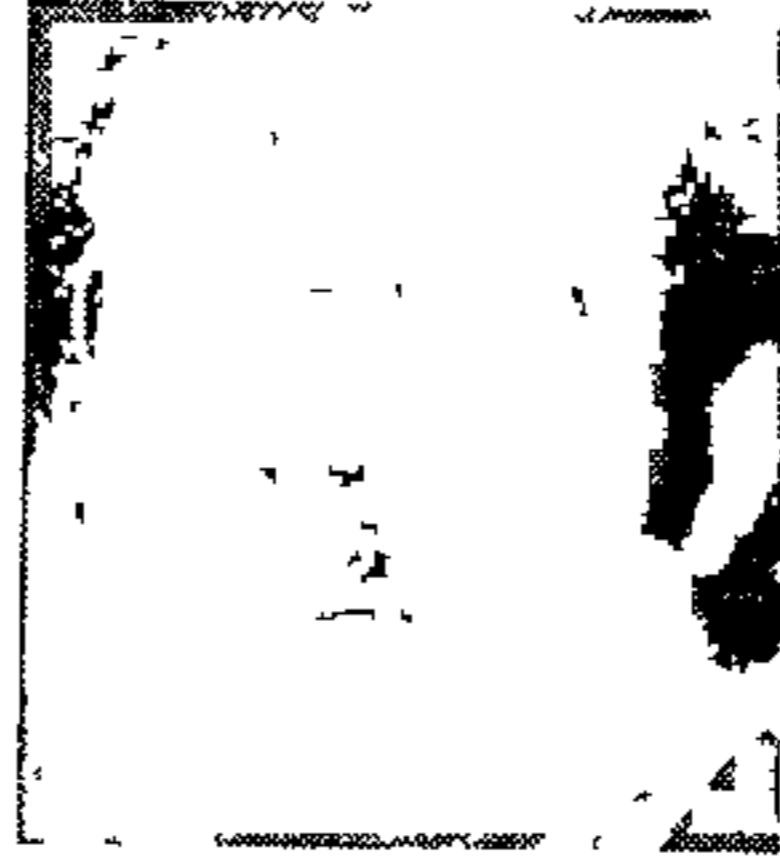
Harry van Aalst of Randburg, who was wounded in the lung by a stray bullet during the siege, said he held no grudge against Protter. "He wasn't aiming at me or anyone in particular," he said.

## Hostages

Protter, who had been discharged from the Israeli army for psychological reasons, was employed as a security guard at the Israeli consulate-general in Fox Street.

Pretending to be a foreign terrorist, Protter held 21 hostages captive.

His brother, Charles, then 19, was also involved but gave himself up to police. Charles was jailed for 30 months for his role.



DAVID PROTTER

As protests grow over amnesty which lets rogues go free

# KILLER COP: NO REGRETS

By HERMAN JANSEN  
and CHARIS PERKINS

51 Times 7/7/91  
FORMER police sergeant Robert van der Merwe walked out of prison a free man this week — with no regrets about murdering two drug dealers and shooting a Soweto businessman less than four years ago.

His boss and partner in crime, former East Rand murder and robbery squad chief captain Jack la Grange, was also freed — prompting a storm of protest.

Both were given a double death sentence in March 1988, but they were saved from the gallows the same year by President PW Botha.

Van der Merwe's sentence was reduced to 15 years in prison, Le Grange's to 25 years.

Van der Merwe's release from Johannesburg's Diepkloof Prison on Thursday night came just three years and three months after he and La Grange 44 were sentenced.

A smiling Van der Merwe, 33, sporting a Hagar The Horrible T shirt, was unrepentant yesterday.

"If someone can convince me I acted wrongly when the crimes were committed I'd be sorry about it."

"I believed they were members of the ANC and the orders to kill them came right from the top — from SAP headquarters in Pretoria — otherwise I would never have done it."

## Incredible

But according to evidence during the pair's controversial trial, they had acted as hit men for a rival drug dealer who was a close friend of La Grange's.

Reacting to the release, Mr Peter Soal, DP law and order spokesman, said there appeared to have been a perversion of justice.

"It is strange that the men should walk free after so few years for such heinous crimes," he said.

National director of Lawyers for Human Rights Brian Currin was aghast at the news.

This is incredible. If former police men can be released for murdering men in cold blood, we must expect thousands of other people to be freed if the government applies the same criteria to all cases."

If that happened, he said, as many as 30 000 convicted criminals — 30 percent of South Africa's prison population — would have to be set free.

## Right

"The Sharpeville Six must be released, and if they are not we demand to know why," he said.

"As we understand it, even after the reduction of sentence, La Grange should have served at least 11½ years."

"It is an absolute disgrace that he is back on the streets after little more than three years."

ANC spokesman Saki Macozoma said the release of the policemen was an attempt by the govern-

ment to placate the right-wing.

A spokesman for the Department of Correctional Services said last night the four ex-policemen had not been unconditionally released, but were on parole.

"This should be understood as serving a sentence outside prison walls. If conditions are not complied with, parole — which does not exceed five years — can be revoked."

"The very innuendo of preferential treatment in the case of the policemen is



FREE AGAIN Robert van der Merwe in central Johannesburg yesterday

Picture PIERRE OOSTHUYSEN

rejected completely," he said.

Speaking this week about his co-accused, Van der Merwe said "Jack and I were friends, but from the start of the trial he went his way and I went mine."

"There is no chance of us ever being friends again."

Although he admitted in court he had pumped five bullets into each of three victims, Van der Merwe still maintains he did so because "my orders at the time were to bring the ANC to book."

"I have come to terms

with the new South Africa, including the unbanning of the ANC, and as long as they leave me alone, I will do the same."

His wife, Amanda, divorced him in August 1989 and has since remarried.

## Commuted

Two more policemen convicted of murder were also released this week.

Former Eastern Cape unrest unit members warrant officer Leon de Villiers, 40, and constable David Patrick Goosen, 30, were sentenced to death in

May 1988 for the murder of Mr Mlungisi Stuurman, 18, on the banks of the Fish River near Cradock on July 26 1986.

Another murderer released this week was Maureen Smith, 49, who spent a year on Death Row before her sentence was commuted to 20 years' imprisonment.

Smith was found guilty of hiring a hit man, David Mnguni, and her chauffeur, Jack Ramogale, to murder her husband, Roger, at their Sandton home in November 1982. The two blacks are still in jail.

## Fox Street killer Protter goes free

FOX STREET siege killer David Protter was freed from Pretoria Central

By HERMAN JANSEN

Protter spent part of his

### ANC has R655m in foreign assets

51 Times 7/7/91

By EDYTH BULBRING

THE ANC has external assets worth R655 million, including cash reserves of R41 million and property of R600 million.

This was revealed in the report of treasurer general Thomas Nkobi to the ANC conference in Durban.

The report said the ANC owns a house in Bonn, an office and a house in Belgium, an office, a printing works, a vacant plot and two flats in London, flats in Oslo, Stockholm and Toronto, 31 houses in Har-



# Sharpeville is seething 253

Sowetan 8/7/91

RESIDENTS of Sharpeville in the Vaal Triangle yesterday voiced their anger over the continued imprisonment of the "Sharpeville Six", while dozens of prisoners were being set free following the new political dispensation by President FW de Klerk's administration.



DE KLERK

The six Sharpeville residents were convicted and jailed in 1985 for their part in the murder of Lekoa town councillor Mr Jacob Dlamini in September 1984.

Dlamini's murder followed bloody uprisings over a rent boycott in the Vaal Triangle townships

The boycott subsequently spread to other townships, especially in the PWV region.

Sharpeville residents and families of the six have called on De Klerk to release them.

The latest demand for their release was made at

a residents' meeting in Sharpeville yesterday morning.

While the State President was telling the world he was introducing reforms in South Africa, his promises had not materialised for the majority of the country's people, a spokesman for the residents said.

The spokesman said: "For the State President to avoid embarrassment we would like to advise him to release the Six with immediate effect."

\* **Sonti Maseko** reports that the Department of Correctional Services has rejected criticism of preferential treat-

ment levelled at it by Lawyers for Human Rights over the release of murderers, Jack le Grange and Robert van der Merwe after serving three of the 25-and 15-year sentences respectively.

In a statement, the department explained the new sentence option where offenders might serve sentences without even going to prison.

"This is definitely not a deviation from criminal justice. Prison authorities are in fact still in control of the conditions pertaining to each individual offender. This is exactly the case with Le Grange and Van der Merwe," the statement said - *Sapa*

# Free 'Sharpeville Six', say residents

**VERENIGING** — Residents of Sharpeville township in the Vaal Triangle yesterday voiced their anger over the continued imprisonment of the "Sharpeville Six", while dozens of prisoners were being set free.

The six Sharpeville residents were convicted and jailed in 1985 on the common purpose doctrine for their part in the murder of a Lekoa town councillor, Mr Jacob Dlamini, in September 1984.

Sharpeville residents and families of the six yesterday called on President F W de Klerk to release them in line with other prisoners who have benefited from his initiatives.

While the president was telling the world he was introducing reforms, his promises had not materialised for most of the people, a spokesman for the residents said.

● Sixteen political prisoners were re-

leased from jail on Saturday, Mr Nelson Mandela said yesterday.

Mr Mandela told the ANC's national conference that 16 Umkhonto we Sizwe combatants had been released and "we expect many more to be released soon".

● Fox Street siege killer David Protter was freed from Pretoria Central Prison last week, Johannesburg reports said.

## Served 16 years

Protter, now 41, killed an Israeli official when he seized control of the Israeli consulate in Johannesburg on April 28, 1975. In a bloody 17-hour siege, he opened fire on passers-by, wounding 45 people.

He was released on Friday after serving 16 years of his 59-year sentence.

The Department of Correctional Services said Protter benefited from the State President's remission granted to first-time offenders.

● Zola Mahobe's lover Snowy Moshoe-

shoe was released from prison last week, Johannesburg newspaper City Press reported yesterday.

Miss Moshoeshoe and Mahobe featured in a sensational fraud trial involving the theft of more than R7 million from Standard Bank, where Miss Moshoeshoe worked as a computer operator.

● The release of two ex-policemen, Robert van der Merwe and Jack la Grange, jailed in 1988 for murdering two drug dealers and a businessman, has come under fire from Lawyers for Human Rights (LHR) who said it was "an absolute disgrace".

LHR national director Mr Brian Curran said he was aghast at the news that former policemen could be released for murdering men in cold blood.

Correctional Services Department spokesman Col D J Immelman said the former policemen had not been unconditionally released but were on parole which could be revoked if its conditions were not complied with — Sapa and Own Correspondent

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## Right-winger headed for coma in jail?

JOHANNESBURG —  
Jailed right-wing hun-  
ger-striker Fanie  
Goosen, on his 14th fast-  
ing day at Johannesburg  
Hospital, has been  
warned by a doctor that  
he might soon lapse into  
a coma (253) 01 8/19

Goosen, a member of  
the Orde Boerevolk, is  
serving a 12-year sen-  
tence for robbery, in-  
timidation and weapons  
charges. He has applied  
for political indemnity.  
Goosen's blood sugar  
level is dropping rapidly  
and his weight has come  
down from 80kg to 64kg.  
This is his third hunger  
strike.

Two other right-wing  
hunger strikers, Corrie  
Lottering and Leonard  
Veenendaal, have been  
admitted to hospital.

Orde Boerevolk leader  
Mr Nic Strydom said the  
right-wingers would con-  
tinue their hunger strike  
until they are all re-  
leased — Sapa



# 'Like a dream' says Snowy

**SNOWY Moshoeshoe, sentenced to 10 years' imprisonment in 1988 for defrauding Standard Bank of R7,7 million with the aid of her lover, Zola Mahobe, was one of 700 women prisoners released last week in terms of the State President's amnesty.**

Moshoeshoe, a former computer operator at the Standard Bank, served four of the 10 years for her part in the sensational computer fraud trial of August 1987.

In an interview at her Orlando East, Soweto, home at the weekend, Moshoeshoe (34) said she could not believe her ears when told by prison warders that she was free to go.

She said she heard over the radio the news about the State President's pardoning of first offenders, but thought the reprieve was for political prisoners only.

"It's like a dream," she said. "I am still in a daze. A week ago, I was behind bars, now I am home."

Moshoeshoe's lover and former owner of Mamelodi

8/7/91  
253  
Sowetan 8/7/91

**SOWETAN REPORTER**

Sundowns, Zola Mahobe, was not among those released last week. He is serving 16 years at the Diepkloof Prison for his role in the fraud case.

"I saw Zola every month," said Snowy, who is now studying law. "He is in high spirits. Being together in jail was the greatest thing that could have happened to us."

Moshoeshoe expressed her gratitude towards Mr Nelson Mandela and President FW de Klerk.

Meanwhile 16 political prisoners were released on Saturday. Among them was Jabu Masina, who murdered Soweto's most feared policeman, Hlubi Chapi, in 1976.

Others were Isaac Mabaso, Atty Phiri, Bafana Tlhapane, Kaleb Mogashoa, Allen Mamba, Douglas Tyutyu, Neo Potsane, Ting-Ting Masango, RB Mvubu, M Mngomezulu, Jimmy Lubisi, M Buthelezi, RS Maboia, and JM Vilakazi.

Prisoners  
eat again

81-7191  
253  
TWENTY-SEVEN  
"politicals" on hunger  
strike in Bophuthats-  
wana's Rooigrond Central  
Prison ended their fast at  
lunchtime on Friday, the  
homeland's Commis-  
sioner of Prisons reported.

Only one "political"  
at the prison was still  
refusing to eat and "a to-  
tal of 35 prisoners on  
hunger strike are still in  
two hospitals," Major-  
General Cas Delpport said.

A second prisoner,  
while not regarded as a  
"political", had also  
refused food, he said. -

Sapa

# Prisoner release row <sup>star 8/17/71</sup>hots up

By Louise Burgers

(253)

The row has intensified over the release on parole of convicted murderers, former policemen Jack la Grange and Robert van der Merwe, with Lawyers for Human Rights insisting that thousands of other prisoners, such as the Sharpeville Six and Magoos bomber Robert McBride also qualify for release.

LHR national director Brian Currin said he doubted that it was ever the intention of the State President to set in motion a procedure which would reduce a 25-year sentence to three years

"However, since it has been done in the case of these two policemen, and since assuming that they will not get special treatment, we expect literally thousands of people to be released.

"Needless to say, we are flabbergasted with what the Government is doing, particularly in the light of its insistence during the political prisoners release debate that the administration of criminal justice system must be kept intact and in no way be prejudiced by the release of political prisoners, particularly those who committed common-law crimes

"The Sharpeville Six, who had their sentences commuted at the same time as La Grange and Van der Merwe, must surely qualify for immediate

release since their sentences range from 18 to 25 years. If they have not been released, we expect the State to provide a comprehensive motivation for applying different criteria," Mr Currin said.

The Department of Correctional Services yesterday rejected suggestions that La Grange and Van der Merwe had received preferential treatment.

"It is clear from the State President's announcement that all prisoners — also those who had failed or may fail in their bid for release as political prisoners — will benefit by the one-third special remission"

## Took orders

LHR national chairman Jules Browde, SC, said it was difficult to understand why the release of the two policemen had come so soon.

"If it is true that they (La Grange and Van der Merwe) have got the parole because they were first offenders who apparently took orders from above and as a result committed their crimes, then LHR must stress that there are people in prison whose offences were politically motivated and who committed those offences because of orders in their organisation from above."

Mr Browde said that if people such as McBride were not

released, then it seemed as if preferential treatment was accorded to the two former policemen

The Prisons statement said "LHR will be well advised to devote their attention to the new sentence option of correctional supervision which entails serving a sentence without even going to prison. This is definitely not a deviation from criminal justice. Prison authorities are, in fact, still in control of the conditions pertaining to each individual offender. This is exactly the case with messrs La Grange and Van der Merwe"

Mr Currin was shocked to hear that both La Grange and Van der Merwe had been released after spending only three years in jail.

"Their crimes were not political. Since they are both first offenders, their sentences qualify for remission of one-third of the period in terms of the recent presidential decree. Therefore a prisoner with a 25-year sentence would expect a sentence of about eight years less — namely 17 years."

Mr Currin said that after questioning Prisons authorities and the Parole Board, LHR had established that besides the one-third presidential decree, Prisons were entitled to shorten any sentence by one-third, based on good behaviour

● To Page 3

## <sup>star 8/17/71</sup>Prisoner row hots up

● From Page (253)

"It would seem that this was done without hesitation for both La Grange and Van der Merwe. When taking off that additional one-third, their original sentences of 25 years and 15 years was used in the calculation

"In La Grange's case, therefore, he is left with a nine-year sentence. However, once a prisoner has served one-third of his sentence, he may qualify for parole. The basis on which La Grange could qualify for release immediately would be if the Parole Board regarded his sentence as being nine years and not the original 25 years or 17 years after the State President's remission"

# Free Sharpeville Six, FW urged

VEREENIGING — Residents of Sharpeville in the Vaal Triangle yesterday voiced their anger over the continued imprisonment of the "Sharpeville Six" while dozens of prisoners were being set free following the new political dispensation by President de Klerk's government

The six Sharpeville residents were convicted and jailed in 1985 on the common-purpose doc-

Star 8/11/91.  
trine for their part in the murder of Lekoa town councillor Jacob Dlamini in September 1984

Sharpeville residents and families of the six have called on Mr de Klerk to release them

The latest demand for their release was made at a residents' meeting in Sharpeville yesterday morning.

While the State Presi-

dent was telling the world he was introducing reforms in South Africa, his promises had not materialised for the majority of the country's people, a spokesman for the residents said

The spokesman added. "For the State President to avoid embarrassment we would like to advise him to release the six with immediate effect".

— Sapa

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## shop

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by police. — East

# I regret what I did, says freed Protter

star 8/7/91

By Monica Oosterbroek

253

Fox Street killer David Protter deeply regrets the pain and suffering he caused when he killed an Israeli official and wounded 45 people in a 17-hour siege at the Israeli Consulate in Johannesburg 16 years ago.

Mr Protter, now 41, was freed from Pretoria Central Prison on Friday after the State President announced a remission for most first-time offenders.

Speaking last night from a boarding house in Cape Town, he said he was told of his remission only 30 minutes before his release.

"I had no idea I would be one of the lucky ones as I felt I didn't deserve to be released after the terrible things I did. I believe my heinous crimes war-

ranted more than the 25 years I was sentenced to," he said.

Mr Protter, who had been discharged from the Israeli army for psychological reasons, was employed as a security guard at the Israeli Consulate in Fox Street. Pretending to be a foreign terrorist, he and his brother Charles held 21 hostages. His brother, then 19, was jailed for 30 months.

Mr Protter said he was fully rehabilitated because of the "excellent and intense treatment in jail" and was looking forward to a second chance.

"The Department of Correctional Services have been very kind to me over the years and they have offered me full emotional support, transport to my destination, accommodation and a job," he said.



# 18 are still on hunger strike

*Sowetan 9/7/91*  
EIGHTEEN prisoners in Bophuthatswana's Odi hospital are determined to refuse food until they are released despite being on a protest fast for 23 days.

The Human Rights Commission said yesterday that the hunger strikers were visited by their families at the weekend and the prisoners had reiterated their determination to continue.

"Their message is release or death."

A further five prisoners at the Odi

prison had resumed their hunger strike on Saturday after refusing to eat for 16 days in June.

One of these prisoners, Patrick Cebisa, was readmitted to Odi hospital on Saturday night.

"He was allegedly unconscious when he was admitted and was reported to have been vomiting blood," the HRC said.

## Fits

Another hunger striker, Christian Nhlapo, was reported to have developed epileptic fits and was suffering from high blood pressure.

According to the HRC, Archbishop Trevor Huddleston was refused permission to visit the political prisoners in Bophuthatswana.

The homeland's deputy commissioner of prisons, a General Deiport, refused the request on the grounds that the Bophuthatswana government "does not have so-called political prisoners in its prison". - Sapa

## DP says prison releases are 'drastically wrong'

THE prisoner release programme appeared to be going "drastically wrong", the Democratic Party's chief spokesman on Justice and Correctional Services, Mr Dave Dalling, said yesterday.

It was one thing to release political prisoners, but quite another to release "dangerous and murderous criminals into the public midst".

"Whether it be 'on parole' or otherwise, it is manifestly a perversion of justice to release such killers as Jack la Grange and Robert van der Merwe, after having served only three years of their sentences."

He asked whether the Minister of Justice had "taken leave of his senses" — Sapa

## Woman prisoner ends 11-day hunger strike

CT 9/7/91 (253)  
THE only woman political prisoner in the Western Cape ended an 11-day hunger strike on Friday, lawyer Mr Alan Dodson said yesterday.

Ms Phyllis Fante, 28, started fasting on June 24 in a bid to secure indemnity from serving the rest of a 15-year prison sentence for attempted murder, imposed in 1987.

Mr Dodson said she was due to be set free in March next year, instead of March 1997.

● Mr Jaap Marais, leader of the Herstigte Nasionale Party, says it is incomprehensible why right-wing political prisoners cannot be released in view of the recently announced release of long-term prisoners who were jailed on murder charges. — Sapa and Own Correspondent



# Cops' release unfair LHR

Sowetan 9-1-91

LAWYERS for Human Rights have objected to the recent release of four policemen jailed for criminal offences.

LHR was reacting to statements by Deputy Justice Minister Mr Danne Schutte that he found it surprising "those who had recently argued for the unconditional release of among others, murderers" objected to prisoners being released under strict parole conditions".

LHR said they had called for the unconditional release from prison of all those who qualified for release in terms of the agreement reached between the Government and the ANC.

Such people certainly include people convicted of murder this is clearly stated in the Pretoria Minute," the LHR said. The agreement was a political one, which was quite different from the normal process of prisoner releases, remissions and parole.

"Indeed, with the recent releases of political prisoners, our call has been vindicated.

"In addition to this, we have no objection to either enlightened sentencing or early parole - we see such advances as important in our moves towards democratising society," said LHR. "We cannot believe that coincidentally four policemen . . . all qualified for parole on ex-

actly the same day. "It should be remembered that all four policemen were sentenced to death in 1988 and were reprimed by (then President) Mr PW Botha after spending approximately six months in jail."

The policemen's release came two days before another bulk release of ANC members, and to us the conclusions are obvious. "All we are asking for is equal treatment for criminal offenders. The Ministry of Justice has in the past months been at great pains to ensure that its criminal justice system is not subverted through the release of political prisoners in terms of an agreement to which it is a party. Where is that caution now?" he asked Sapa.

253

# Lawyers say killer policemen's release was no coincidence

*by Day 11/91*  
 PRETORIA — Lawyers for Human Rights (LHR) yesterday reiterated its objection to the recent release of four policemen jailed for criminal offences

The LHR was reacting to Deputy Justice Minister Dame Schutte saying it was surprising "those who had recently argued for the unconditional release of among others, murderers, objected to prisoners being released under strict parole conditions"

The LHR said it had called for the unconditional release of all who qualified in terms of the agreement between government and the ANC "Such people certainly include people convicted of murder"

The agreement was a political one, quite different from the normal process of prisoner releases, remissions and parole "Indeed, with the recent releases of political prisoners, our call has been vindicated," the LHR said

It had no objection to enlightened sentencing or early parole — "we see such advances as important in our moves towards democratising society"

The LHR said its objection was to what it perceived as unfair and preferential treatment being given to, "in this case", policemen sentenced for violent and criminal activi-

ties "We cannot believe that coincidentally four policemen qualified for parole on the same day"

The policemen's release came two days before another bulk release of ANC members, "and to us the conclusions are obvious"

"All we are asking for, is equal treatment for criminal offenders. The Ministry of Justice has in past months been at great pains to ensure that its criminal justice system is not subverted through the release of political prisoners in terms of an agreement to which it is party Where is that caution now?" it asked

DP spokesman Dave Dalling said in Cape Town the prisoner release programme appeared to be going "drastically wrong"

It was one thing to release political prisoners, but it was quite another to release "dangerous and murderous criminals into the public midst" "Whether it be 'on parole' or otherwise, it is manifestly a perversion of justice to release such killers as Jack la Grange and Robert van der Merwe, after having served only three years"

The other two former policemen in question were W/O Leon de Villiers and Const David Goosen, sentenced to death in 1988 for a Cradock murder — Sapa

● Comment: Page 8

# Prisons won't say who's free

Sowetan 10/7/91 253

**THE Department of Correctional Services still refuses to announce the release of "political" prisoners and those who have benefited from the State President's announcement.**

A Correctional Services spokesman in Pretoria said the reason was to protect the interests and privacy of prisoners and their families.

The Department would, how-

ever, where possible confirm the release of prisoners if their names had been submitted by the media.

Political parties have lately charged that the Government was releasing "dangerous and murderous" criminals, such as policemen jailed for murder, and such "political" prisoners as bombers.

Convicts believed to have applied for release, but who are still in

prison, include Wit Wolf member Barend Strydom, ex-naval spy Dieter Gerhardt and the Sharpeville Six.

The Correctional Services spokesman said it was the policy of his department not to comment or make announcements on individual prisoners.

"Details or information regarding the release of prisoners are furnished to the next-of-kin" - *Sapa*

SOWETAN RADIO METRO



TALKBACK

*Sowetan*  
10/7/91  
Callers  
oppose  
mass  
release

VICTIMS of violent crimes were left at risk with no protection, following the mass release of prisoners in terms of the Presidential pardon to a third of first-time offenders

This was the opinion of Rector from Industria in the *Sowetan*/Radio Metro Talkback Show hosted by DJ Tim Modise yesterday.

Rector said the Government's amnesty would also lead to people taking the law into their own hands and was encouraging would-be criminals

Callers said they were not happy with the release of prisoners and Jackie from Evander said murderers would only commit more crimes and kill more people

Themba from Naledi, Soweto said he felt bad because, by granting amnesty to criminals, the Government did not show regard for those people who had suffered the loss of loved ones and those who had died.

Afros from Daveyton said the amnesty should apply only to political prisoners in terms of the agreement between the Government and the ANC. This attitude was also supported by Siphon from Mofolo

"What the Government has done is totally out, people like the Sharpeville Six should be released because their actions were for the benefit of the community as a whole," he said.

Daniel from Eldorado Park accused the Government of trying to free policemen in jail by putting them in the same category as political offenders

Mankombe from Bethal said the authorities should have involved the ANC in the selection of people to be granted amnesty.

# Lawyers hit at selective release of prisoners

Sowetan 10/17/71

253

THERE is no parity in the way the authorities are releasing prisoners in terms of the State President's announcement of remission of sentences, Lawyers for Human

Rights (LHR) told a news conference in Pretoria yesterday.

LHR national director Brian Currin said police murderer Jack le Grange had been released after

servng three-and-a-half years of a 25-year sentence, while a man who had murdered a policeman, Henry Burt, was still in prison and would serve an eight-and-a-half-year sentence.

LHR said it would be irresponsible to "open prison doors to all", but the Government should, to be fair, apply the same criteria to all when it came to paroling prisoners.

To be consistent, it should, therefore, release all "three-and-a-half year out of 25-year category" prisoners

Black Sash spokesperson Ms Kerry Harris said the way prisoners were being released was "apartheid at its worst"

Currin accused the Correctional Services

Parole Board of applying the State President's remission provisions in an "obscure and dishonest" way.

He asked why the Sharpeville Six had not yet been released

As far as the LHR knew, the six convicted murderers released from Death Row as common law prisoners so far had all been whites - four policemen, Maureen Smith, and Fox Street return to international football - if the go-ahead was given - a tour to this country by a top overseas team would probably take place before the year was out.

"It's been a long time coming and we are now more confident than ever that we'll get back." - Sapa

# 'Free my 2 sons jailed as they defended mosques'

253  
10/7/91 ARGUS

By VUYO BAVUMA  
Staff Reporter

A BONTEHEUWEL father has appealed to the government to grant indemnity to his two sons who are serving 16 years for murder, attempted murder, robbery and illegal possession of firearms and ammunition.

Mr Ismail Abrahams described his sons, Nazeem and Yusuf, as "political prisoners", and believes they should have been released in terms of the Groote Schuur and Pretoria Minute

Yusuf, 32, and Nazeem, 27, Abrahams were sentenced four years ago for robbing and killing a security guard while trying to steal firearms to protect mosques in 1985, a year of

much political turmoil

Their attack on the guard came a week after the infamous "Trojan Horse" incident in which three people were shot dead by police

Members of the SADF allegedly desecrated a mosque in Athlone and fired teargas at the congregation who were holding a memorial service for the three dead

At a press conference yesterday Mr Abrahams said he was "totally disappointed" with the State that his sons were still imprisoned when people such as former Transvaal policemen Jack la Grange and Robert Van der Merwe, jailed for killing two drug dealers in 1988, had been released

"On Sunday I visited my sons and they were distressed about

these developments. Their actions were motivated by political goals"

"I have written to the Minister of Justice, Mr Kobie Coetsee, and the State President, Mr F W De Klerk, to demand the release of my sons. But nothing has happened

"If my sons are not released by the end of July, they will go on hunger strike until they die," Mr Abrahams said.

Miss Gadinja Vallie of Essa and Moosa Associates said the firm had applied for indemnity for the Abrahams brother and two others in February.

"The prisoners were politically motivated in zeal to redress the wrongs of the apartheid regime and to secure justice for the victims of apartheid," Miss Vallie said

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## Death row releases 'inconsistent'

GOVERNMENT was inconsistent in its release of death row prisoners, Lawyers for Human Rights (LHR) national director Brian Currin said yesterday.

Currin told reporters government should be reconsidering the cases of about 300 common law prisoners on death row who committed crimes "while living under the appalling conditions of the political situation".

The LHR was not calling for prison doors to be thrown open, but felt iniquities of apartheid meant that even common law crimes could be seen as politically motivated.

He called for last year's moratorium on death sentences to be reimposed

DARIUS SANAI

pending the formation of a new government, and criticised government for releasing policemen convicted of murder.

All six former death row inmates he knew to have been released following President F W de Klerk's announcement of a limited remission were white, and four were former policemen.

The LHR also released a petition yesterday signed by common law prisoners on death row appealing for the death sentence to be abolished and for their cases to be reconsidered.

Currin said there were about 320 death row inmates in SA's jails.

## Cape Town may shun local govt Act

CAPE TOWN — The executive committee of the Cape Town City Council decided yesterday to recommend to the council that it have nothing to do with the controversial Interim Measures for Local Government Act.

The Port Elizabeth City Council is also expected to reject the Act.

The executive committee's recommendation, if adopted, will mean the eight management committees under the council's jurisdiction will be at loggerheads with it over what structures should be used to negotiate a new system of local government.

The management com-

LINDA ENSOR

mittees recently asked the council to set up a joint negotiating forum to discuss a local government structure, as provided for by the Act.

But the executive committee believes that by providing for management committee representation on such a forum, the Act has given the committees a greater status than their community support deserves.

It is believed that the management committees are prepared for a fight and plan to appeal to Cape Provincial Administrator Kobus Meiring should the

council refuse to establish a negotiating forum.

The Act does not empower the administrator to play an enforcing role — its provisions are not mandatory — but only a mediating one. Should the appeal to Meiring not bear fruit, the management committees intend making representations to Planning, Provincial Affairs and National Housing Minister Hernus Kriel and possibly President F W de Klerk.

Councillor Clive Keegan said yesterday that the executive committee felt the Act had proved enormously divisive and had the potential to completely derail the negotiating process in urban areas.

# 'Sharpeville Six' pair still in jail

Sowetan 11/7/91

**BY THEMBA MOLEFE**

TWO of the Sharpeville Six were still waiting to be released from Pretoria Maximum Security Prison yesterday.

The two were granted parole in terms of the State President's amnesty this week.

On Tuesday Duma Joshua, Khumalo and Oupa Moses Dimiso were given parole in terms of the one-third remission of parole conditions.

The Sharpeville Six was sentenced to death in 1985 for common purpose in the murder of Lekoa deputy mayor Mr Kuzwayo Jacob Dhlamini. The other four are Francis Dón Mokhesi, Mojalefa Reginald Sefatsa, Reid Mokoena and Theresa Ramasha - mola who is serving her

sentences in the Johannesburg Prison. In 1988 the death sentences were commuted to prison terms ranging from 18 to 25 years. They were reprieved together with former Brixton Murder and Robbery Unit members Jack la Grange and Robert van der Merwe.

Meanwhile a storm is brewing over the parole

granted this week to killer cop Jack le Grange. The

Lawyers for Human Rights said he was not a first offender. LHR national director Mr Brian Curnn said the former police captain should not have had his 25-year sentence remitted.

The LHR yesterday said the criteria for the release of criminals were being used unfairly and to

favour policemen jailed for murder.

Responding to the LHR's statement on Tuesday in a statement the Ministry of Justice and Correctional Service said each case was being considered on its merits.

If emphasised that the remission of sentences was applied consistently in respect of first offenders



## Two Sharpeville Six prisoners released <sup>(253)</sup>

27/11/91  
JOHANNESBURG — Two of the Sharpeville Six prisoners were released from Leeuwkop Prison here late yesterday afternoon.

A Johannesburg lawyer, Mr Amichand Soman, who represents the two, confirmed last night that Mr Oupa Diniso and Mr Duma Khumalo had been freed in terms of President F W de Klerk's amnesty for a certain category of first offender.

Mr Soman said last night the release of the remaining four men was still being addressed.

The Sharpeville Six were arrested in 1984 and given death sentences, later commuted to jail terms ranging from 18 to 25 years.

Meanwhile, the Ministry of Justice and Correctional Services said in a statement on Tuesday, in reply to accusations by Lawyers for Human Rights that there was no parity in the way the authorities were releasing prisoners, that the special remission of sentences for first-time offenders were being applied "consistently" — Sapa

Star 11/7/91

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## Dear FW, please free my daddy

The six-year-old daughter of jailed rightwinger Leonard Veenendaal has telefaxed President de Klerk, asking him to release her father

Veenendaal has spent more than a year in prison and is awaiting a decision on whether he would be extradited to Namibia. He was recently indemnified by the Government.

A letter by Lindsay Veenendaal was yesterday telefaxed to President de Klerk and Justice Minister Kobie Coetsee.

It said: "Dear Uncle FW, my name is Lindsay Veenendaal and I miss my daddy"  
Pretoria Correspondent



Lindsay Veenendaal with her letter to President de Klerk

# Two of Sharpeville

## Six released on parole

stw 11/7/91  
 (253) (282)  
 By Thabo Leshilo

Two of the Sharpeville Six prisoners, Oupa Diniso (35) and Joshua Khumalo (31), were freed on parole last night in accordance with President de Klerk's amnesty after serving two years and seven months of their respective 25 and 18-year sentences.

A spokesman for their lawyer, Amichand Soman, confirmed that Mr Soman was telephoned by the Department of Correctional Services to pick them up at Leeuwkop prison yesterday evening.

Department of Correctional Services spokesman Colonel Danie Immelman was unable to give any more information pertaining to their parole or release conditions.

The two, together with Mojalefa Sefatsa (35), Reid Mokoena (27), Theresa Ramashola (29) and Francis Mokgesi (33), were sentenced to hang in 1985 for the murder of Lekoa deputy-mayor Khuzwayo Dhlamini on September 3 1994 at the height of South Africa's violence.

The release of the two comes after Lawyers for Human Rights (LHR) had complained that Mr de Klerk's parole was used unfairly and unlawfully to favour policemen in prison. Both the Department of Correctional Services and the Justice Ministry denied the allegation.

LHR national director Brian Currin had specifically asked why the Sharpeville Six were not being released

The court found the six had common purpose with the mob that murdered the councillor.

The six were initially sentenced to death but were reprieved from the gallows in November 1988.

They won a stay on the eve of their execution date, March 17 1988, to enable them to apply for the reopening of their case.

The six, together with 13 other Death Row prisoners, including four policemen jailed for murder, were reprieved in November 1988 by the then-State President, P W Botha.

The rogue policemen, Jack la Grange and Robert van der Merwe, were convicted of murdering two drug dealers and attempting to murder a businessman. The other two, Patrick Goosen and Leon de Villiers, were convicted for murdering an anti-apartheid activist near Cradock in the Cape.

The reprieve of the Six, whose sentence caused a worldwide outcry, came after the Appeal Court had dismissed an application to reopen their trial and one of them had refused to sign a petition for clemency.

Khumalo and Mokgesi's sentences were commuted to 25 years, Sefatsa's to 20 years and the sentences of Mokoena, Diniso and Ramashola to 18 years.

# Four may soon be free

Sowetan 12/7/91

253

FOUR of the Sharpeville Six still in jail are under review and they might be released soon, legal and Government sources said yesterday.

By THEMBA MOLEFE

Speculation about their release arose after Mr Duma Joshua Khumalo and Mr Oupa Dmiso were granted parole in terms of the State President's amnesty for first offenders. They were freed from Leeuwkop Prison on Wednesday.

Mr Amichand Soman, the attorney representing the six, said the Ministry for Justice and of Correc-

tional Services was reviewing the cases of Francis Don Mokhesi, Mojalefa Regnald Sefatsa, Reid Malebo and Theresa Ramashamola.

"The four, with whom I spent most of the day on Wednesday, are in good spirits and aware of efforts to secure their release," said Soman.

A ministry source confirmed Soman's statement: "The cases are certainly under review and anything

can happen sooner than expected."

This is despite the fact that the four are not first offenders; their previous convictions range from theft to robbery.

The Sharpeville Six made international headlines in 1985 when they were sentenced to death for common-purposes in the killing of a Lekoa deputy mayor in anti-rent increase violence in September 1984.

In 1988 the death sentences were commuted to between 18 and 25 years due to international pressure.

## APARTHEID BAROMETER

### HUNGER STRIKERS

There are still 23 Bophuthatswana prisoners on hunger strike — all are in hospital, according to the Human Rights Commission, and 18 have entered their fourth week of the hunger strike.

The strikers are suffering from stomach cramps, dizziness, and loss of concentration, the HRC says.

### POLITICAL PRISONERS

Three political prisoners are still being held at Pollsmoor Prison in Cape Town. According to Lawyers for Human Rights they are: Litha Mlahleki, aligned to the Pan Africanist Congress and serving 42 years for attempted murder; Rev Dan Nkopodi (39), of the Black Consciousness Movement of Azania, serving 10 years for terrorism, recruiting persons for the PAC and promoting the aims of the PAC; and Monde Khakaza (40), of the BC movement, who is serving 24 years and is at present the longest serving political prisoner.

There are also three African National Congress members in prison in the Boland. They are: Zolile Matross, who has served four years of a 10-year sentence for attempted murder and robbery; Andile Tyanele, who has served one third of a 12-year sentence, and Phyllis Fante, who has served four years of a 15-year sentence.

# Disputes

## 253 Rage Over release of prisoners

The lifting of American sanctions suggests de facto US recognition of the 'independent' homelands and intensifies disputes over the definition and release of political prisoners

By WEEKLY MAIL REPORTER

THE termination of sanctions by the United States heralds the intensification of a dispute about the definition of a political prisoner. Moreover, it appears, technically, to imply recognition of the sovereignty of "independent" homelands.

The motives for several prisoner "amnesties" have also been called into question.

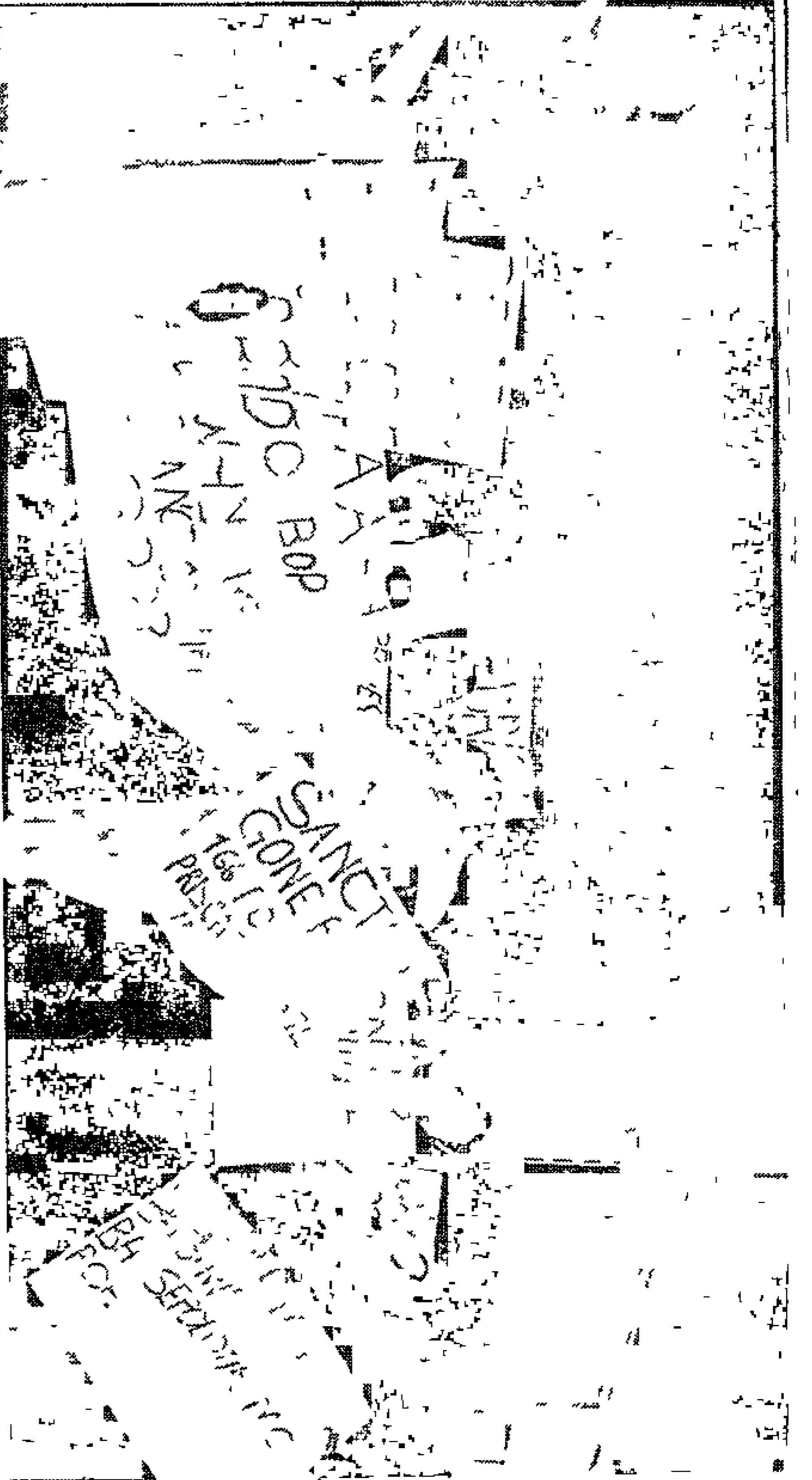
African National Congress international affairs head Thabo Mbeki said President George Bush had "moved the goal-posts" by categorising political prisoners in homelands separately from those in South African prisons.

The Human Rights Commission (HRC) said on Wednesday that there were more than 800 political prisoners behind bars, 166 of which were incarcerated in Bophuthatswana.

By lifting sanctions, Bush has given *de facto* recognition to Bophuthatswana as an independent state, thereby defying the US Congress's resolution to shun the homelands.

According to the US government, a political prisoner is one who is imprisoned because of his political beliefs, whereas the HRC definition includes any person who is in prison as a direct result of opposition to the system of apartheid.

Furthermore, a clause in the *Political Offences Working Group Report* ac-



NO RECOGNITION ... Demonstrators outside the US Embassy in Pretoria protest against the lifting of sanctions while political prisoners still languish in Bophuthatswana gaols

Photograph: GUY ADAMS

cepted in the Pretoria Minute stipulates that "in certain circumstances a common crime, even a serious one such as murder, may be regarded as a political offence".

The HRC said its list of June 3 1991 was still applicable. It identified 972 political prisoners, 284 of which were "audited" — agreed to by the HRC and the government as political prisoners.

"The number might have been reduced by about 60 prisoners released since that date and may contain a small number whose release in the past have gone unrecorded. However, we are satisfied that the current number of identified prisoners is in excess of 800," said the HRC statement.

The commission said that, instead of releasing political prisoners, the government has devised smokescreens by introducing two six-month remissions of sentence for a wide range of prisoners: one in December 1990, which resulted in the release of over 10 000 prisoners, another on May 1 which resulted in a further 15 000 releases.

Both these "amnesties" were announced when the government was un-

der considerable pressure to release political prisoners specifically.

"Together with the latest amnesty, there can be no doubt that a substantial number of unidentified political prisoners have walked free, but at the same time so have a huge number of criminal prisoners. This is the price the government is willing to pay to climb out of the hole they dug for themselves," the HRC statement concluded.

This resulted in the release of police murderers Jack la Grange, Robert van der Merwe, Leon de Villiers and David Goosen.

Evidence held by Lawyers for Human Rights (LHR) shows that President Fw de Klerk's criteria for the release of prisoners is being used unfairly and unlawfully to favour policemen murderers. The Black Sash described the releases as "apartheid at its worst".

The Department of Correctional Services rejected suggestions that the former policemen had received preferential treatment.

"Just as the government's release of political prisoners was not intended to solicit political crime, even so the am-

nesty granted to first-time offenders is not intended to solicit further crime," said Deputy Justice Minister Danie Schutte.

Early this week both the Democratic and the Conservative Parties condemned the release of what they called "dangerous and murderous criminals". DP spokesman for justice David Dalling said "It is one thing to release political prisoners — a process which should be speeded up — but it is another thing to release dangerous criminals."

Quoting an SAP form in possession of LHR, the organisation's national director Brian Curtin said ex-policeman and murderer Jack la Grange was not a first offender and should not have had his 25-year sentence remitted in accordance with De Klerk's parole.

La Grange had been convicted of assault with a hosepipe in 1970, fined R100 and suspended from the force for the assault. The ministry of justice responded by explaining that it was a legally accepted guideline that an offender whose previous offences had been committed more than 10 years before his last offence may be considered a first offender.

# Sharpeville Stev 12/7/91 toyi-toyis as Oupa returns

By Shirley Woodgate (253)

Women ululated, grown men wept and children laughed and danced in Sharpeville on Wednesday night when local hero and former Death Row prisoner Oupa Dimiso (31) walked back into their lives, freed from Leeukop prison under President de Klerk's amnesty for first offenders.

Their emotions were shrouded in dark, hidden even from each other in the candle-light.

Mr Dimiso had returned to the new South Africa, to the Vaal where the electricity had been cut since June 4 over the entire area because accounts were outstanding.

As the township grapevine swelled the welcoming crowd after 10 pm, the quietest member of the gathering was Mr Dimiso.

"Total bewilderment" was the phrase applied by his lawyer, Amichand Soman, as the reaction of the two released members of the Sharpeville Six, Mr Dimiso and Joshua Khumalo (31), who were sentenced to death in 1985 for the murder of Lekoa deputy mayor Khuzwayo Dhlamini at the height of South Africa's violence in 1984.

"I felt numb," said Mr Dimiso of the trip home with Mr Soman after six years behind bars.

Although Mr Dimiso claimed he had returned home without bitterness after spending the best years of his life behind bars, he was concerned that the new South Africa consisted mainly of cosmetic changes to impress the Western world.

"I still do not have the vote and political prisoners are still in jail," he said.

"What bothers me is that policemen La Grange and Van der Merwe have been released. They're not political prisoners."

# Stand on 'homeland' prisoners explained

253  
B1000 12/7/91  
SIMON BARBER

WASHINGTON — President George Bush decided to lift sanctions after concluding that political prisoners still held in the homelands were not covered by the Comprehensive Anti-Apartheid Act, a legal justification issued by the White House says.

The document also stated that SA law and practice had been sufficiently reformed in recent months as to "provide assurances" that there would be no further political convictions, as defined by the Act, in the "foreseeable future".

Bush's decision that the Act's five conditions had been filled has been sharply attacked by sanctions proponents in Congress on the grounds that it failed to take into account 164 prisoners held in Bophuthatswana, most of them soldiers and officers, involved in the 1988 coup attempt.

Congressman Ron Dellums, echoing ANC lawyer Matthew Phosa, said Bush had "in a de facto way, recognised Bophuthatswana as an independent state".

Lawyers for Human Rights in Pretoria on Tuesday asked US ambassador William Swing to forward to Bush a letter purporting to be from the Bophuthatswana prisoners currently on hunger strike, pleading for their cases to be taken into account.

The White House statement said prisoners held in the TBVC states had not been counted because the CAAA "does not include reincorporation of the so-called 'independent' homelands as a condition for lifting sanctions".

Officials further explained that to have

included TBVC prisoners might also have meant making the lifting of sanctions contingent on the ANC's releasing those it is still holding against their wills.

Instead, it was decided to focus on those prisoners in the custody of the central government and to treat homeland administrations as "other groups".

The US embassy had "exhaustively reviewed the cases of persons incarcerated or otherwise detained by the government".

ANC President Nelson Mandela told ABC's Ted Koppel that there were "still a large number of prisoners who are covered by the definition agreed upon by the ANC and government" and criticised the US for "imposing its own definition".

The White House statement said the CAAA was clear on this. Its standard "applies only to persons persecuted for their political beliefs or detained without trial".

Recent amendments to the Internal Security Act, new restrictions on detention with judicial review, and other reforms permitting free political activity made it unlikely that there would be further "convictions for offences constituting 'persecution for political beliefs'".

The statement also noted the agreement between government and the ANC on the release of political prisoners was founded in the "acceptance by all sides of 'the essential integrity of the SA judicial system'".



# Jailed Bop dissidents worry Yanks

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ARGUS 13/7/91  
PRETORIA. — The US is satisfied that the South African government has released all political prisoners — but it is “very unhappy” that President De Klerk has not persuaded Bophuthatswana to free its jailed dissidents

US Assistant Secretary of State for Africa Herman Cohen said yesterday investigations by the US embassy and a top US lawyer sent to South Africa for the purpose had proved that the government had now freed all “prisoners of conscience” as defined by Washington — and thus satisfied this requirement of the Comprehensive Anti-Apartheid Act.

However, the US remained deeply concerned about political prisoners in Bophuthatswana, in

particular the more than 150 men still being held in connection with the abortive coup attempt of 1988.

“We think they should be released and we are very unhappy that the South African government has not used its tremendous influence to get them out. We’ve told the SA government that.”

Mr Cohen added “Under our law we wanted the SA Government to release those prisoners that were imprisoned by it. They claim they have no jurisdiction over the ones in Bop — and while this may be disputed, our law does not require the SA government to end the independent homelands system as a condition for lifting sanctions.”

# Right-wing prisoners break fast

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CP 13/7/91

JOHANNESBURG. — Two right-wing prisoners on hunger strike ended their fast yesterday as their condition deteriorated and doctors feared they would lapse into a coma.

Meanwhile, the condition of 24 hunger strikers in Bophuthatswana has been described as satisfactory.

Medical sources said yesterday that one of the right-wing hunger strikers, Fanie Goosen, who had not eaten for 20 days, was beginning to enter a coma. Corrie Lottering, who also broke his fast, had not eaten in 12 days.

The Department of Correctional Services and right-wing lawyer Mr Wim Cornelius confirmed that the two men had given permission to be resuscitated.

Earlier yesterday Orde Boerevolk leader Mr Nic Strydom said the men had undertaken to fast to the death and would probably not end their hunger strikes. But after they ended their strike, Mr Strydom said he was relieved.

He said Goosen and Lottering had received "a deal" from the Department of Correctional Services. He did not wish to elaborate.

The right-wingers undertook their hunger strike to demand that they be

treated as political prisoners and be granted indemnity.

Three other right-wing hunger strikers, Leonard Veenendaal, who is in H F Verwoerd Hospital, and Horst Klenz and Henry Martin, also ended their fast yesterday.

Meanwhile, a spokesman for the Odendaal Hospital, north of Pretoria, said the condition of 24 Bophuthatswana prisoners on hunger strike was satisfactory.

The prisoners were admitted to the hospital on June 28, after being ferried there from Rooigrond Central Prison on the outskirts of the homeland's Mmabatho capital.

The spokesman confirmed that the prisoners were still refusing to eat.

In Mmabatho, seven more prisoners joined the hunger strike in Bophuthatswana prisons and six resumed eating yesterday after permission was granted to a four-man church delegation to visit the prisoners, the Department of Information said.

The delegation comprised three bishops of the Anglican Church, the Roman Catholic Church and the Methodist Church, as well as a minister of the Council of Churches.

The total number of hunger strikers yesterday stood at 55, with 24 prisoners in hospital — Sapa and Own Correspondent

# Why the Govt is setting criminals free

253  
Star 13/7/91

## It's a smokescreen for 'difficult' cases - HRC

**PATRICK LAURENCE**

Political prisoners are being freed anonymously, amid an on-going release of thousands of common law prisoners, the Human Rights Commission (HRC) says.

By simultaneously releasing political and non-political prisoners — as many as 50 000 have been released since December — the authorities have deliberately thrown up a "smokescreen", the HRC reckons.

Their purpose, according to the HRC, is to free prisoners whose political status they dispute without acknowledging that they are doing so.

The authorities, however, deny any subterfuge. Their objective, they say, is to adopt an "even-handed approach" to all prisoners.

### **Controversial**

Two of the "Sharpeville Six", Oupa Dimiso and Joshua Khumalo, who were released under President F W de Klerk's July 1 special amnesty, illustrate the point concretely.

Together with four co-accused they were originally sentenced to death under the controversial doctrine of "common purpose" for the murder of deputy mayor Khuzwayo Dlamini in September 1984.

After a long and dramatic series of court hearings, including one leading to a last-minute stay of execution, the six were rescued from the gallows by Presidential prerogative. Their death sentences were commuted to long terms of imprisonment.

From the outset the status of the Sharpeville Six was a matter of dispute. Their lawyers argued that their motivation was political and that they were therefore political prisoners. State lawyers regarded them as common-law criminals.

Their present lawyer, Amichand Soman, applied for their release as political prisoners in terms of the Pretoria Minute of August last year. The application was, however, turned down.

Then Mr Dimiso and Mr Khumalo were freed on parole, together with prisoners who did not claim political status, under

President de Klerk's latest amnesty. As first offenders they qualified for parole. Their four co-accused were not first offenders.

Since the signing of the Pretoria Minute between the Government and the ANC, there have been three general amnesties under which prisoners have been released, irrespective of whether they claimed political status.

The first, announced in December, granted a six-month remission to all prisoners. The second, announced in April, granted a further remission of six months.

The latest went considerably further. It granted a remission of one-third of sentence to all first offenders, over and above the normal one third for good behaviour.

In addition, however, first offenders who had served less than a third of their sentence could qualify for parole under stricter than normal conditions.

Ex-policemen Jack la Grange and Robert van der Merwe, both of whom were given a double death sentence, were released last weekend under the parole clause. Mr Dimiso and Mr Khumalo were freed after calls for their release in the wake of the paroling of Mr la Grange and Mr van der Merwe.

The HRC estimates that nearly 30 000 prisoners have been released already, of whom only about 2 000 are political prisoners. By the time the process runs its course, 50 000 prisoners will have been freed, it calculates.

The release of "a huge number of criminals" is the price the authorities have had to pay "to climb out of the hole they dug for themselves".

Saturday Star established independently yesterday that more than 50 000 prisoners have already been released since December. The total is made up of 30 000 prisoners who benefited from the December remission, 23 000 who were freed under the April remission, and 4 200 who were released between July 1 and 5 under Mr de Klerk's latest amnesty.

# US sceptical on prisoners

WASHINGTON — President de Klerk will have to move swiftly to dispel scepticism in the United States about his government's claim that it has freed all political prisoners

It is on this issue that advocates of sanctions are most passionately united, and it is around this issue that they have already started rallying their supporters across the US for a renewed campaign to persuade banks and corporations, and state and city legislatures, not to normalise relations with South Africa

Local sanctions are still being enforced by 28 states, 88 cities and 24 counties across the US in spite of President Bush's order yesterday lifting sanctions.

In the case of local sanctions,

the de Klerk government is up against broad US opinion

The focal point of the pressure is political prisoners allegedly still being held in South Africa and the independent homelands. (253)

The disconcerting evidence is that many Americans, including those of goodwill with no axe to grind on the South African issue, simply do not accept the word of their government or the South African authorities, that all political prisoners have been released

Nor do they accept the proposition that Pretoria has no way of effectively pressuring states like Bophuthatswana to release prisoners being held on charges which fall within the definition of the Pretoria Minute

# US not happy about Bop's prisoners

Star 17/7/91

THE US administration is satisfied that Pretoria has released all political prisoners as defined in the Comprehensive Anti-Apartheid Act — but it is “very unhappy” that President F W de Klerk has not persuaded Bophuthatswana to free its jailed dissidents

## Requirement

US Assistant Secretary of State for Africa Herman Cohen said yesterday investigations by the US Embassy and a top US lawyer sent to South Africa for the purpose had proved that Pretoria had now freed all “prisoners of conscience” as defined by Washington — and thus satisfied this requirement of the Comprehensive Anti-Apartheid Act

However, the US remained deeply concerned about political prisoners in Bophuthatswana, in particular the more than 150 men still being held in connection with the abortive coup attempt of 1988.

“We think they should be released and we are very unhappy that the South African Govern-

253  
**SHAUN JOHNSON**

ment has not used its tremendous influence to get them out. We've told the SA Government that.”

Mr Cohen added. “Under our law we wanted the SA Government to release those prisoners imprisoned by it. They claim they have no jurisdiction over the ones in Bop — and while this may be disputed, our law does not require the SA Government to end the independent homelands system as a condition for lifting sanctions.

## Unhappy

“So if we were to insist that they removed these prisoners, we would effectively be insisting that they end the independent homeland system.

“That's not a requirement of law

“But to repeat we are extremely unhappy about these prisoners and we would like to see the SA Government use its rather tremendous influence (with President Lucas Mangope) to get these prisoners out.”

# Priests see hunger strikers

By **THEMBA KHUMALO**

(253)

ABOUT 20 Pretoria priests this week persuaded police to let them visit 18 political prisoners — who today enter their 30th day on hunger strike at Odi Hospital near Mabopane

The priests, all members of the Pretoria branch of the South African Council of Churches, were accompanied to the hospital by members of the ANC and GaRankuwa Civic Association

According to the Rev Mminele, organising secretary of the Pretoria SACC, a senior Bophuthatswana police officer had tried to stop the delegation from visiting the prisoners

"He blenled when I told him there was no way we would rescind our

decision as our supporters were already waiting outside the hospital

"The officer asked us to speak to the hospital authorities. They didn't have any problem with our visit but would only allow four of us in," Mminele said

He added that the "sight of the hunger strikers is shocking and some of them are likely to have entered the irreversible stage — the damage of their bodies" Their speech was slurred and they had all lost weight

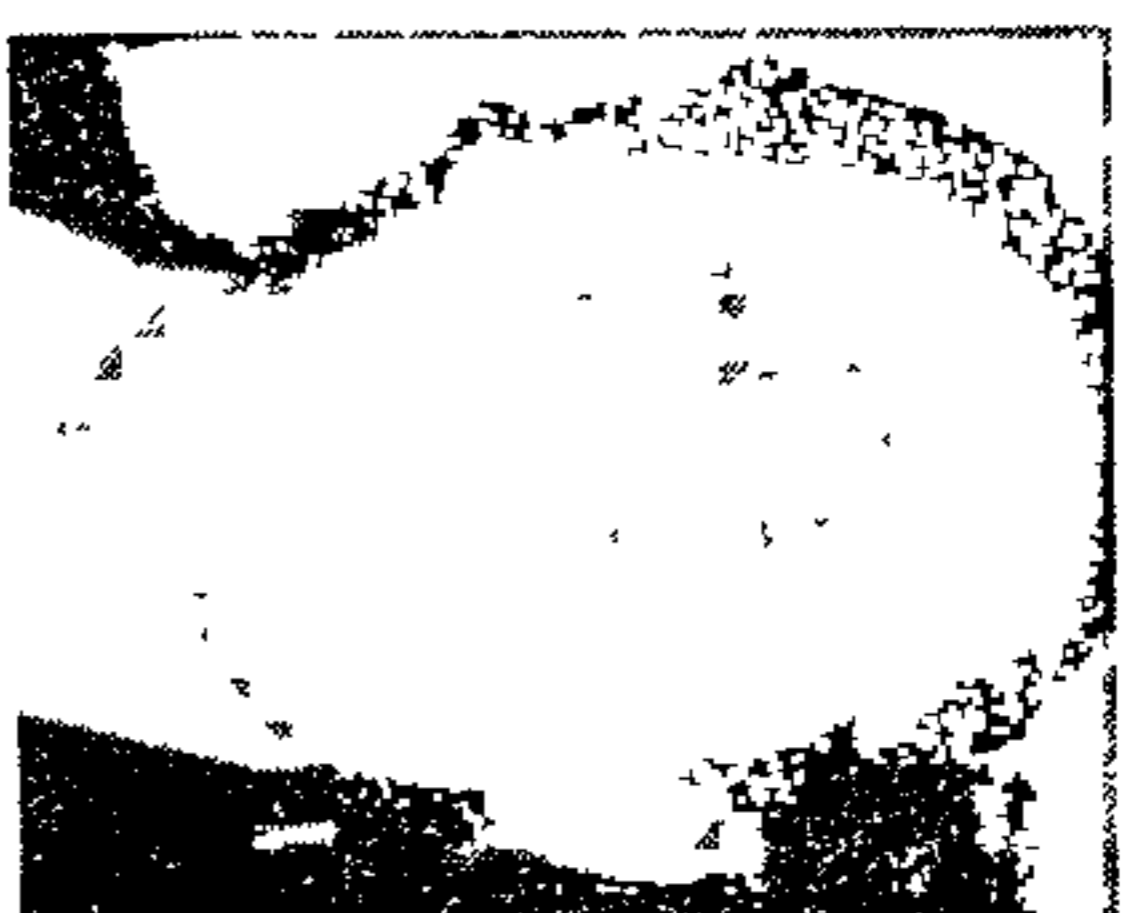
The prisoners are among the 166 inmates demanding immediate release under the Pretoria Minute agreed between the South African Government and the ANC last year Bophuthatswana authorities say the pact excludes prisoners in the homeland

# Now 'worried' Transvaal A-G warns on freed prisoners

# JANET BRIDGES

STimes 14/7/91

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DON BRUNETTE  
'Few prisoners turn into angels'

By CHARIS PERKINS

TRANSVAAL attorney-general Don Brunette has warned that many of the criminals freed under President FW de Klerk's amnesty will soon be back in court.

Mr Brunette, who is concerned about the mass releases, said "We can expect a large majority of criminals to go back to their old ways."

His warning came after two weeks of mounting public outrage over the freeing of criminals, including murderers, under President De Klerk's amnesty.

Mr Brunette said "The question one needs to be asking is Is the president's discretion being 'used properly'?"

"Those powers should be exercised very carefully. Normally, amnesty is granted only in special cases, for example if someone in jail is very sick or old.

"There is a perception among the public that the legal system is being undermined, and that should never happen. It's very worrying, and hundreds of my advocates are unhappy about the situation."

Mr Brunette warned that the courts would have to deal with the consequences of the releases.



## Here comes the bride!



# Warning on jailbird madness

253 From Page 1  
about by the release of political prisoners earlier this year.

Critics of the releases have rejected President De Klerk's reasoning

Pretoria criminologist Irma Labuschagne said the releases were "ridiculous"

She said: "Normal convicts are not the same as political prisoners, for God's sake. They do not have the right to expect equality"

The national director of Lawyers for Human

Rights, Mr Brian Currin, said the organisation could not see "what common criminals have to do with the political process"

"The departments of Justice and of Correctional Services, and the Cabinet, owe South Africans an explanation," he said.

The Democratic Party's spokesman on justice, Mr Dave Dalling, said there was no justification for the release of common criminals before they had paid their debt to society

ANC spokesman Gill

S (Times 14/7/91)  
Marcus said the government was trying to criminalise political cases and that amnesties granted to convicted criminals were clouding the complex issue of political prisoners

The Human Rights Commission said the amnesties were smokescreens.

"They were announced while the government was under considerable pressure to release political prisoners and there can be no doubt that a substantial number of unidentified political prisoners — perhaps as many as 2 000 — have walked free

"This is the price the government is willing to pay to climb out of the hole they dug for themselves," said an HRC spokesman.

But Mr Schutte said the criminal amnesties should be seen in the light of a new approach to sentencing.

In an Act passed during the last parliamentary session, correctional supervision — a sophisticated form of community service

— was added to the list of possible sentences for criminals

Mr. Schutte said the amnesties created the opportunity "to implement a new correctional services approach".

He said. "South Africa has one of the highest prison populations in the world, but by May we had reduced overcrowding to 1,62 percent, compared with 30 percent in 1990"

● This weekend, two rightwingers stopped a 20-day hunger strike after being told they would be considered for parole within four months

Fanie Goosen, 30, is serving a 12-year sentence on various charges of terrorism, including the bombing of former Sunday Times columnist Jani Allan's flat.

Corrie Lottering is serving a 24-year sentence for murder, robbery, intimidation, illegal possession of arms and ammunition and escaping from custody.



# ANC in midnight talks over strikers

By **CONNIE MOLUSI**

ANC president Nelson Mandela was late last night locked in talks with Deputy Minister of Law and Order Leon Wessels to get clearance to visit an estimated 23 hunger-striking political prisoners.

After six hours of talks at Wonderboom airport in Pretoria, the meeting had not produced results by midnight.

The prisoners are at Odi Clinic in Bophuthatswana, just outside Pretoria.

Mr Mandela, ANC deputy president Walter Sisulu and secretary-general

Cyril Ramaphosa were insistent that they would not leave the area without having seen the hunger strikers.

Last night's meeting involved shuttle diplomacy with President FW de Klerk, who was asked to intervene to secure the clearance from Bophuthatswana President Lucas Mangope.

Anti-Apartheid Movement head Archbishop Trevor Huddleston left about two hours into the meeting to attend a farewell function in his honour in Johannesburg — Sapa

# 'Wit Wolf' on hunger strike for freedom (53)

JOHANNESBURG — Convicted mass murderer Barend Hendrik "Wit Wolf" Strydom today started a hunger strike at Pretoria Central Prison with two other imprisoned right-wingers to demand their release as "Boer political prisoners".

The other two are Mr Darryl Stopforth, 27, and Mr Adriaan Maritz, 44. The three men have each been on two previous hunger strikes in prison this year.

A total of six imprisoned right-wingers are now on hunger strike, one of whom is in the H.F. Verwoerd Hospital in Pretoria.

A seventh right-winger, Mr Piet "Skiet" Rudolph, who was indemnified in March, started a solidarity fast on July 10.

Two previous hunger-striking right-wingers are recovering at the Johannesburg Hospital.

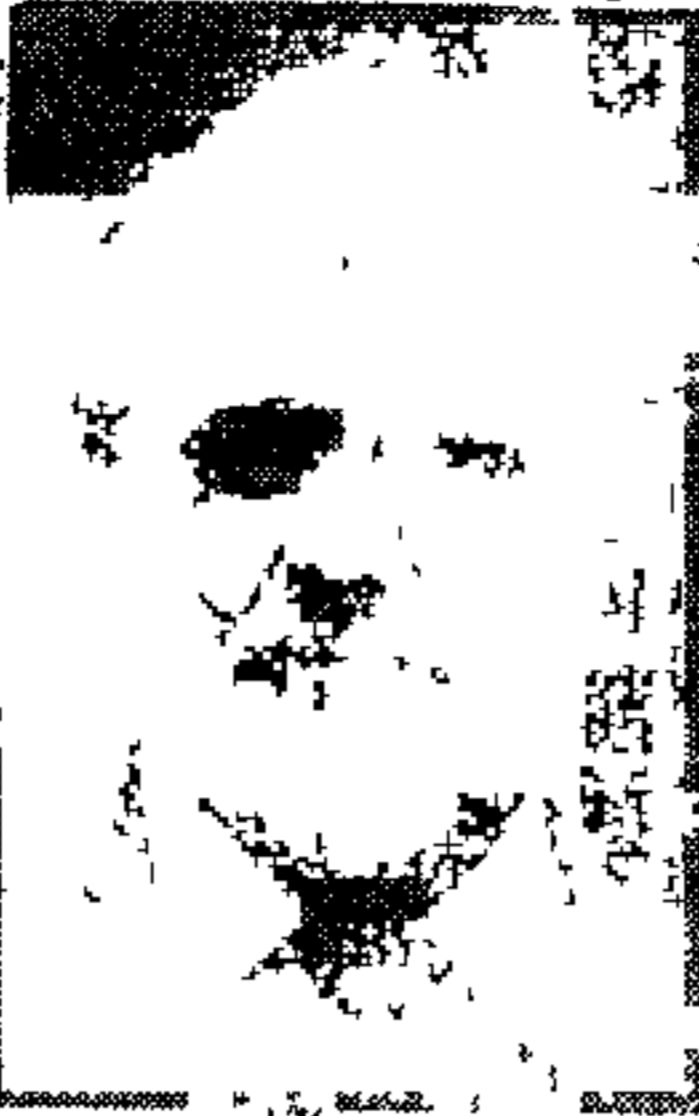
Barend Strydom's father, Nic — who is the leader of the militant Orde Boerevolk — said Mr Strydom celebrated his 26th birthday at Pretoria Central Prison today.

Strydom, 36, is serving a life sentence for the murder of eight black South Africans. His death sentences were recently reduced to life imprisonment.

Besides Strydom, Stopforth and Maritz, the imprisoned hunger-strikers include Briton Mr Henri Martin and German Mr Horst Klenz, who have been on hunger strike for a week; and Mr Leonard Veenendaal, who started his fast on July 1.

Mr Veenendaal's condition is deteriorating and he is suffering partial kidney failure, according to Mr Nic Strydom, who visited him at the H.F. Verwoerd Hospital yesterday.

— Sapa



Mr Piet Rudolph

## Piet 'Skiet' says he won't give himself up

The Argus Correspondent

PRETORIA — Mr Piet "Skiet" Rudolph, who is facing arrest after he refused on Friday to be tried by a Coloured magistrate or to be prosecuted by a black prosecutor in Krugersdorp for an alleged speeding offence, warned police not to have him arrested by a black policeman because "then they would have a Slagtersnek".

He said last night he would not give himself up.

"The ball is now in their court," said Mr Rudolph, who said he had spent the weekend at his Pretoria home, or at the AWB's offices where he is a liaison officer.

Police spokesman Captain G Bester said today a policeman was on his way to Mr Rudolph's home from Krugersdorp to serve the warrant for his arrest.

"If Mr Rudolph is at home he will be arrested and brought back to Krugersdorp, where he will appear in court today," she said.

Mr Rudolph said the rightwing had entered the fray on political prisoners, repudiating US Assistant Secretary of State for Africa Mr Herman Cohen for saying all political prisoners in South Africa had been freed.

Afrikanerweerstandsbeweging spokesman Mr Piet Rudolph said Mr Cohen was incorrect in believing all political prisoners had been freed as several rightwingers were still imprisoned.

Mr Rudolph has entered the fifth day of his fast, taking liquids only, to highlight the continued imprisonment of rightwingers.

He is planning to discuss the matter with US Ambassador to South Africa, Mr William Swing.

# Midnight visit by Mandela ends fast

of 15/11/91

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Own Correspondent

JOHANNESBURG — Twenty-five Bophuthatswana hunger strikers have called off their fast after top-level ANC intervention at the weekend.

ANC spokesman Mr Saki Macozoma said yesterday that ANC president Mr Nelson Mandela, fearing for the weakened prisoners' lives, persuaded them to suspend their strike so that "other strategies" could be pursued in the campaign for their release.

This followed a midnight visit to the prisoners at Odi Hospital in Garankuwa on Saturday by Mr Mandela, ANC deputy president Mr Walter Sisulu and ANC secretary-general Mr Cyril Ramaphosa.

Mr Macozoma said the ANC would pressure both Pretoria and Bophuthatswana President Lucas Mangope to release the protesters.

The hunger strikers, who are all serving sentences after being convicted of high treason for their role in the 1988 attempted coup, insist that they are political prisoners and should be released.

According to a statement from the Mafeking Anti-Repression Forum, the prisoners, 17 of whom had not eaten for 29 days, were "overjoyed" by the midnight visit.

## Hiccups

Mr Mandela had to overcome many hiccups — including recalcitrant Bophuthatswana policemen — before finally meeting the hunger strikers.

At 4pm at Wonderboom airport in Pretoria North, the ANC leaders began talks with South African Deputy Foreign Affairs Minister Mr Leon Wessels in an attempt to get clearance to visit the prisoners.

During the six-hour meeting, Mr Mandela was in telephonic contact with President F W de Klerk and Foreign Affairs Minister Mr Pik Botha.

Only after the South African government had contacted the homeland's leader, Mr Lucas Mangope, did Bophuthatswana grant the ANC delegation permission to visit the prisoners.

However, the problems were not over, as Bophuthatswana policemen at the hospital gates barred the way for about 90 minutes.

Mr Wessels insisted that the group had permission from President Mangope, and repeatedly threatened not leave the hospital until the ANC delegation had seen the prisoners — Sapa

# Hunger strike off

THE 23 political prisoners in a Bophuthatswana hospital suspended their hunger strike yesterday because they felt reassured after a visit by ANC president Nelson Mandela that they would be released soon

*Sowetan 15/7/91*

According to a statement from the Mafeking Anti-Repression Forum, the prisoners, 17 of whom had not eaten for 29 days, were "overjoyed" by the midnight visit by Mandela, ANC deputy president Walter Sisulu and ANC secretary-general Cyril Ramaphosa.



18 still 

won't eat

Sowetan 15/7/91

EIGHTEEN prisoners in Bophuthatswana's Odi Hospital are determined to refuse food until they are released despite being on a protest fast for 23 days.

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The Human Rights Commission, in a statement in Johannesburg, said the hunger strikers were visited by their families at the weekend and the prisoners had reiterated their determination to continue.

A further five prisoners at the Odi Prison had resumed their hunger strike on Saturday after refusing to eat for 16 days in June - Sapa



# Mandela gets Bop hunger strikers to quit

By Peter Fabricius  
Political Correspondent

The hunger strike by 26 Bophuthatswana political prisoners was called off early yesterday after dramatic interventions by President de Klerk, African National Congress president Nelson Mandela, Foreign Minister Puk Botha and Bophuthatswana President Lucas Mangope.

Informed sources added that the prisoners will now probably be released under the formula worked out last year by the Government and the ANC for the release of South African prisoners.

The sources said the prisoners called off their strike at 1 am yesterday after Mr Mandela had startled them awake when he strode into their wards at Odi hospital in Garankuwa, Bophuthatswana.

This was the culmination of 15 hours of efforts by Mr Mandela to get permission to enter Bophuthatswana territory to

address them <sup>Star 15/7/91</sup> It started at 8 am on Saturday when Mr Mandela telephoned Mr Botha from George to ask for help.

That set off a hectic chain reaction of diplomatic activity at the highest levels, including telephone calls between Mr de Klerk, Mr Mandela and finally Mr Botha with Mr Mangope.

Mr Mangope at first resisted the idea of a visit by Mr Mandela to the strikers, suspecting that he would exploit the occasion politically.

But the ANC leader dug in his heels, encamping at Wonderboom Airport in Pretoria for several hours with his deputy, Walter Sisulu, and secretary-general Cyril Ramaphosa.

Deputy Foreign Minister Leon Wessels was sent to the airport as emissary to the ANC leaders, while Mr de Klerk and Mr Botha battled to bring around Mr Mangope.

After an acrimonious telephone conversation between Mr

Mandela and Mr Mangope, Mr Botha finally persuaded Mr Mangope that the ANC president's intention was only to persuade the prisoners to call off their strike.

Witnesses said that Mr Mandela had not tried directly to persuade the prisoners to call off their strike. But he told them that they were about to do irreversible damage to their health which would render them useless to the ANC.

A spokesman for the hunger strikers told Mr Mandela that because he had made the effort to visit them at 1 am, they would end their protest fast.

South African Government sources said the determined intervention by the ANC and Government leaders had defused a potentially-disastrous international incident.

One top source said the successful resolution of the strike was "the first practical manifestation of how a critical situation can be overcome by mutual

trust and understanding without outside intervention".

Asked for comment, Mr Botha confirmed the basic facts and said Saturday had been a "really busy day".

He expressed his gratitude to Mr Mandela, Mr Mangope and Mr de Klerk for their intervention, which had been "in the best interests of South and southern Africa".

ANC spokesman Gill Marcus confirmed last night that the hunger strike had been called off but said she could not confirm that the release of the prisoners was imminent.

"All we have is an undertaking that the release of the prisoners will be looked into."

Ms Marcus said the ANC did not regard the ending of the hunger strike as a success. They had been urged to end the strike only to avoid loss of life. The issue would only be resolved when the prisoners were released.

ANC persuades 25 to end hunger strike

TWENTY-FIVE Bophuthatswana hunger strikers have called off their fast after top level ANC intervention at the weekend

ANC spokesman Saki Macozoma said yesterday ANC president Nelson Mandela, fearing for the weakened prisoners' lives, persuaded them to suspend their strike so that "other strategies" could be pursued in the campaign for their release

This followed a midnight visit to the prisoners on Saturday by Mandela, ANC deputy president Walter Sisulu and ANC secretary-general Cyril Ramaphosa. Macozoma said the ANC held the SA

government responsible for the fate of the hunger strikers and would continue to pressure government and Bophuthatswana President Lucas Mangope to release them.

The hunger strikers, who are all serving sentences after being convicted of high treason for their role in the abortive 1988 attempted coup, insist they are political prisoners and should be released

The Human Rights Commission said yesterday the prisoners were reported to be in "very bad health".

JONATHAN REES

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8 Day 15/7/91



# Women protest

297  
161  
161

## Gathering storm over release of 'dangerous' prisoners

PRETORIA — The Women's Bureau of South Africa today backed the Attorneys-General combined objections to the government's release of dangerous criminals

The Attorneys-General sent a letter to the Minister of Justice Mr Kobie Coetsee expressing their "objection in principle" and "deep concern and dissatisfaction" over the releases in an unprecedented move

But right-wing mass murder accused Mr Piet Botha who is being held in custody while on trial for a revenge attack on a bus last year which resulted in the deaths of seven people has gone on hunger strike because of the "government's unfairness in releasing other prisoners" and not him

### Regretted leak

The letter to Mr Coetsee was signed on behalf of all the Attorneys-General by Mr Mike Imber, SC, Attorney-General for Natal

However Mr Imber said the letter had been confidential and he regretted it had been leaked to the Press

"The intention was to get clarification from the Minister on the latest amnesty which had resulted in releases and parole," he said

The Attorneys-General said "Persons who have been found guilty of serious and horrible crimes — and who have served only a meagre portion of particularly long terms of imprisonment — are apparently being released injudiciously

"This release of ordinary criminals cannot be justified in terms of the political settlement negotiations

"The releases only contribute to a prevailing extremely unhappy state of affairs"

### 'Protect public'

Mrs Margaret Lessing, executive director of the Women's Bureau, said all efforts should be taken to protect the public from rapists, child abusers and wife batterers

"We are concerned with the effects of these crimes on their victims and condemn all forms of violence particularly against women and children"

A spokesman from the National Institute for Crime Prevention and Rehabilitation of Offenders (Nicro) said the release of about 57 000 prisoners because of amnesties and remissions would inevitably lead to an increase of crime

The Johannesburg office of Nicro, which deals with about seven percent of all parolees, was unable to place a single released prisoner in employment over the past six weeks

The speed of the current releases — some took place with as little as 24 hours notice to the prisoner — meant, in many instances, there had not even been time to consult families in advance nor to undergo any pre-release programme

### Call to fiancée

Their protest follows sharp criticism of the releases by Lawyers for Human Rights, the Democratic Party and the Conservative Party, in the wake of the State President's recently-announced one-third remission of sentence for first offenders

Right-wing murderer Piet Botha, who began his hunger strike at midnight yesterday, has vowed not to eat until he is released

In a telephone call to his girlfriend, who identified herself only as Glyn, Mr Botha said he was fasting because of the "government's unfairness in releasing other prisoners"

Glyn said her fiancée's reasons for embarking on a hunger strike were much the same as those of convicted Pretoria mass killer Barend Strydom — Sapa and The Argus Correspondent

## Wit Wolf joins hunger strike

JOHANNESBURG —  
Convicted mass murderer  
er Barend "Wit Wolf"  
Strydom yesterday start-  
ed a hunger strike at  
Pretoria Central Prison  
with two other impris-  
oned right-wingers to de-  
mand their release as  
"Boer political prison-  
ers"

● The Bophuthats-  
wana prison authorities  
yesterday announced  
that 42 prisoners were  
still on hunger strike de-  
spite ANC president Mr  
Nelson Mandela's visit  
to some protesters —  
Sapa

Dutch  
police  
to aid SA

JOHANNESBURG. —  
The first visit to South  
Africa by a delegation re-  
presenting police offi-  
cers in Holland is under  
way to determine how  
they can assist the demo-  
cratisation process with-  
in the SAP

The two-week  
countrywide working  
visit, which began on  
Saturday with the arrival  
here of representatives  
of three Dutch middle-  
ranking and senior  
police officer organisa-  
tions, is being led by Ms  
Anneke Visser, Commis-  
sioner of Police in The  
Hague.

Speaking yesterday  
afternoon after a visit to  
the Congress of SA Trade  
Unions' head office here,  
Ms Visser said the trip  
had been organised with  
the assistance of the  
Anti-Apartheid Beweg-  
ing Nederland — Sapa

# Piet 'Skiet' is arrested

RIGHTWINGER Mr Piet "Skiet" Rudolph was arrested by police yesterday afternoon at the offices of the Afrikaner Weerstandsbeweging in Pretoria

A warrant was issued for Rudolph's arrest on Friday by a Krugersdorp magistrate after he walked out of the court and refused to be tried on a traffic offence by a black prosecutor and a coloured magistrate

West Rand police liaison officer Captain Henriette Bester said yesterday that Rudolph was arrested by Pretoria police.

She said police told her that Rudolph would be taken to Pretoria Central Prison.

He was due to appear in the Pretoria Magistrate's Court late yesterday. - Sapa.

sowetan

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# Piet 'Skiet' is arrested

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A warrant was issued for Rudolph's arrest on Friday by a Krugersdorp magistrate after he walked out of the court and refused to be tried on a traffic offence by a black prosecutor and a coloured magistrate

West Rand police liaison officer Captain Henriette Bester said yesterday that Rudolph was arrested by Pretoria police.

She said police told her that Rudolph would be taken to Pretoria Central Prison

He was due to appear in the Pretoria Magistrate's Court late yesterday. - Sapa

... the Defence Act as binding, despite the scrapping of population registration

He did not commit government to any specific decisions or actions but assured the delegation that careful consideration would be given to their

... that when the community was moved to Keiskammahoek, the people suffered as a result of unemployment, the infant mortality rate increased and there was starvation

# Strydom on hunger strike (S3)

SUSAN RUSSELL

MASS murderer Barend Strydom and two other right-wing prisoners yesterday started a hunger strike at Pretoria Central prison in a bid to obtain release as political prisoners. Strydom's attorney Wim Cornelius last night confirmed Strydom, 26, had joined Darryl Stopforth, 27, and Adriaan Maritz, 44, on hunger strike. Cornelius said Strydom's father, Orde Boerevolk leader Nic Strydom spoke to his son yesterday. Meanwhile, Cornelius said two other right-wing prisoners Cornelius Lottering and Fanie Goosen, who ended their hunger strike at Johannesburg Hospital on Saturday, would be eligible for parole on November 27. A Correctional Services Department spokesman confirmed Lottering and Goosen had received a letter

from the Commissioner of Prisons setting out their position. The spokesman said they were briefed about the possibility of release in terms of the special remission of sentence for first offenders announced by President FW de Klerk. Sapa reports that the right-wing hunger-strikers include Briton Henri Martin and German Horst Klentz, who have been on strike for a week, and Leonard Veenendaal, who started his fast on July 1. Veenendaal's condition is deteriorating and he is suffering partial kidney failure, according to Nic Strydom, who visited him at the HF Verwoerd Hospital on Sunday.

# Rudolph arrested at AWB offices

PRETORIA — Right-winger Piet "Skiet" Rudolph was arrested by police yesterday afternoon at the AWB offices in Pretoria. An AWB spokesman said Rudolph had been waiting all day at the office for the police to arrive. Police told her that he would be taken to Pretoria Central Prison, she said. *Sida 16/7/91* A warrant was issued for Rudolph's arrest on Friday by a Krugersdorp magistrate, after he walked out of the court and refused to be tried on a traffic offence by a black prosecutor and a coloured magistrate. He is scheduled to appear in Pretoria Magistrate's Court today — Sapa

SHOWN TO THE PUBLIC

# Vow to fast to the death

RIGHTWING mass murder accused Mr Piet Botha, in custody at Westville Prison while on trial for a revenge attack on a bus last year which resulted in the deaths of seven people, is reportedly fasting to the death or release.

*Sowetan 17/7/91*  
Botha (46) began his hunger strike at midnight on Monday.

In a telephone call to his girlfriend, who identified herself only as Glyn, Botha said he was fasting because of the "Government's unfairness in releasing other prisoners".

Botha and his co-accused, Mr Adriaan Smuts, both self-confessed members of the Afrikaner Weerstandsbeweging, have pleaded guilty to murdering seven blacks and the attempted murder of a further 27 after they opened fire on a passenger bus at Avoca near Durban.

The shooting followed an incident earlier that day on the Durban beachfront when a group of black youths attacked and stabbed white shoppers, killing one man.

Botha has also vowed to stop taking liquids if requests to see Glyn were not met.

# Prison without walls coming

ESMARE VAN DER MERWE  
The Argus Correspondent

JOHANNESBURG. — Most first offenders will in future serve their time outside jail with the expansion of community service.

Focus has fallen on this new policy as criticism increases over the release of common-law prisoners.

Commissioner of Correctional Services, Lieutenant-General Wilhe Willemsse, said the prison population of 87 000 was unacceptably high by any standards and in the United States, 70 percent of offenders served their sentences outside jail.

The releases had to be seen in the light of the Correctional Services option passed by parliament in June which allowed for community service and supervision of offenders outside prisons, General Willemsse said.

## Alternative sentencing

Minister of Justice and Correctional Services Mr Kobie Coetsee said last month that a pilot project providing for alternative sentencing would start in the Pretoria magisterial district on August 15.

In a lengthy statement last night, General Willemsse said it was important to note that.

- The sentences of at least 53 000 of the 57 000 prisoners released in terms of remissions and amnesties since December last year would have lapsed by the end of the year "in accordance with the normal release procedure".

- Most of these prisoners benefitted only by a few days, weeks or months.

The release of thousands of criminals has drawn unprecedented criticism from political parties, human rights organisations, the Attorneys-General and top police officers.

Indicative of tension between the Department of Correctional Services and the police over the contentious issue was a terse police statement last night saying it had "taken notice" of the new release and parole programme, and it "accepts that the matter has been handled with the necessary sense of responsibility".

## Worse crime wave

Yesterday, several top-ranking police officers said that they feared an even worse crime wave and that the release of serious law-breakers was a recipe for increased violence.

Earlier, it was disclosed that the Attorneys-General had voiced "deep concern and dissatisfaction" in a letter to Mr Coetsee.

Democratic Party spokesman on justice, Mr Dave Dalling, called on Mr Coetsee to halt the release of all common-law prisoners until the conditions for release had been scrutinised by parliament's Justice Committee.

Mr Dalling agreed with the Human Rights Commission (HRC) and the ANC that the government "was using the release of common criminals to obfuscate the fact that political prisoners are still being held".

HRC commissioner Dr Max Coleman said "All alarm bells must be raised, as even the Attorneys-General have done, to expose the fact that these mass releases are a terrible price to pay by the government for having painted itself into a corner".

## 'Smokescreen'

"This drastic step appears to be an attempt to save face and create a smokescreen over the issue of the release of political prisoners."

Dr Coleman said about 900 political prisoners remained in jail, including about 150 political prisoners in homeland jails.

Conservative Party justice spokesman, Mr Chris de Jager, said he had predicted that common criminals would seek release following the government's willingness to release political prisoners.

"The government has painted itself into a corner to please the ANC. If you release one you have to release all, including rightwingers," he said.



# Freed prisoners face jobless future **Nicro**

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**ALAN DUNN, Political Staff**

SOCIETY will not be able to absorb 57 000 freed prisoners, the National Institute for Prevention of Crime and the Rehabilitation of Offenders (Nicro) has warned government.

Nicro said it would be almost impossible to find jobs for the glut of convicts returning to society in terms of a new government release plan which has sparked an outcry.

"What are we going to do with these people?" asked Ms Heather Regenass, Nicro's national marketing manager

A cornerstone of prisoner rehabilitation took place outside prison walls, she said. It involved taking care of oneself.

"With the official estimate of five million unemployed — it is probably a great deal more

— their chances of getting jobs are few and far between," she said

Nicro, which tries to facilitate prisoner re-integration in society, had probably only been able to find jobs for 200 former convicts nationally, Ms Regenass noted

The 57 000 were returning to a slumped economy and country in turmoil, "and they are going to be rejected because of conditions in South Africa", she said

"So what are our choices?" There were not enough shelters in any city for the homeless. Former convicts who were jobless would gravitate together because they were suffering the same rejection

"This is not what you want," Ms Regenass said

# FW's amnesty under fire

By PETER DENNEHY <sup>253</sup>

LEGAL academics and social workers yesterday joined in the broadside of criticism of President F W de Klerk's amnesty programme in which roughly half of South Africa's prisoners have been released.

Mrs Heather Regenass, of the National Institute for the Prevention of Crime and Rehabilitation of Offenders, said 57 000 prisoners had been released this year.

If you did not count the 20 000 awaiting-trial prisoners, this left a mere 56 000 criminals who were still in jail, she said. A Correctional Services spokesman said yesterday that common criminals normally got one third off their sentences for good behaviour. The president's special remission took another third off the sentences of most first offenders.

Those whose sentences expired when these remissions were taken into account had been released unconditionally. Others who had served less than a third of their sentences had also been released, but on an increased parole period, not exceeding five years, and depending on various factors. Mrs Regenass said the recidivism ("going

Own Correspondent

DURBAN. — Natal's attorney-general, Mr Mike Imber, SC, has issued a statement regretting that a confidential letter addressed to Justice Minister Mr Kobie Coetsee from the attorney-general of South Africa on the release of prisoners was leaked to the press.

The statement was issued yesterday by the Department of Justice liaison division at Mr Imber's request. It follows the publication of a joint letter by the attorney-general to Mr Coetsee objecting to the release of

Regret <sup>253</sup>  
over  
reprieve  
letter leak

certain prisoners guilty of "serious and horrible crimes". Mr Imber said there had been a healthy and constructive interaction between the attorneys-general and the minister in the past.

"The intention was to get clarification from the minister on the latest amnesty which had resulted in releases and parole," he said. "The attorneys-general will continue to pursue the open channel to the minister," he said.

At least 53 000 of the 57 000 prisoners released under political and other amnesties would have been let out in terms of their sentences by the end of this year, the Commissioner of Correctional Services, Lieutenant-General W H Willemsse, said in a statement last night. — Sapa

back to crime") rate in South Africa was between 70 and 86%. "We are told that there will be strict parole conditions, but we don't have enough parole officers," she said, "and it is practically impossible to revoke parole." Some murderers had been released after 3 1/2 years, while housebreakers on their

second offence were jailed for nine years. "Sentencing officers' learned opinions of how to punish people are being put on the line," Mrs Regenass said. "Perhaps they will hand down longer sentences now." Professor Dirk van Zyl Smit, Dean of the Faculty of Law at UCT, warned yesterday that remissions of common criminals' sentences

ET 17/7/91

at the discretion of the executive arm of the state were usurping the role of the courts to determine the length of prison sentences. He said the courts ought to be involved in the remission process. Distortions tended to arise when an executive authority granted remissions for all prisoners except those in certain categories.

Pretoria-based Women's Bureau of South Africa says it backs the objections of the attorney-general to the government's release of dangerous criminals. The Bureau's executive director, Mrs Margaret Lessing, said all efforts should be taken to protect the public from rapists, child abusers, and wife batterers.

"We are particularly concerned with the effects of these crimes on their victims and we condemn all forms of violence, particularly against women and children," she said. The National Director of Lawyers for Human Rights, Mr Brian Curran, commented that, as the organisation had said before, it saw no relation between political prisoners and common-law criminals and could not understand the state president's rationale to get some sort of balance.

South Africa is no longer the country with the highest per capita jail population in the world. The United States now has a higher rate.

# Cops join outcry over mass pardons

SENIOR policemen yesterday joined South Africa's Attorneys-General in the growing outcry over the mass release of common-law prisoners.

Top retired and working policemen yesterday warned that a substantial number of criminals released would again commit serious crimes.

Angry policemen feared an even worse crimewave could be in the offing, there were not enough policemen to cope and the wide-scale release of hardened criminals was

## Staff Reporters

a recipe for even more violence in South Africa.

The anger and fears expressed by top policemen followed the revelation yesterday that a joint letter had been sent to the Minister of Justice, Mr Kobie Coetsee, on behalf of the country's Attorneys-General, voicing strong objections to the Minister's release of certain prisoners "found guilty of serious and horrible crimes".

Yesterday Heather Regenass, national marketing manager of the independent National Institute for the Prevention of Crime and Rehabilitation of Offenders, said the conditional one-third remission of sentence for first offenders announced by President FW de Klerk was inconsistent and would lead to an increase in crime.

Prisoners qualify for a further third of their

sentence remission for good behaviour.

Regenass warned that many released prisoners would be unable to find jobs.

It is estimated that recent amnesties have set 57 000 convicts free.

A retired police general said yesterday "In my experience, once a criminal, always a criminal - especially in the current political and economic situation.

"Furthermore, we are short of policemen to again investigate and bring to justice criminals who commit their second crimes. It seems to me there is justification for concern over these releases."

A former CID chief said the most possible leniency shown towards a criminal had been shown in court and in sentence.

"To simply alter the sentence is wrong. The courts meted out the right punishment."

# Top policemen join outcry over releases

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Star 17/7/91

Senior policemen yesterday joined South Africa's attorneys-general in the growing outcry over the mass release of common-law prisoners

Top retired and working policemen — including generals — interviewed by The Star yesterday warned that a substantial number of the criminals released would again commit serious crimes

Angry officers feared that

- An even worse crime wave could be in the offing
- There were not enough policemen to cope
- The wide-scale release of serious law-breakers was a recipe for even more violence.

The fears they expressed followed the disclosure yesterday that a joint letter had been sent to Minister of Justice Kobie Coetsee on behalf of the country's attorneys-general voicing strong objections to the Minister's release of certain prisoners "found guilty of serious and horrible crimes"

Heather Regenass, national marketing manager of the Na-

tional Institute for Crime Prevention and Rehabilitation of Offenders (Nicro), this week said the conditional one-third remission of sentence for first offenders was inconsistent and would lead to an increase in crime.

Prisoners qualify for a remission of a further third of their sentence for good behaviour

Mrs Regenass warned that many released prisoners would be unable to find work

It is estimated that recent amnesties have set 57 000 convicts free

A former CID chief said the greatest degree of leniency had already been shown in court and in sentencing

"To simply alter the sentence is wrong," he said

"An experienced policeman knows the calibre of criminals — whether they are innately vicious or not. Some criminals, even first offenders, are brutal and vicious and will stay criminals while others won't"

One policeman said he could understand people who committed emotional crimes being released from prison, but "people who committed cold-blooded and vicious crimes should not

be allowed to go free"

Describing recent releases as something he could not understand, one high-ranking officer said it was a recipe for more violence

"Hardened criminals at the best of time need guidance and help after having served their sentences. Can you imagine what a prisoner, after having been in jail for only a fraction of his term, will do once he's out?" the officer asked

Another policeman described the releases as demoralising.

"I cannot see the purpose in bringing such people to justice any longer"

Yet another expressed concern that criminals, once freed, would somehow try to get back at the person responsible for placing them behind bars.

In an interview with The Star, a senior detective described how he had tracked down a gang that had murdered an elderly woman

"When they were arrested, all three swore they would kill me, the judge and those who got them jailed," he said

No further comment was available yesterday from the Department of Justice

# Prisons chief backs amnesty

17/7/91  
B10 ay  
253  
MORE than 53 000 of the 57 000 prisoners released since December would have walked free by the end of the year, Correctional Services Commissioner Lt Gen Willem Willemse said yesterday.

Reacting to the controversy surrounding the prisoner release programme and the strong letter of objection from the attorneys-general of SA, he said all that President F W de Klerk's amnesty had done for the vast majority was move forward their release by "a few days, weeks or months (at the most 12 months)".

In a statement, Willemse said prisoners released on parole were placed under strict supervision and had to each have a fixed address and a job, neither of which a prisoner was allowed to change without consent from the head of the prison con-

BILLY PADDOCK

cerned. Any parole breach would result in immediate re-arrest and the person would have to serve the rest of the sentence.

On Monday the attorneys-general sent a letter to Justice Minister Kobie Coetsee "objecting in principle to the release of certain prisoners".

Two prisoners who received considerable attention since their release were former policemen Sgt Robert van der Merwe and Capt Jack la Grange, who were both sentenced to death for murder and then reprieved. They were subsequently sentenced to 15 years and 25 years in prison respectively.

Both had served three years each when

□ To Page 2

## Amnesty

17/7/91  
B10 ay  
253  
they were paroled this month

A Justice Department spokesman said Van der Merwe and La Grange's releases were perfectly normal. "Apart from the normal sentence remission of one third which first-time offenders may receive in all cases, (they) also benefited by the one third special remission of sentence which was announced by the State President for all first offenders who were serving a sentence on July 1 1991."

Willemse said certain categories of first offenders were excluded from all amnesties. These were people serving life sentences or sentences for "sexual offences,

child molestation and so on"

Many of the convicts were being released with only 24 hours notice to the prisoner, and no pre-release programme could be embarked on. A Nicro spokesman said pre-release programmes, which normally took place over a period of months, were of critical importance so that rehabilitation could be attempted, jobs found for the prisoner and the process of reintegrating him with his family or community could take place.

Nicro says SA's recidivism rate is between 72% and 80% and the releases will inevitably lead to an increase in crime

253 □ From Page 1

# Prisoners on hunger strike

PRISONERS in Cape Town have resumed the hunger strike, after fasting for 27 days in April. *Sowetan 18/7/91*

Mr Willie Hofmeyr, a lawyer representing the hunger strikers, said the prisoners resumed their fast because Robben Island Prison authorities were refusing to return their sporting and recreational equipment and funds.

He said the prisoners regarded this as robbery. (253)

The prisoners would not apply for indemnity because they regarded the application as legitimising the present government's rule, Hofmeyr said.

A spokesman for the Department of Correctional Services said the department would respond to the allegations later. - *Sapa*

# Prisoners resume hunger strike

(253)

ET 18/7/91

**THREE** political prisoners at Pollsmoor Prison have resumed their hunger strike, after fasting for 27 days in April.

A lawyer representing the hunger strikers, Mr Willie Hofmeyr, said the prisoners resumed their fast because Robben Island prison authorities were refusing to return their sporting and recreational equipment and funds. He said the prisoners regarded this as robbery.

The prisoners would not apply for indemnity because they regarded the application as legitimising the present government's rule, Mr Hofmeyr added.

A spokesman for the Department of Correctional Services said the department would respond to the allegations later yesterday.

● All but 15 prisoners in Bophuthatswana hospitals had suspended their strike by last night after intervention by ANC president Mr Nelson Mandela, the Mafikeng Anti-Repression Forum said.

South Africa is freeing prisoners but:

# In the US they're locking them up!

253

Sowetan 18/7/91.

**THOSE South Africans who anxiously warn the Government that its mass release of common law prisoners will cause a surge in the crime rate, may be right.**

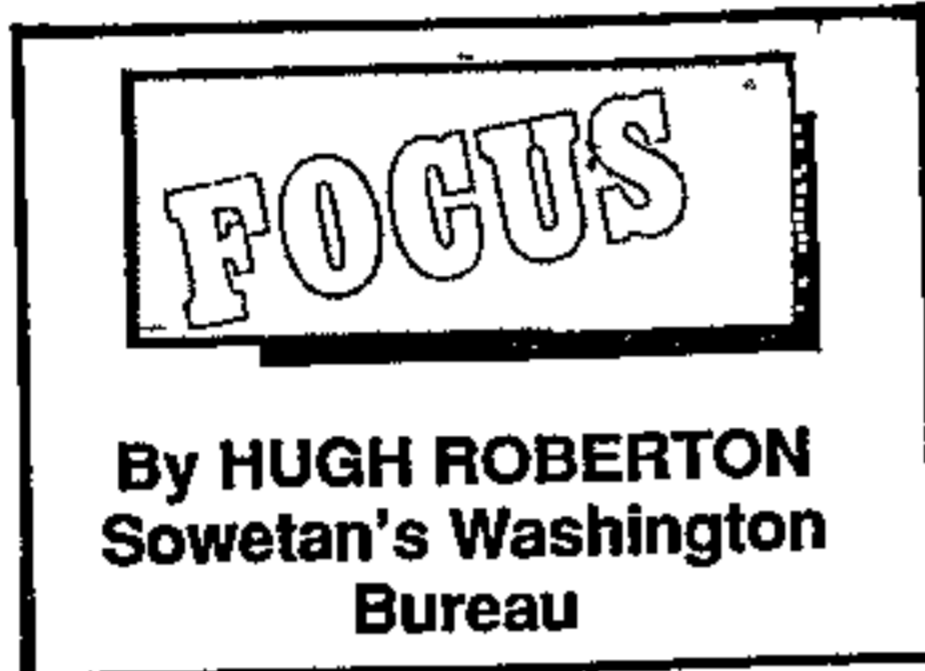
But if the current experience of the United States is anything to go by, they could also be tragically wrong - and much hangs upon the difference

There are more than a million Americans behind bars today, the highest number in history. No other country has anything remotely like the ratio of prisoners to general population - not even South Africa or the Soviet Union. And this huge population of prisoners is growing at an annual rate of 13 percent

But in spite of applying the toughest law enforcement ever used in the battle against crime, and in spite of putting convicted criminals behind bars for longer periods - the Supreme Court has just upheld a mandatory life sentence on a first-time drug offender - the US is plagued by a crime wave which, according to the Senate judiciary committee's latest report, is unequaled

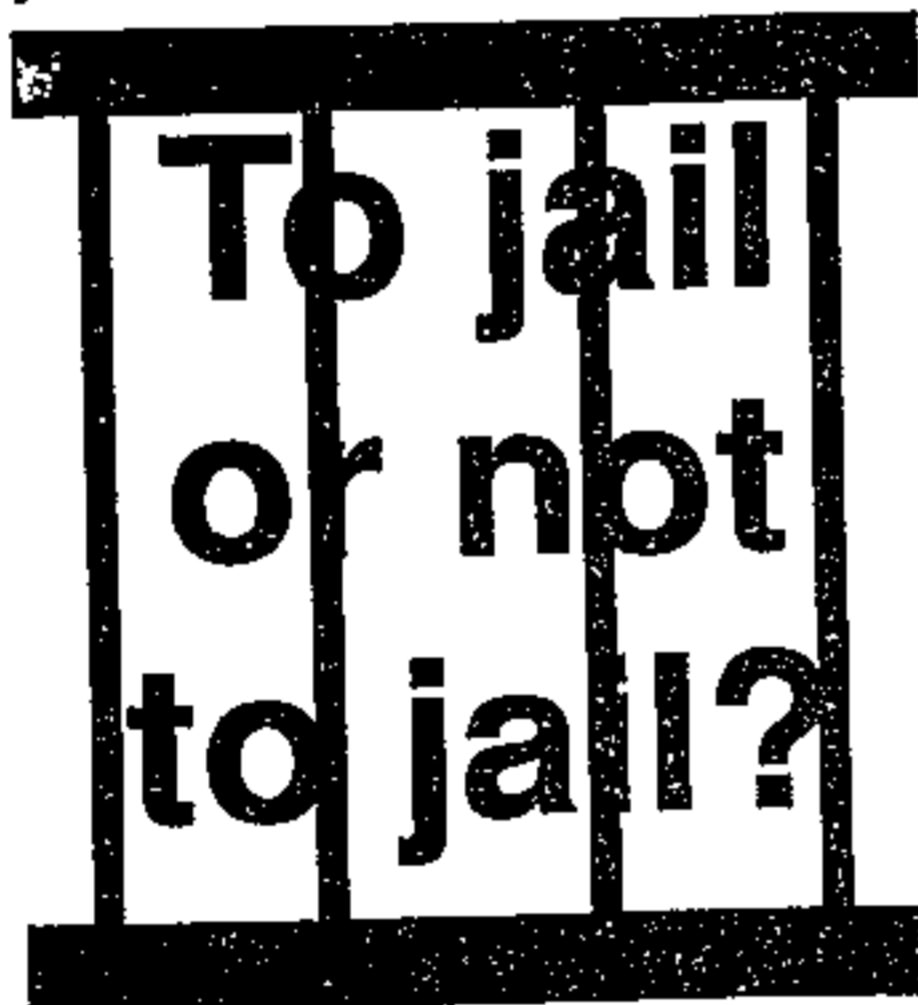
Yet the police and the attorneys general, like some of their South African counterparts, seem to believe that mass imprisonment and the serving out of ferocious sentences are the cure.

And because conservatives now occupy the political high ground after a long hiatus under liberal domination, they tend to scornfully denounce those who point to disturbing symptoms of social decay and who would sug-



gest that the crime wave may be linked to it all

One of the symptoms, which has long existed in both countries, is the fact that those in prison are overwhelmingly the poor and uneducated, the castoffs of a modern industrial society - or, in South Africa's more brutal lexicon, superfluous appendages.



In the US the symptom has assumed jarring proportions. About a quarter of all black American males between the ages of 19 and 30 are now in prison, or are going through the criminal justice system

When a quarter of an entire community's younger males are behind bars, the question arises: What is the limit? At what point is this mass imprisonment supposed to cure crime?

And if it does not cure crime,

what stands in the way of accepting the possibility that the misguided "cure" might be a part of the problem?

One obstacle, perhaps more so in the US now than in South Africa, is the messy inconvenience of having to deal with society's failures and misfits, the uneducated and the unemployed.

It is much more convenient to simply lock them up and keep them out of sight

It costs American taxpayers as much as \$500 a week to keep a fellow citizen in prison. But many would rather do that than face the inconvenience of social welfare, special education, and job creation programmes

In the past 10 years federal funding for education - primarily for the poor - was cut by 25 percent while funds to fight crime rose by almost 30 percent. Could there be a more arithmetically succinct distillation of the problem?

For South Africans many familiar bells ring in this absurd tilt rightwards, but few are as familiar as that tolled this week by the head of the second largest police force in America, Chicago's police superintendent Leroy Martin

In a radio interview he called for the suspension of certain enshrined constitutional rights in order to help the police fight the crime wave

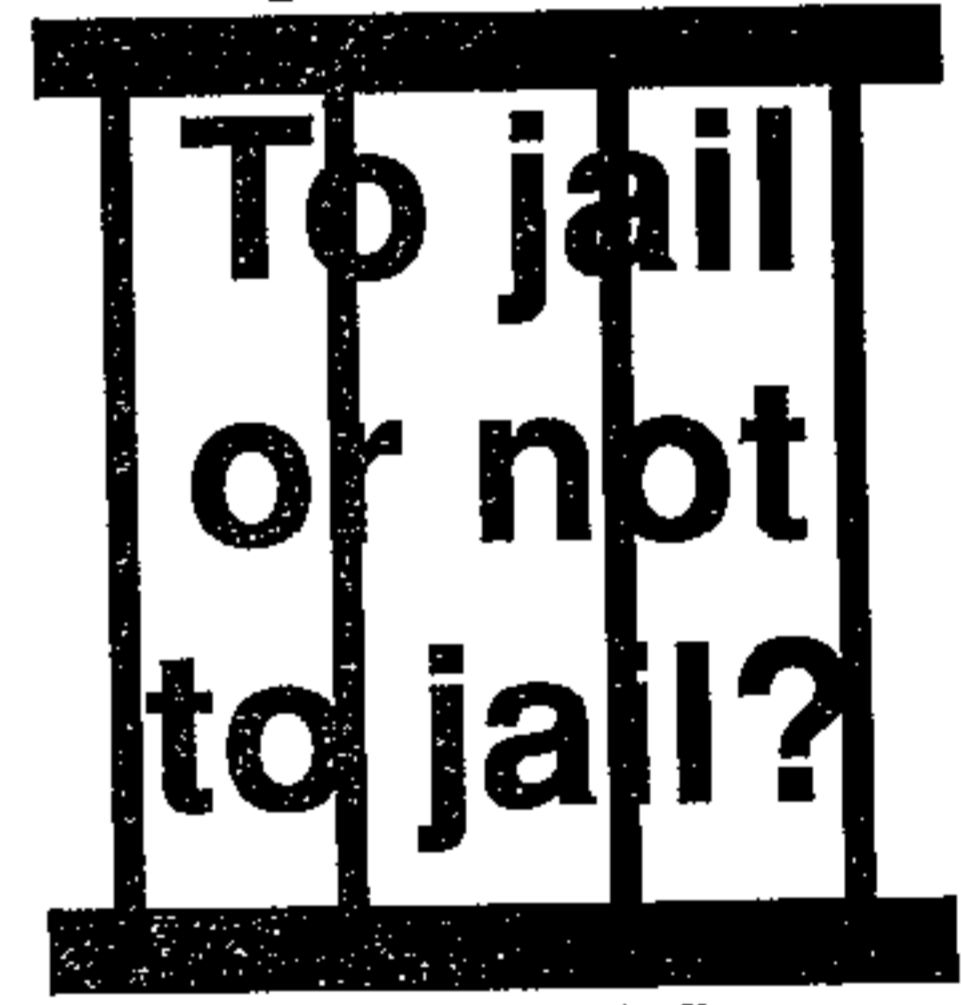
"These rights," he declared with Vorsterian finality, "have got us into a position where we're living in an armed camp"

He was roundly applauded. And in several cities where unconstitutional police action against citizens has been exposed by the

media, or recorded on videotape, city authorities face popular antipathy to any steps against the guardians of the law.

It gets even worse. While the Government in South Africa has taken effective steps to drastically reduce the country's high rate of executions, a majority of Americans are baying for more. And the Senate is about to oblige. A new Crime Bill extends the death penalty to 51 federal crimes which previously did not involve capital punishment.

"It's nuts," remarked Senator John Danforth of Missouri, one of those Republicans whose courage and insight provide rare and refreshing relief from the cries of



the mob. "It's a quick fix, a great 30-second commercial."

When all the quick fixes have been exhausted, and the failure of mass imprisonment becomes unavoidable, as it is beginning to, perhaps the US may turn to South Africa in its search for real solutions

And whether or not South Africa has found all the answers, at least it will be a heady treat to stand on the moral high ground - for a change.

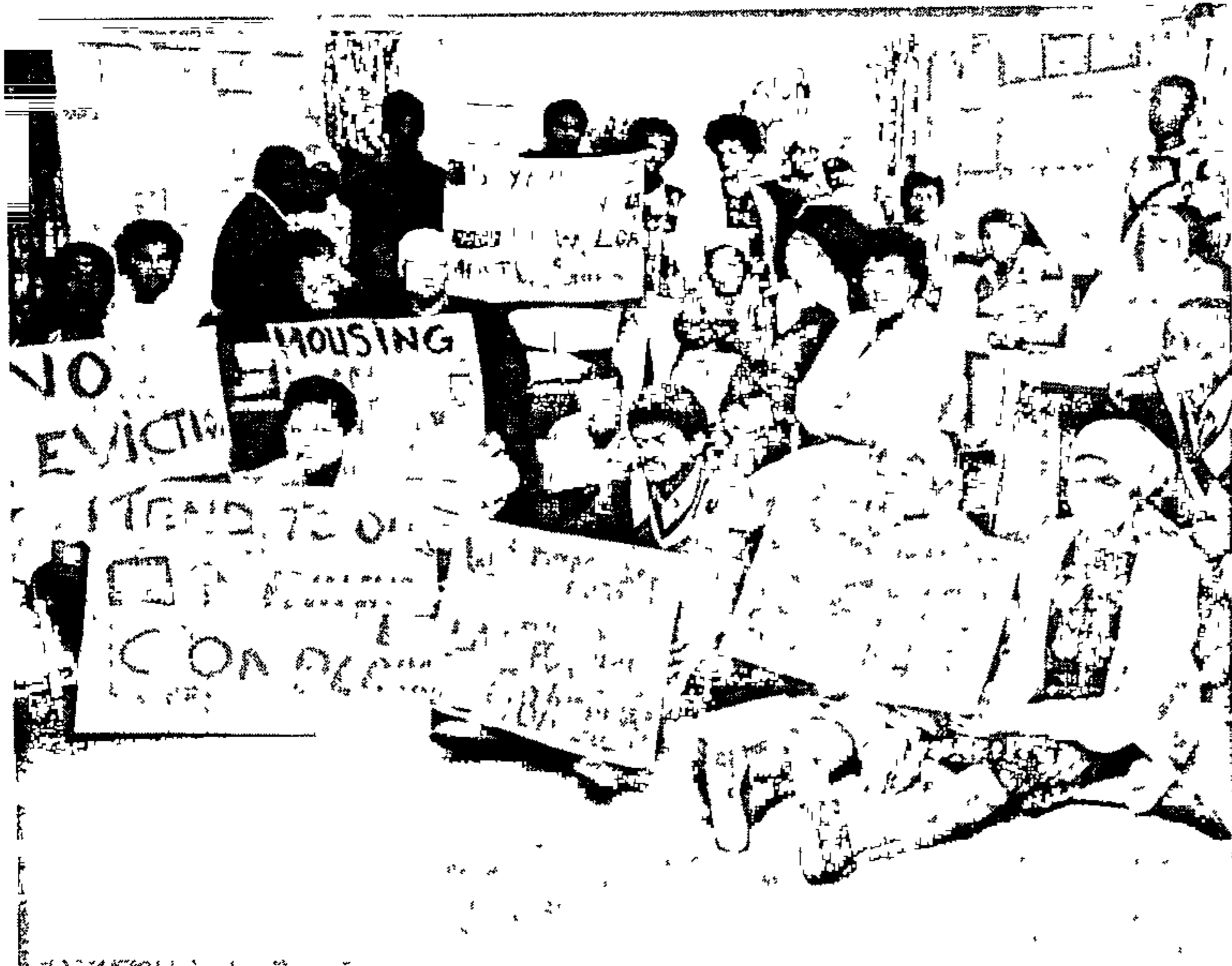


# Mother brings claim over son's prison death

South  
18/7-24/7/91

253  
Q988

By Henry Ludski



**SIT-IN:** Bonteheuwel residents occupied the City Council offices in the township on Wednesday to highlight their grievances about high rents and the lack of housing in the area. The mayor of Cape Town, Mr Gordon Oliver, and council officials came to the offices later to accept a memorandum after residents threatened to remain there overnight. PIC: YUNUS MOHAMED

## Boesak signs for ANC under flare of television spotlight

THE mother of a 15-year-old schoolboy who was shot while in police custody has expressed her dismay at the "lenient" sentence given to the policeman who shot her only son

This week, 21-year-old police constable John Short pleaded guilty to culpable homicide. He was fined R2 000 and sentenced to 12 months imprisonment, suspended for four years

Mrs Katrina Booysen, 42, has now brought a civil claim against the Minister of Law and Order for loss of earnings and funeral expenses. The sentence has also been described as "totally inappropriate" by Lawyers for Human Rights director Mr Brian Curran

### 'Irresponsible'

The court described Short's actions as "unacceptable" and "irresponsible"

Pieter Booysen was shot dead in January this year after a macabre "game" in the Upington police cells in January this year

Evidence before the court was that Short had been using his gun to play a "game" with Booysen with his firearm when the shot was fired. Mrs Booysen said this week "I am extremely unhappy with the policeman's sentence

"I lost my only son and the policeman who shot him has been given a fine. I am very hurt by this."

Booyesen was convicted of rape in December and was in custody awaiting transfer to a reform school when he was killed. A police spokesperson for the Northern Cape confirmed on Wednesday that Short was still in the employ of police and that a departmental investigation would be held into the question of his conviction

Mass imprisonment is not the answer to the crime wave, writes Hugh Robertson

# US rocked by the jailhouse blues

Star 18/7/91

253

THOSE South Africans who warn the Government that its mass release of common-law prisoners will cause a surge in the crime rate may be right. But if the current experience of the US is anything to go by, they could also be tragically wrong — and much hangs upon the difference.

There are more than a million Americans behind bars today, the highest number in history, and this population of prisoners is growing annually by 13 percent.

But, in spite of applying the toughest law enforcement yet used in the battle against crime, and in spite of putting criminals behind bars for longer periods — the Supreme Court has just upheld a life sentence on a first-time drug offender — the US is plagued by an unprecedented crime wave. Yet the police and the attorneys-general seem to believe that mass imprisonment and the hand-

ling out of ferocious sentences are the cure. And because conservatives now occupy the political high ground after a long hiatus under liberal domination, they tend to denounce those who point to disturbing symptoms of social decay and who would suggest that the crime wave may be linked to it. One of the symptoms is the fact that those in prison are overwhelmingly the poor and uneducated, the castoffs of a modern industrial society.

About a quarter of all black American males between the ages of 19 and 30 are now in prison, or are going through the criminal justice system. When a quarter of an entire community's younger males are behind bars, the question arises: What is the limit? At what point is this mass imprisonment supposed to cure crime? And if it does not cure crime, what stands in the way of accept-

ing the possibility that the misguided 'cure' might be a part of the problem?

One obstacle is the messy inconvenience of having to deal with the uneducated and the unemployed. It is much more convenient to simply lock them up.

It costs American taxpayers as much as \$500 (R1 440) a week to keep a fellow citizen in prison. But many would rather do that than face the inconvenience of social welfare, special education and job creation programmes. In the past 10 years federal funding for education — primarily for the poor — was cut by 25 percent while funds to fight crime rose by almost 30 percent. Could there be a more arithmetically succinct distillation of the problem?

For South Africans many familiar bells ring in this absurd tilt rightwards, but few are as familiar as that tolled this week when

Chicago's police superintendent Leroy Martin was roundly applauded for calling for the suspension of certain constitutional rights in order to help the police fight the crime wave.

And in several cities where unconstitutional police action against citizens has been exposed by the media authorities face popular antipathy to any steps against the guardians of the law.

It gets even worse. While the Government in South Africa has taken effective steps to drastically reduce the country's high rate of executions, a majority of Americans are baying for more.

When all the quick fixes to the crime wave have been exhausted, and the failure of mass imprisonment becomes unavoidable, as it is beginning to, perhaps the US may turn to South Africa in its search for real solutions. □

## 30 000 whippings shameful — Nicro

DARIUS SANAI

MORE than 30 000 people were sentenced to whipping last year, the National Institute for Crime Prevention and Rehabilitation of Offenders (Nicro) said yesterday.

Nicro regional director Heather Regenass said yesterday government figures showing that 31 647 people were sentenced to whipping last year were "shameful".

The figure excluded "a large number" of prisoners whipped for offences committed while in prison *Blom 18/7/91*

Latest figures did not give a breakdown by race of people sentenced to whipping. Regenass said figures for previous years showed coloureds were far more likely to be whipped than blacks or whites.

Juveniles of all races could expect to be sentenced to between four and eight strokes with a light cane for minor offences such as fighting in public

Corporal punishment should be abolished, she said. The Nicro programme of rehabilitating offenders and teaching schoolchildren about the effects of violent crime was being undermined by a legal system that dealt out violent punishments.

A Justice Department spokesman said yesterday the department had no plans to change or abolish the corporal punishment system

## 15 Bophuthatswana convicts still on fast

*Blom 18/7/91* THEO RAWANA

ALL but 15 prisoners in Bophuthatswana hospitals had suspended their strike by last night after intervention by ANC president Nelson Mandela, the Mafikeng Anti-Repression Forum said. (253)

Mandela, on a midnight visit to hunger strikers at Odi Hospital on Saturday, persuaded prisoners to suspend their strike so that "other strategies" could be pursued in the campaign for their release.

This resulted in 25 prisoners suspending their strike at the weekend, and these in turn called on the other 41 to suspend the fast. Forum spokesman Laura Taylor said last night 26 prisoners had suspended their action, but the full facts had not been explained to the remaining 15.

"I have been granted permission to visit them at Bophelong Hospital and will be talking to them tomorrow (Thursday)," she added

Taylor, who had gone to the hospital in the hope of meeting the prisoners yesterday, said a Human Rights Commission report that only one prisoner was still on hunger strike was incorrect.

Sapa reports that three political prisoners at Pollsmoor Prison in Cape Town have resumed their hunger strike, after fasting for 27 days in April.

● Comment: Page 10

## 'Kill Mandela' retort was joke, court told

*Blom 18/7/91* WILSON ZWANE

POLICE Warrant Officer Gideon Cornelius Lubbe was not thinking straight when he "jokingly" told a group of Inkatha supporters to wait and kill ANC president Nelson Mandela on the night of May 1, the Protea Magistrates' Court heard yesterday.

Lubbe has pleaded not guilty to charges of improper conduct and/or alternatively bringing the SAP into disrepute. The charges against him arose from an incident in Soweto when he allegedly told a group of Inkatha supporters: "If you want to kill Mandela, wait till tonight."

The incident was filmed by a video cameraman working for an international news agency

Prosecutor Carin Nienaber submitted that Lubbe had admitted he did not have to utter those words, which she said rendered his conduct unbecoming and which dented the SAP image

Defence attorney Ike Swartzberg said Lubbe had not had time to consult with his superiors about what to say to the group. Had he had time Lubbe would not have uttered those words.

Giving evidence earlier in the day before magistrate I Olivier, Lubbe said he was joking.

Lubbe said he thought he was under threat from the group, which had stopped and surrounded a police van in which he was travelling

The group was talking about killing Mandela and in an attempt to defuse the situation which had grown tense, Lubbe told them "jokingly" to "wait till tonight if you want to kill Mandela"

"I did not think the situation out properly then, but on reflection I think it was not necessary to say those words," he said

But he did not agree with the State that his words dented the SAP image, he said.

The case was postponed to August 5 for judgment.

# Anglova

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# Prisoner release concerns union

SHARON SOROUR  
Labour Reporter

253

ARC 19/7/91

Commissioner of Correctional Services to discuss the releases

RIGHTWING trade unions have expressed "great concern" over the large-scale release of prisoners

The union shared the concern expressed by the National Institute of Crime Prevention and Rehabilitation of Offenders (Nicro)

The release of 57 000 prisoners without consultation with "relevant, interested" parties bordered on "absolute disregard" for the parties' feelings, said Mr Nic Celliers, general manager of the white S A Iron, Steel and Allied Industries Union (Iron and Steel)

Mr Celliers said "Possible efforts to find employment for these criminals can only lead to workers and unemployed job-seekers, in the labour market becoming more uncertain. Such a step, therefore, can never enhance job security"

The SA Confederation of Labour had asked for a meeting with the

Iron and Steel often had called for State research into the link between unemployment and crime

[Faint, mostly illegible text, possibly bleed-through or a second page of the article]

253 CT 19/7/91

## Attorney to prepare hunger striker's will

**JOHANNESBURG.** — Imprisoned right-winger Mr Leonard Veenendal, who enters the 19th day of his hunger strike, is expected to consult his attorney Mr Wim Cornelius to draw up his will.

Mr Cornelius said last night he expected Mr Veenendal to starve himself to death.

Mr Cornelius had received an anonymous note requesting him to draw up Mr Venendaal's will and would attend to the matter today.

Mr Veenendal has been indemnified against all charges against him in South Africa, but is in detention pending his possible extradition to Namibia to face charges relating to the alleged murder of a policeman and an attack on an Untag base.

CT 19/7/91

# Protest for Island assets

Staff Reporter (253)

THREE Pollsmoor prisoners continued a hunger strike protest yesterday in support of their demand to get recreational equipment and funds left behind on Robben Island

Their lawyer, Mr Willie Hofmeyer, last night called for the items to be sent to Monde Khakaza, Dan Nkopodi and Litha Mlahleki, who were transferred to Pollsmoor in May

The musical instruments, sports equipment and funds were donated to Robben Island prisoners while the three had been held there, he said. Mr Hofmeyer argued

## 16 now on hunger strike

JOHANNESBURG. — Sixteen prisoners are now on hunger strike in South African and Bophuthatswana jails and hospitals, according to collated figures issued by the Human Rights Commission and the Bophuthatswana authorities.

Three men in Pollsmoor Prison started refusing food on Tuesday, the HRC said. The three are Daniel Nkopodi, Monde Khakaza and Litha Mlahleki.

According to Bophuthatswana's Commissioner of Prisons, Major-General Cas Delpont, seven hunger strikers are in Bophelong Hospital and one is in Central Prison.

"The prisoners at Bophelong have indicated that they will suspend their hunger-strike if they could be transferred to Victoria Hospital," General Delpont said.

The other five prisoners refusing food are right-wingers

that "as there were no prisoners left in the Robben Island prison, it makes no sense to leave behind the equipment"

The Department of Correctional Services said in a statement yesterday "sufficient equipment" had been transferred to Pollsmoor for "the number of prisoners involved".

Mr Hofmeyer said he challenged the term "sufficient equipment"

Although it was not disputed that the equipment belonged to the department, the prisoners "had been promised that the funds and equipment would be moved", he added

# Prisoners fast to demand sports equipment

By GAYE DAVIS Cape Town

THREE political prisoners have embarked on a hunger strike in a bid to pressure prison authorities to hand over sport and recreation equipment accumulated over the years by political prisoners on Robben Island.

They are Monde Khakaza, a Black Consciousness Movement member aged about 40 who was sentenced to 24 years on August 18 1978; Pan Africanist Congress-aligned Lifa Mlahleki, aged about 35 years and sentenced to 42 years on November 30 1978 after his conviction for a number of attempted murders arising out of revenge attacks on various policemen after his brother was shot by police; and the Rev Daniel Nkopodi, an AME Church minister and Azapo member, sentenced to 38 years on October 26 1988 for ferrying cadres, carrying letters and illegal possession of arms and ammunition.

The three — who were transferred from Robben Island to Pollsmoor in May, started their fast on Tuesday. All were part of the 27-day hunger strike in April. None have applied for their release.

(253)  
W/Week 19/11 - 25/7/91

Attorney Willie Hofmeyr said yesterday the men believed that the equipment — including musical instruments, exercise machines and other items worth tens of thousands of rands — should have been transferred to Pollsmoor for their use.

"They do not for a moment dispute that the equipment belongs to the General Recreation Committee (set up by Robben Island prisoners) and not to them.

"As there were no prisoners left in the Robben Island prison, it made no sense to leave behind the equipment. They have repeatedly requested access to this equipment, but there has been no response to date."

Hofmeyr said funds and equipment were donated to Islanders for their personal use — through their own efforts and those of the organisations supporting them.

"As their legal representatives, we have found it extremely difficult to raise sufficient funds to pay for the video contracts and other expenses incurred by the General Recreation Committee at Robben Island .. this causes

great inconvenience and is simply unnecessary as there are more than sufficient funds to cater for these needs in the GRC account."

According to the Department of Correctional Services, prisoners' forfeited interest earned on money deposited on their behalf and it was credited to a prison's recreational fund, to be used to pay for equipment for the use of the prison population in general.

Such funds were also used to finance prisoners' sporting and recreational activities.

"Equipment purchased from these funds and gifts donated by outside organisations remain the property of that prison and is utilised to the benefit (sic) of the prisoners.

This practice is administered at all prisons countrywide and is also an internationally accepted principle.

"With regard to the prisoners in question it can be mentioned that all their personal belongings as well as the private cash which they had to their credit on the day of leaving Robben Island have been transferred to Pollsmoor Prison," a statement said.

# Judges slam 'senseless' amnesty

W/Week 19/7-25/7/91

**N**ATAL'S acting judge president has contacted Justice Minister Kobie Coetsee about the government's granting of amnesty to thousands of prisoners, including many convicted of serious crimes

Natal judges have expressed reservations about the amnesty granted to many prisoners. They fear there could be an increase in violent crime as a result of the releases

**By CARMEL RICKARD**

In his letter to the minister, Mr Justice Shearer outlined his views and those of the judges in the province on duty (it is official court vacation at the moment) on the question of the release of these prisoners.

Although the contents of the letter have not been disclosed, the decision to write to the minister comes amid growing expressions of concern by the country's attorneys-general, prisoners' assistance organisations, political groups, human rights and lawyers' organisations, all of whom say they fear a significant increase in violent crime following the amnesty.

They have also expressed anxiety that the release of these prisoners could undermine the credibility of the courts and the whole legal system in the eyes of the public, especially at this time of heightened violence country wide.

In Natal particularly, the courts and the system of justice have been severely criticised because comparatively few perpetrators of violence are convicted and jailed. There is concern that the government's action in releasing prisoners will further undermine the courts.

Officials of Lawyers for Human Rights said it was counter-productive to release prisoners convicted of dangerous crimes when the call among the public was for action to be taken to stop violence no matter who the perpetrator.

National director of LHR, Brian Currin, said the amnesty "made no sense at all".

He said he believed that the government decided to introduce the remission of sentence as an appeasement to the right wing, "disguising" the release of further African National Congress-related political prisoners — a view shared, ironically, by the Conservative Party.

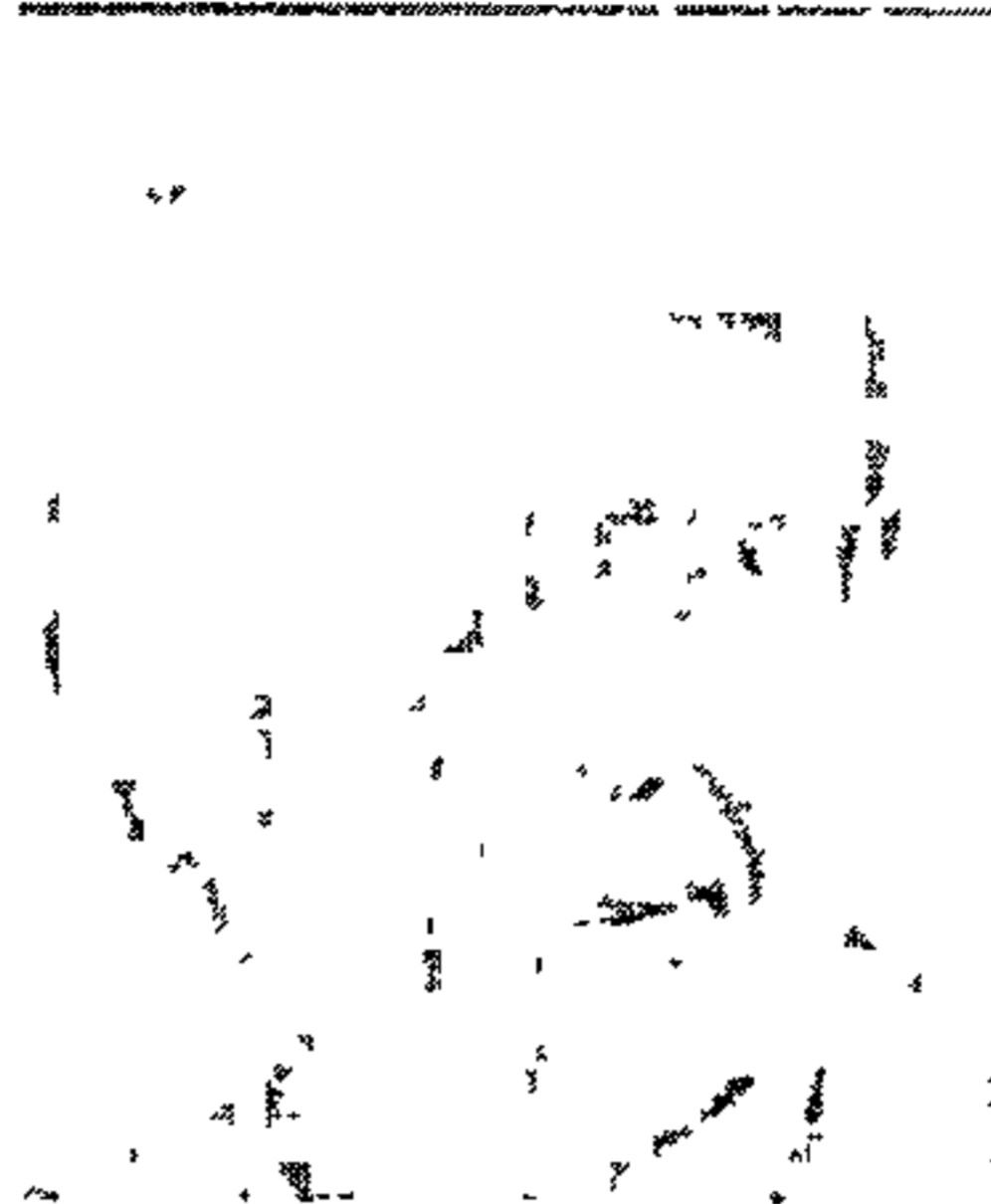
One of the most significant aspects of the row is the unprecedented joint letter to Coetsee by all the country's attorneys-general.

Natal's attorney-general, Mike Imber, who sent the letter acting on behalf

of all his colleagues said he "regretted" the leak of the letter to the media but, embarrassing as it must have been, the disclosure could have a positive spin-off. It reveals that the attorneys-general, sometimes viewed as civil servants in the pocket of the state, do act independently and are even prepared to criticise government actions in strong language when the administration of justice is at stake.

It can only improve the image of the attorneys-general as independent.

Imber's letter spoke of prisoners convicted of "serious and horrible crimes"



Justice Minister Kobie Coetsee letter from Natal's acting judge president

who had served "only a meagre portion of particularly long terms of imprisonment" being "injudiciously" released.

It referred to media criticism of the courts and staff of the attorneys-

general and the allegation that the community had lost confidence in the courts and the administration of justice.

"The releases only contribute to a prevailing extremely unhappy state of affairs," the letter said.

Among those freed by the amnesty was police officer Jack le Grange, convicted of murder and sentenced to 25 years after his death sentence was commuted, at the time of his release he had served a little more than three years of his jail term.

More than 50 000 prisoners have been released since last December, and Currin estimated that 20 000 to 30 000 more would be released before the programme ended. At the same time, serious crime has reached an all-time high with prisoners' assistance organisations warning that the releases were happening so quickly it was impossible to prepare families or even the prisoner for proper re-entry into society.



# Release of La Grange shocks prisoner 253

By Monica Oosterbroek

5/17/91

A prisoner serving a nine-year sentence for armed robbery met his investigating officer again three years after his arrest when the policeman, Jack la Grange, was sentenced to 25 years for two murders and an attempted murder

But Andrew Merredew was further shocked when La Grange was released as a first-time offender after serving only 3½ years of his sentence, while Merredew remains behind bars

In a letter to The Star, Merredew also alleges that La Grange was not a first time offender, and as such should not have qualified for release

"He admitted to me that he is a second offender as he has a previous offence for assault in 1976," he claims in his letter

Merredew says he has been refused parole although he has "an exemplary prison record" He says staff responsible for his rehabilitation have strongly recommended parole

Asked to comment, the De-

partment of Correctional Service replied "It is the policy of the department not to furnish detailed information regarding individual cases

"Each and every case is duly considered on its own merit, taking into consideration the purpose of special remission of sentence and other factors such as crime record, the severity thereof, general behaviour, adaptation in prison and the expectation of possible relapse into crime and the interest of the community."

The Government's unilateral conduct  
alarms the Human Rights Commission

# Breaking faith on the political prisoner issue

THE HRC is becoming seriously alarmed about the increasingly unilateral manner in which the Government seems to be handling the issue of releasing political prisoners. From the time of the accord arrived at in the Pretoria Minute of August 6 1990, the Government appears to have drifted considerably from both the spirit and the letter of that document.

Although agreement was reached on criteria for defining political offences (and therefore political prisoners) and on a timetable and mechanism for release (including arbitration bodies), it was not long before the Government began introducing unilateral distortions to that agreement.

In the Guidelines gazetted by the Government on November 7 1990, itself a unilateral document, the criteria for defining political prisoners were broadened to encompass those who have committed offences in support of the system of apartheid. While it was the Government's prerogative to do this, it could hardly be expected that this would be endorsed by the ANC or anyone else in the anti-apartheid camp.

A second unilateral element implicit in the Gazette was the attempt to link the rate of release to the abandonment of mass protest action by the ANC and its supporters, an attempt which ultimately failed but nevertheless reduced the release process to a snail's pace (five releases a week until the end of March 1991, which shot up to 145 a week in April as the deadline approached).

A further unilateral element was the introduction of a bureaucratic process of application forms amounting to signed confessions of past activities. After an initial period of rejection, the process backfired and produced an avalanche of nearly 6 000 applications, which choked the bureaucratic channels.

Another unilateral feature of the November 7 Gazette was its creation of "consulting bodies" or "indemnity committees" whose composition, powers and functions were then spelled out in a Government Gazette on November 9. From the regulations it was clear that the Government had no intention of taking part in arbitration structures that would take into account the interests of two equal

negotiating parties

On the contrary, the indemnity committees were designed to be Government-constituted, Government-controlled, secret and without decision-making powers, which are reserved solely for the State President. The agreement reached in Pretoria seems to have been overridden when one of the parties took it upon itself to draw up the rules of decision and declare itself the sole referee.

The next distortion of the Pretoria accord came on April 30. The Government insisted that that date was not a deadline at all but simply a target. When it became clear that no one would swallow such a story, the astounding claim was made that the process of political prisoner release was in fact complete in terms of the Pretoria Minute since those prisoners left were disqualified through their involvement in violent acts.

This statement constitutes an unilateral shift in definition away from the Pretoria Minute criteria, which state clearly that "in certain circumstances a 'common' crime, even a serious one such as murder, may be regarded as a political offence".

It also ignores the existence of a published list of 900 identified political prisoners still being held, nearly 300 of whom are acknowledged by their own Department of Correctional Services as being "security, security-related and unrest-related" prisoners.

It also conveniently omits to mention that substantial numbers, convicted of violent offences such as murder, have already been released as political prisoners in terms of the Pretoria Minute.

The ultimate distortion has been the smokescreen of three remissions of sentence for most prisoners, which the HRC predicted on July 10 would result in the release of more than 50 000. That has already been exceeded and it seems to us that more than three-quarters of the convicted prison population will walk free before the process runs its course.

We perceive the purpose of this exercise to be a cover for the clearing out of the 1 000 or so political prisoners still left, in order to get rid of the problem once and for all. It is a huge and irresponsible price to pay. It is unilateralism in the extreme. □

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CURRENT AFFAIRS

POLITICAL CRIME  
FM 19/7/91  
**AT A PRICE**

~~253~~  
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**Is Barend Strydom**, the self-proclaimed *Wit Wolf* who gunned down pedestrians in a Pretoria street in 1989, a political prisoner or common murderer?

Government apparently finds it useful to argue that Strydom is a political prisoner. This week it was locked in top-level discussions with the ANC (Nelson Mandela himself is involved) about linking Strydom's release with that of four senior Umkhonto we Sizwe (MK) cadres — Robert McBride, Mzondelele Nondula, Mthetheleli Mncube and Sibusiso Masuku.

The ANC is refusing to link the release of these men with that of Strydom, whom they don't recognise as a political prisoner.

However, there is some debate even within

ANC ranks. One MK official tells the *FM* that he regards Strydom as a victim of apartheid. "His socialisation in a society that condoned racial hatred," says the official, led him to murder eight blacks. Others in the ANC argue that, while the MK cadres killed under orders, Strydom took it upon himself to stage his attacks. ~~253~~ 253

Nondula and Mncube were involved in landmine blasts and the deaths of two policemen in the Messina area in 1988, they are on Death Row. McBride was involved with several bombings in Durban in 1988, including one on the beachfront which killed three people. He is serving a life sentence. Masuku, who began a hunger strike this week, is an MK cadre convicted of terrorism and due for release this year.

Strydom began his third hunger strike this year on Monday, along with eight other rightwing detainees. *Charlene Smith*

FM 19/7/91 (253)



Coetsee explaining the release process

those serving life sentences, and all sentences for sexual and child abuse

Of the 57 000 released prisoners referred to in recent reports, says the department, the sentences of 53 000 would have expired in any case this year. And most of those 53 000 benefited by only a few days, weeks or months, and in no case by more than a year.

What everyone seems to have overlooked is that first offenders are generally eligible for a one-third remission of sentence in any case — which goes some way to explaining why former policemen Robert van der Merwe and Jack le Grange were released.

Both men had served fewer than three years of their 25-year sentences — which they received after their death sentences were commuted. They had been convicted of murdering two drug dealers and attempting to kill another. Le Grange had also been convicted of assault in 1970.

According to Coetsee's office, Van der Merwe and Le Grange "qualified for the normal one-third which all first offenders receive. They also benefited from the one-third special reduction of sentence which De Klerk announced for all offenders. After this had been calculated, they were within reach of parole — and because they qualified for parole in other ways (*andersins*), they were put on parole."

Le Grange's earlier conviction was apparently overlooked because first offences don't count after 10 years have passed.

The department's own officials will need some persuasion about the merits of the amnesty policy.

In a highly unusual step, the country's attorneys-general this week objected to the "injudicious release of dangerous criminals." In a letter under the signature of Natal AG Mike Imber, the officials note their "objection in principle against the release of certain prisoners, and we feel obliged to put on record our deep concern and dissatisfaction."

The letter continues "This release of ordinary criminals cannot be justified in terms of the political settlement negotiations. It is alleged that the community has lost its confidence in the courts and in the administration

continue

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of justice. The release only contributes to a prevailing extremely unhappy state of affairs."

The department says the AGs were not consulted about this last amnesty, because with "the possibility of the lifting of sanctions rapid action and decisions were needed." But the departmental response seems to ignore the essence of the AGs' objection. The release of "ordinary criminals"

However hamhanded and disturbing the policy may be, it appears that the main motivation behind most releases is to relieve an overcrowded prison system. Government says the prison population "is unacceptably high" and the financial burden considerable.

To illustrate this, the release of 4 200 prisoners last week saves the State R78 500 a day. The Human Rights Commission estimates that up to 25 000 prisoners, mostly criminals, could be released in the next few weeks in terms of the amnesty scheme, in addition to the 57 000 already released.

The penal reform is the result of the new Correctional Supervision Act, passed earlier this year.

One of the aims of the Act is to emulate trends in the US, where the parole system (especially for first offenders) is used extensively. It is also hoped that the new scheme could cut down on recidivism (lapsing back into crime).

1/7/91 (253)

We have one of the world's highest recidivism rates and one of the least effective rehabilitation programmes. It is generally accepted that SA prisons release better criminals, not reformed citizens.

The releases have caused some confusion among lawyers and prisoners still in jail. Sporadic hunger strikes have begun at some prisons and have been defused at others.

Eddie Botha

PRISONS FM 19/7/91 (253)

## HOW NOT TO DO IT

There appear to be two main reasons for the recent flood of released prisoners: government was concerned not to jeopardise the lifting of sanctions, and, quite simply, the jails are full. But the way the Justice Department has handled it has both confused the issue and served to undermine confidence in the legal system.

Taking the political prisoners first, Justice Minister Kobie Coetsee's office says that, in the process set in motion by the Pretoria and Groote Schuur Minutes, "a great number of people qualified for up to 13 years' reduction of sentence." In accordance with the Minutes, government actually went beyond the American definition of a political prisoner (which excludes those convicted of violent crime).

However, Coetsee's office tells the *FM* "This brought an imbalance in respect of other prisoners who had committed similar crimes but did not qualify for release. It was therefore decided to reduce by one-third the sentences of all convicted first offenders who were serving sentences on July 1." Certain categories of prisoners were excluded

## Hunger striker

wants to marry

JOHANNESBURG.

Rightwing hunger-striker Mr Horst-Klenz's desire to marry is being considered, the Department of Correctional Services said yesterday.

The Boerestaat Party says that Mr Klenz, now in the 13th day of his hunger strike, is determined to fast until death if he is not released.

Mr Klenz faces possible extradition to Namibia, which wants to charge him with a bomb attack on a United Nations base three years ago. — Sapa

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# 'Freedom or death', AWB striker warns

CT 23/1/91 Own Correspondent

(253)

DURBAN — "Freedom or death" is the message from awaiting-trial right-winger Mr Piet Botha, detained for his part in the Avoca bus massacre in October last year.

In a statement smuggled out of Westville Prison yesterday, the AWB commandant and Orde Boer-evolk member said he would continue his hunger strike until he was indemnified, or died.

Mr Botha began rejecting food last Tuesday, along with several other right-wingers.

• Last night Correctional Services spokesman Colonel Danie Immelmann confirmed that Mr Botha was on a hunger strike.

"The health of all prisoners on hunger strikes is carefully monitored and they are informed of the health risks involved," he said.

## Hunger striker on murder charges <sup>253</sup>

Staff Reporter Star 23/7/91

ANC member Thabiso Gerald Tekane, who joined a group of political prisoners on a hunger strike last month and demanded political indemnity, appeared in a Johannesburg Magistrate's Court yesterday facing a murder charge and four counts of attempted murder.

Mr Tekane (25), of 2135 Moraka Street, Soweto is also charged with unlawfully possessing a firearm and ammunition. He was not asked to plead and will appear tomorrow.

It is alleged that Mr Tekane killed a Johannesburg businessman, Johan van Niekerk, in November. The shooting allegedly happened in Soweto while the accused was trying to rob Mr van Niekerk of his car.

The attempted murder charges are related to a Katlehong incident on January 31 where Mr Tekane allegedly fired shots at four policemen.

# Fasting Veenendal wants will

Star 23/7/91  
By Susan Smuts (253)

Orde Boerevolk member Leonard Veenendal, on hunger strike for 29 days today, will draw up his last will and testament this afternoon.

His lawyer, Wim Cornelius, said he had received urgent instructions to see Mr Veenendal, whose condition was "deteriorating rapidly".

He wanted to draw up his will, Mr Cornelius said.

Mr Veenendal refused food for 28 days earlier this year during another hunger strike.

Another right-wing hunger striker, Horst Klenz, wants to marry "before he dies".

The German-born Mr Klenz (55) is in his 20th day without food. His fiancée lives in Pofadder.

Mr Veenendal, Mr Klenz and Darryl Stopforth, who is also on a hunger strike, face extradition to Namibia to stand trial in connection with a bomb attack on the United Nations base at Outjo three years ago.

They have been granted indemnity from prosecution for crimes allegedly committed in South Africa.



## Jailed rightwingers' lawyers to see Minister

Legal representatives seeking the release of 15 jailed members of the right-wing Orde Boerevolk (OB) were due to meet Minister of Justice Kobie Coetsee in Pretoria today.

Nic Strydom — leader of the OB and the father

of imprisoned mass murderer Barend Hendrik Strydom — said he would also attend the meeting *Stew*  
*23/7/91*

He said first priority in the talks with the Minister would be the release of the OB mem-

bers. He would also discuss his son's release — and also request immediate freedom for all political prisoners, including ANC supporters.

Mr Strydom, his wife Daphne, other OB members and sympathisers

<sup>(253)</sup> will hold a three-day fast from tonight in solidarity with six jailed right-wing hunger strikers, all of whom are members of the Orde Boerevolk — Sapa

●Hunger-faster wants will — Page 7

# UK claims SA holds political prisoners

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ET 25/7/91

Own Correspondent

LONDON — The British government has differed with the United States by stating that it believes political prisoners are still being held by South Africa

The Foreign Office minister responsible for Southern Africa, Mrs Lynda Chalker, confirmed this in a letter to Mr Mike Terry, executive secretary of the Anti-Apartheid Movement (AAM), which he received yesterday

In the letter, Mrs Chalker also stressed that Britain does not recognise the independence of South Africa's tribal homelands and believes the government should abolish the system

In response to a letter from Mr Terry, Mrs Chalker wrote "We share your concern that South Africa should as soon as possible dispense with the fiction of independent homelands — they are part and parcel of the policy of grand apartheid

"We are, like you, concerned about the political prisoners on hunger strike in the territory known as Bophuthatswana (They have subsequently ended their strike but are still being held)

"Our policy remains that we do not recognise Bophuthatswana and have no contact with its so-called government. We consider it to be part of South Africa

"It follows that, as you surmise, our general representations to the South African government on political prisoners include, where appropriate, reference to political prisoners held in Bophuthatswana. This applies both to bilateral representations and to those made by the 12 (European Community states)"

Mrs Chalker said that when Foreign Secretary Mr Douglas Hurd was in South Africa, he discussed this matter with President F.W. de Klerk

Mr Terry said the AAM had the names of more than 1 000 political prisoners. "The onus is on the South African government to give details of all those released under the general amnesty"

# Releasing prisoners — how it should not be done

South 25/7 - 31/7/91

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FOR years it has been said that there are too many people in South African prisons. Yet now that thousands of sentenced prisoners convicted of ordinary crimes are being released after having served only small parts of their sentences the public reaction is very critical. How does one explain this apparent inconsistency?

One possible explanation would be that those who were demanding a smaller prison population were merely being hypocritical, that in fact they were only concerned about political prisoners and that after most of them had been released, they were untroubled about the lot of ordinary offenders who, as far as they were concerned, could be locked away almost indefinitely.

Such an explanation is, however, much too simple. The public has a legitimate concern with the prevention of crime and the punishment of offenders. This does not mean, though, that it automatically accepts that long terms of imprisonment in overcrowded jails are the only way of dealing with offenders. What is required in order to establish public confidence in the criminal justice system is a general perception that the system is fair and just.

## Evidence

To a very great extent this perception depends on the proper functioning of the courts of the land. It is there that the evidence collected by the state is presented so that everyone, not only the judge, can see for themselves whether the accused are in fact guilty of the crimes with which they have been charged. On this basis too, the public can make up their own minds about what would be an appropriate punishment in a particular case.

Once the sentence of the court has been pronounced it is reasonable to expect that the state, through its department of prisons (or Department of Correctional Services as it now calls itself), will ensure that the sentence is carried out.

Of course, the system depends on the courts being responsible and on their imposing sentences which are proportionate to the crime. They cannot, as happens in some American states, impose terms of imprisonment

THE recent release of some 50 000 prisoners from South African jails, has provoked a public outcry, yet there must be ways of reducing the prisoner population. **DIRK VAN ZYL SMIT**, professor and dean of the Law Faculty at the University of Cape Town, looks at the options

which are so long that a prisoner would need several lives in order to be able to serve them fully. It can even be argued that the courts should not send more people to prison than the state can reasonably be expected to accommodate.

What is important is that the system dealing with crime and punishment should remain under the control of the courts where it can be subject to public scrutiny. This principle applies to all stages of the process, from the initial actions of the police to the implementation of the sentence.

In the case of those sentenced to imprisonment, this means that both the conditions of their imprisonment and their eventual release from prison should be subject to judicial control. If this is not the case, it means that the executive rather than the courts exercises the controlling power.

There is reason to fear the exercise of such power. If the government has a free hand to decide when to release individual prisoners, it means that the powers of the courts are undermined. It means if the government does not approve of a sentence imposed by a court on a particular offender, it can simply release him.

## Problems

Another offender whose crime the court regarded as less serious and on whom it imposed a lesser sentence, may end up serving a far longer term.

The release of more than 50 000 convicted prisoners in recent weeks illustrates all the problems of allowing the executive unlimited powers to release prisoners. Some of them are practical and immediate. When so many prisoners are released at the same time there is no way that the already over-stretched welfare agen-



**DRUG LORD:** Nazier Kapdi released after serving 5 years of a 17 year sentence

*'If the government has a free hand to decide when to release individual prisoners, it means that the powers of the court are undermined' —*  
*Dirk van Zyl Smit*

cies, like Nicro, can provide them with shelter or employment.

The more fundamental problem is that the indiscriminate release of so many prisoners undermines the courts and therefore the legal system as a



whole. The state is seen to be able to ignore the carefully considered verdicts of literally hundreds of judges and magistrates.

Moreover, these are not cases where large sections of the public accept that the political motives of the offenders justified their conduct.

On the contrary, many of the people now being released were convicted after well-publicised trials which left little doubt about either their legal guilt or the moral reprehensibility of their conduct.

## Danger

A further danger of simply releasing thousands of prisoners is that the state is seen as failing in its duty to control dangerous crime. The kneejerk reaction is a populist appeal for much harsher measures to 'protect law and order'.

This is what is currently happening in several Eastern European countries. For example, in Czechoslovakia almost all prisoners, including those whose crimes had no conceivable political motive were released after the fall of the communist government. There was no social support system to assist them on their release and they drifted back to their previous lifestyles.

The demoralised police force and the over-stretched court systems could not deal with this burden. (Perhaps they did not want to.)

The result was that the public have begun to demand sterner measures and the social democratic government of president Havel is open to populist right-wing criticism that it is not doing enough to protect its citizens.

How can we avoid these mistakes and still reduce our prison population? The answer is two-fold

First, alternatives to imprisonment must be developed so that the courts have a range of options other than imprisonment. Secondly, where prisoners are released from prison before the end of their sentences, the matter must be referred back to the courts so that they can decide whether early release is appropriate. If decisions are made in this way, reasons have to be given and the whole process can be subjected to public scrutiny.

## Legislation

The new legislation which was passed by parliament last month does make provision for alternative sentences where an offender is not sent to prison but supervised in the community by a probation officer.

It also provides for sentences of imprisonment to be referred back to the courts in certain cases before a prisoner can be released from prison and placed under the supervision of a probation officer. Both these developments are positive reforms.

Ironically though, the new law has not yet come into effect.

This means both that the courts were bypassed in the recent releases and that an adequate infrastructure has not yet been created to deal with offenders.

The new law also is far from perfect.

It gives the prison authorities far too wide powers to decide how offenders should be punished in the community and even allows the authorities to take them into prison without first referring the case to the courts.

The answer for many ordinary criminals in South African prisons does not lie only in changes in sentencing and release policy. There are underlying social problems which will have to be addressed in a new South Africa.

Yet, on moral grounds alone, no future government should imprison as many offenders as in the past. Nor will it be able to afford the financial burden of doing so.

We will have to face the problem of reducing the overall number of prisoners. The current spate of releases is an object lesson on how it should not be done.

# Calls to free Azapo prisoners

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South 25/7 - 31/7/91

By Sabata Ngcai

AZAPO this week called on state president FW de Klerk to free three political prisoners held in Pollsmoor prison if he "sincerely wants to undo the misdeeds of the past"

The men, who are in the 10th day of a hunger strike, are Monde Kakaza, jailed for 24 years in 1978, Reverend

Dan Nkopodi, imprisoned for 16 years in 1988 and Latha Mlahleki, jailed for 42 years in 1978

Azapo regional vice-chairperson Mr James Yekiso said Mlahleki was a former PAC member and "is now non-aligned", while the other two were Azapo members

He said the prisoners, who are fasting for the second time, wanted to inform the world that "despite De Klerk's misinformation that all politi-

cal prisoners were released, there are "still-prisoners-held in South African prisons"

Yekiso said that, apart from the two prisoners in Pollsmoor, there were other Azapo political prisoners still held in prisons around the country

The organisation was still discussing "strong action" to be taken if the government failed to release the prisoners

# New bid to free right-wing prisoners

By Helen Grange  
and Esther Waugh

star  
25/7/91

The right wing has launched a twin-pronged attack to get right-wing prisoners freed

Mass murderer Barend Hendrik Strydom's father, Nick, and a group of lawyers yesterday met Justice Kobie Coetsee at the Union Buildings to discuss the continued imprisonment of rightwingers

The men would not comment after the meeting

Shortly after their departure, the wives and a fiancée of three hunger-striking right-

wingers arrived at the Union Buildings to hand in a letter to President de Klerk appealing for the release of the three

Tracy Veenendal, wife of Leonard Veenendal, Karen Maritz, wife of Adrian Maritz, and Karen Claasens, fiancée of Darryl Stopforth, delivered the letter, which outlines the deteriorating condition of the men and pleads for their release in terms of the Pretoria Minute.

Ms Claasens (21) said she wanted the State President to look into the matter as quickly

as possible.

"Darryl has lost 10 kg, which is more than 10 percent of his body weight. He has bleeding ulcers and has lost his concentration

"We are also extremely worried about Leonard"

She added that should the letter not be taken up by the State President, other actions would follow. She would not divulge what these were.

Ms Claasens said she was to have married her fiancé this year, "because I thought he was going to be released".

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# Public can claim for damages

By CARMEL RICKARD

A NEW provision in the law relating to the release of prisoners on probation will entitle members of the public to compensation if a former prisoner causes them financial loss.

Lawyers at Durban's Legal Resources Centre said it was important for the public to be aware of the provisions forming part of the act under which many thousands of prisoners have been released on probation.

Prisoners on probation have to comply with certain conditions, which could include getting a job, reporting to the police from time to time or not engaging in any illegal activities.

The new law says that if, "in the performance of service arising from the application of correctional supervision", a financial loss is suffered by a member of the public, this can be recovered from the state.

For example if a probationer, employed in terms of his or her probation, drives a car which is not insured and crashes it, the employer should be able to claim from the state. Lawyers said they were not sure what the situation would be should the probationer murder someone, it might be possible for the family to claim for financial losses suffered in this way, but it would first have to be decided by the courts whether the crime was a "delict" committed in the course of "correctional supervision".

Commenting on the principle of the new provision, LRC officials said it was a welcome move since it was important to help integrate former prisoners into society, and at the same time protect the public.





**Mrs Heather Regenass, Nicro branch director.**

## 110 000 souls cost R2,2-m a day

SOME facts on South African prisons

- The daily cost of keeping a prisoner is R18,61. The daily cost of keeping South Africa's entire prison population is R2,2 million a day
- On average there is a daily prison population of 110 000, which last year meant that, of every 100 000 of our population, 357 were in jail. Comparative figures were 96 in England, 71 in France and 426 in the US.
- Compared to other countries of the world the South Africa has one of the highest prison populations
- Last year almost 18 percent of the total prison population was un-

tenced and awaiting trial.

- The May 1991 Government White Paper sets out the mission of the newly formed Department of Correctional Services as one of implementing "correctional supervision" as an alternative sentencing option
  - So why the policy to release prisoners? Was it for political ends? For the sake of goodwill? Or was it a matter of cost?
- If the last was the ultimate reason why is construction currently underway to provide facilities in new and renovated prisons for a further 13 000 inmates?

(253)



# Business as usual for strikers

GRAHAMSTOWN prison officials suspended for striking are still at their posts after a Supreme Court decision overturned the ruling of an internal disciplinary board (253)

The board last year suspended 28 members of the Police and Prisons Civil Rights Union (Popcru) who had gone on strike over claims of discrimination

However, last month the Grahamstown Supreme Court ordered the

Commissioner of Prisons to appoint another officer to preside over a disciplinary hearing, on the grounds that the person heading the inquiry, Major D Truter, was biased

According to the Department of Correctional Services, no new presiding officer had yet been appointed and the warders were still at work

The Grahamstown Prison warders went on a two-day strike early last year to highlight demands

made by the national executive of the union.

These centred around what Popcru regarded as injustices brought about through discrimination by prison officials

At the start of the inquiry, which began in June last year, Popcru's counsel applied for Truter, head of the personnel department in Port Elizabeth, to recuse himself because there was reason to believe he was biased.

They said Truter was

one of the people whose conduct gave rise to the warders' strike and that no white officer in the prisons service was qualified to preside at the inquiry

The judge said this demand would not cause administrative or other difficulties and ordered the Commissioner of Prisons to appoint another officer to the case

The Commissioner of Prisons was also ordered to pay Popcru's costs - ANA

# ANC looking for unrest releases

Cr 29/11/91 (253)

Own Correspondent

JOHANNESBURG — The ANC is re-examining the cases of several hundred unrest prisoners to see whether they qualified for release as political prisoners, ANC legal affairs official Mr Penneil Maduna said yesterday.

Mr Maduna said the ANC still regarded the prisoner issue as one of the obstacles to negotiations but did not want negotiations to be further delayed by unrest cases that were found on closer scrutiny to be non-political

He said the ANC was consulting church and community groups to find out whether certain specific crimes — among them several necklacings — could qualify as political because of the circumstances in which they were committed.

At the other end of the spectrum, lawyers appearing for 15 right-wing political prisoners, including mass murderer Barend Strydom, are guardedly hopeful about their release after a meeting with Justice Minister Mr Kobie Coetsee.



# Prisoners' status examined <sup>(253)</sup>

PATRICK BULGER

THE ANC was re-examining the cases of several hundred unrest prisoners to see whether they qualified for release as political prisoners, ANC legal affairs official Penuell Maduna said at the weekend

Maduna said the ANC still regarded the prisoner issue as one of the obstacles to negotiations, but did not want negotiations to be further delayed by unrest cases that were found to be non-political on closer scrutiny

He said the ANC was consulting church and community groups to find out whether certain specific crimes — among them several necklacings — could qualify as political because of the circumstances in which those crimes had been committed

He would not say how many unrest cases were being examined but confirmed there were several hundred

At a meeting with Justice Department officials last week, the ANC said it needed time to engage in broad consultations on the cases of individual prisoners

"We are saying that even a necklacing could be a political crime although from the records that may not be clear," Maduna said. He said almost all the clearly political cases had now been resolved.

At the other end of the spectrum, lawyers appearing for 15 right-wing political prisoners, including mass murderer Barend Strydom, are guardedly hopeful about their release after a meeting with Justice Minister Kobie Coetsee

Attorney Wim Cornelius said the two

To Page 2

## Prisoners

<sup>B100ay</sup>  
<sup>29/7/91</sup>  
parties had agreed that their consultations would remain confidential, but he said most of the right-wing political cases had been discussed in detail

Cornelius last month argued before the Appeal Court in Bloemfontein for Strydom's release on political grounds. Those proceedings too are confidential

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From Page 1

He said at the weekend that he was insisting that Strydom's release be considered in the same light as that of ANC bomber Robert McBride. He said they were both political prisoners

Maduna, however, said the ANC was still insisting on McBride's release but was not prepared to link it to Strydom's fate

**SOUTH African prisons** are presently a powder keg which could blow at any time unless most of the inmates benefit from the Government's amnesty programme

This was the blunt message to President F.W. de Klerk and Justice Minister Kobie Coetsee in the wake of an "explosive" strike by convicts at Zonderwater Prison near Pretoria last month.

De Klerk and Coetsee were warned that the anger of common criminals at political prisoners being freed would erupt nationwide if they too weren't favourably treated

"We are dealing with desperate men, and many of them really have nothing whatsoever to lose," 1 500 inmates at Zonderwater told the Government through a legal team appointed to defuse "the most volatile and explosive situation which the Department of Correctional Services has in

# A storm brews Over releases

Sowetan 30/7/91

253

all probability ever faced".

Mr Peter Wentzel, a Johannesburg lawyer who first visited the prison on June 6 to find a "very, very tense" situation, said the discontent had contributed to the Government's decision to grant most first-time offenders amnesty.

The amnesty programme has sparked an outcry in South Africa, drawing the disapproval of the attorney-general, judges, magistrates and police.

But repeat offenders were now also wanting dispensations: "We've

managed to contain it and if the authorities act expeditiously, I think it will eventually be contained permanently," he said.

His information from Zonderwater, which was being closely watched by inmates of other prisons, was that steam was building again now among the convicts and had again reached critical levels.

"There will be trouble if these issues can't be dealt with," he said. "It was very, very tense and still is. We've just managed to throw some oil on the water."

A 15-page representation from Wentzel and an



DE KLERK

advocate, dated June 10, said men at Zonderwater refused to work on June 3 and started a strike. It had "all the potential of developing into a

major and unprecedented prison riot, not only at Zonderwater Prison, but also at other major prisons".

The general feeling in the prison was that they would create a situation of anarchy regardless of the costs to themselves, the document said. A bloody confrontation seemed inevitable the next day.

## Strike

"The prisoners continued with their strike and had resolved to resort to violence should there be any attempt to break the strike," the document

told De Klerk and Coetsee.

"Prisoners in Pretoria Central and in other prisons were ready to follow the example of Zonderwater and a major prison riot not only in Zonderwater was feared by the authorities".

It was much to the credit of the Correctional Services officials at Zonderwater that they allowed prisoners to instruct a legal team to act on their behalf, the document said. It broke the strike.

Common criminals saw no reason why their fortunes should differ

from those of the so-called political prisoners. "Many of the so-called political prisoners were convicted of the most heinous, cold-blooded and despicable crimes imaginable but because of the political pressure being exerted on the Government by the ANC and other political groups, cold-blooded murderers have been allowed to leave prison as free men," the representation said.

Long-term prisoners had great difficulty in coming to grips with the morality of so-called political prisoners jailed for 20 years or more being freed after a year or two

## Document

A spokesperson for the Department of Correctional Services said: "The document by the legal representatives drafted on behalf of the prisoners at Zonderwater has been received and the matter is receiving the necessary attention"

# Two-pronged bid to release Sharpeville 4

star 30/7/91

By Jo-Anne Collinge

A two-pronged initiative has been launched to secure the release of three men and a woman — the still-jailed members of the Sharpeville Six — who are arguably the most widely known of all South Africa's remaining prisoners

The "political" status of Theresa Ramashamola, Mojalefa Reginald Sefatsa, Francis Don Mokgesi and Reid Malebo Mokoena is fully accepted in certain circles locally and abroad but is contested by the Government.

Their first application for release as political offenders was turned down.

Legal representative Prakash Diar said yesterday this decision was being challenged by laying the case before an am-

nesty committee constituted in terms of the Pretoria Minute. An application for a hearing by one of the judges on the committee had been lodged.

In addition, the legal team had written to the Commissioner of Correctional Services arguing that the four should have been released with the other two members of the Sharpeville Six in terms of the sweeping remission of sentence granted by the State President.

Mr Diar observed that the commissioner seemed to have used a degree of discretion in applying the remission provisions to "first offenders" — as stipulated by the President.

In fact, those who had committed earlier offences a decade or more ago had been treated as first offenders.

"In our view this should also apply to our clients against whom, as the trial judge found, earlier convictions were irrelevant or so minor as to be disre-

garded for sentencing," Mr Diar argued.

The Sharpeville Six were convicted of murder on the grounds that they were part of a crowd of protesters who killed town councillor Jacob Dlamini in the Vaal uprising of 1984. Although no one was personally responsible for the death, they had a common purpose with those who did, the court found.

Mr Diar argues that there are multiple indications that the Sharpeville Six were always considered political offenders — starting with their pre-trial detention under section 29 of the Internal Security Act, the linking of the offences of murder and subversion in their indictment, and the protection of State witnesses from alleged elimination plots by the ANC.

"Even on Death Row they were classified as security prisoners and kept from mixing with the other prisoners," said Mr Diar.

# LHR to visit prisoners in the Ciskei

THE Lawyers for Human Rights will soon visit prisoners it believes qualify for indemnity as political prisoners in the Ciskei, the organisation said yesterday.

The Ciskei's Department of Correctional Services confirmed it had received a list of eight people the LHR wanted to see and had granted the

organisation permission to visit them

Major-General Dumo Silandela of the Correctional Services said of the eight prisoners on the list, four had been discharged and one was unaccounted for

However, Silandela insisted there were no political prisoners in Ciskei. The homeland had released all political prisoners "But we will

throw our doors open and will allow them to visit"

The Ciskei recently set up a panel of three judges to consider applications for indemnity

LHR spokesman Mr Sandi Ntsikelelo said he was cynical about the board as it was formed unilaterally and consisted only of government officials. He was also doubtful about their definition of a political prisoner

In Bophuthatswana, Mr Paul Daphne of the Mafikeng Anti-Repression Forum said prisoners there were on the verge of embarking on another hunger strike

## Strike

"I have the impression that if they are not released soon, they will re-embark on a hunger strike and this time they will fast until death," he said.

Sixty prisoners, who are still in hospital, in Bophuthatswana prisons recently suspended a fast after an emergency visit by ANC leader, Mr Nelson Mandela.

At Pqllsmoor Prison in the Cape two Azanian People's Movement members entered their 15th day of a hunger strike on Tuesday, according to the Human Rights Commission.

ANC spokesman Mr Carl Niehaus yesterday said there were at least 800 unrest-related cases and all would still be tested for political status.

- Sapa

253  
Sowetan  
31/7/91

# US Senate urges release of political

By Hugh Robertson  
Star Bureau

(253)

WASHINGTON — The full United States senate passed a unanimous resolution today — with the active approval of the South African Government's strongest supporters — urging the Bush administration to seek the release of remaining political prisoners in South Africa

The measure set a deadline of 90 days within which Secretary of State James Baker will be required to report to the Senate foreign relations committee and to the Speaker of the House of Representatives, on what progress has been made

It is the strongest show of congressional disapproval of the South African Government's reform performance since sanctions were lifted earlier this month, and was intended to send a signal to Pretoria and the White House of the concern and urgency with which the issue is regarded in Congress

Senators said today that earlier signals of disquiet, which

were channelled through the media and through diplomatic contacts had failed to elicit much reaction

This was unfortunate, as it suggested that the Senate's concerns about President Bush's interpretation of sanctions legislation were not taken seriously

The measure was jointly sponsored by moderate senators of both the Democratic Party and the Republican Party, including Senator John Kerry of Massachusetts and Senator Nancy Kassebaum of Kansas, both of whom have adopted conciliatory attitudes to the South African Government in the past

In canvassing unanimous support for the resolution, sponsors said they wished to avoid the impression that the measure was the brainchild of radicals or liberals in the Senate. It was, they said, "a genuine and broadly based expression of concern"

The resolution said the SA Human Rights Commission and the ANC had identified "a significant number of prisoners they consider to be covered by the Pretoria Minute and who remain incarcerated in South Africa, including the homeland areas"

# 38 prisoners start hunger strike

Political Staff

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Thirty-eight prisoners at Zonderwater prison near Pretoria have started a hunger strike in an attempt to pressure the Government to release them in the light of amnesty offered recently to first offenders.

Lawyers dealing with the prisoners have warned authorities that a dangerous, explosive anger is developing in South African prisons because of resentment over the release of political prisoners and some first offenders.

The Department of Correctional Services said yesterday that the position of second and further prisoners was still being considered in line with President de Klerk's declaration

Star 11/8/91  
July 1, when he announced a one-third remission of sentence for some first offenders and further review of the position of other offenders.

Various factors would determine the possibility and desirability of measures to accommodate second and further offenders, including the attitude of the community towards early release, the fact that offenders with a history of crime could not be treated in the same manner as first offenders, the prisoners' general behaviour and adaptation in prison, as well as the possibility that released prisoners could commit crimes again.

The department had noted the attitude of the community towards the early release of

ve which  
was widely criticised — but would not comment on whether this reaction would lessen the chances of other prisoners being released.

The department confirmed yesterday that 38 inmates had refused since Tuesday to take meals.

Trouble at the prison started on June 3 when convicts embarked on a work strike to signal their resentment at political prisoners being freed.

Johannesburg lawyer Peter Wentzel said the atmosphere had been "very, very tense" at Zonderwater. He warned President de Klerk and Justice Minister Kobie Coetsee in a written representation on June 10 of nationwide prison riots if the issue was not speedily addressed.



# Jobs key to prisoners release

South 1/8-7/8/91  
By Sabata Ngcai

POLLSMOOR prison warders told three political prisoners that they could only be released if their organisation "undertakes to find jobs and accommodation for them"

Azapo Western Cape vice-chairperson, Mr James Yekiso, said the message was communicated by a Colonel Prins, Major Roelofse and Colonel Dominick to Monde Kakaza, the Reverend Dan Nkopodi and Litha Mlahleki early in July

The three men, with Phyllis Fante, are the only remaining political prisoners still being held at Pollsmoor Nkopodi who, like Kakaza, is a

253  
member of Azapo, is on hunger strike

A spokesperson for the Department of Correctional Services in Pretoria said "All prisoners potentially falling within the ambit of categories and guidelines for defining political prisoners have been released"

It is believed that another political prisoner, Johnson Lubisi, is being treated for severe depression at Valkenberg psychiatric hospital.

Meanwhile, Bonteheuwel brothers Yusuf and Nazeem Abrahams, who applied for indemnity six months ago, are still at Victor Verster prison

They were arrested during the mid-80s unrest for an incident in which a security guard was shot Yusuf Abrahams has also begun a hunger strike to demand their release

# Right-wing bomb suspects out on bail

By Helen Grange and Philip Zoio

Three rightwingers ended their hunger strike yesterday after being given bail

Leonard Veenendal and Daryl Stopforth of the Orde Boerevolk (OB) were granted R1 000 bail each — after a Johannesburg magistrate, two lawyers and the two rightwingers gathered for a "court session" in Johannesburg Hospital.

Mr Veenendal had his first meal in 32 days and Mr Stopforth his first in 18 days.

Fellow OB member Horst Klenz, who had been on hunger strike for 26 days, is expected to be released on bail from Pretoria Central Prison today after a successful

application yesterday.

The three, who have been in custody since June 1990, face extradition to Namibia to stand trial in connection with the bombing of a United Nations base in 1989.

They decided to start eating again after a meeting between Mr Veenendal, Mr Stopforth and attorney Wim Cornelius. They discussed a representation made on July 24 by Mr Cornelius to Minister of Justice and Correctional Services, Kobie Coetsee, urging the Minister to block the extradition by applying the terms of the Pretoria Minute.

The extradition case will be heard on August 30.

● Divided Right faces crisis — Page 9

# Jail time-bomb set to explode, Govt is warned

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Star 3/8/91

## 'Desperate' prisoners plan amnesty protests

**PAT DEVEREAUX**

SOUTH Africa's jails could explode if prisoners' frustration over the recent amnesty is not given priority, warn prisoner organisations, human rights groups and legal experts.

"We are dealing with desperate men and many of them really have nothing to lose," was the message to the Government from 1 500 inmates at Zonderwater Prison, near Pretoria. The warning followed last month's strike by Zonderwater prisoners.

The Department of Correctional Services yesterday disclosed that 27 Zonderwater prisoners were refusing food, and prisoners at Pretoria Prison were refusing to take part in any programmes.

In a move to defuse the situation, the department said it was aware of the grievances and was addressing them.

Saturday Star was also informed that about 7 900 prisoners of all races were released last month, and a further 5 800 first offenders could still benefit from the amnesty. But these releases would be staggered and form part of the normal month-

ly releases

President F W de Klerk and prison authorities had been sent letters requesting them to address the "prison time-bomb", said Prisoners' Aid Union of South Africa (Pausa) chairman Darius Hlatshwayo.

At Randburg's Leeuwkop Prison, convicts had announced they would hold a mass demonstration if their August 15 deadline for the release of first offenders was not met, he added.

The demonstration was intended to focus the public eye on the plight of first offenders still behind bars, said Mr Hlatshwayo.

Similar action to highlight prisoners' grievances relating to racism, poor administration and health care was expected at the New Local Prison, in Pretoria, and the Johannesburg Prison, according to Mr Hlatshwayo.

He said Pausa asked that the police remain impartial during

the demonstration, which was intended to be peaceful.

Earlier this week a Johannesburg lawyer, Peter Wentzel, said the prisoners' discontent had contributed to the Government's decision to grant most first-time offenders amnesty. But repeat offenders were now also wanting special dispensations.

About 60 000 prisoners, including 2 000 political prisoners, have been released since December last year.

Mr Hlatshwayo said prisoners were angry because they believed the process of releasing prisoners was being deliberately delayed. More than a month had lapsed since the State President's amnesty to first offenders was announced, but the majority were still in jail, although most white prisoners had been released immediately.

Responding to queries, a liaison officer for the Department of Correctional Services said of Pausa: "The formation of movements by prisoners is not allowed to be recognised".

The department confirmed it had "received a document drafted on behalf of the Zonderwater prisoners on June 10, and the matter is receiving the necessary attention".

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# Hardcore criminals may soon be freed

HARDCORE criminals in prison may soon be eligible for amnesty

A lawyer representing mutinous convicts who are angered at the "unfair" release of prisoners in recent months has been assured an amnesty is on the cards for multiple offenders

Johannesburg lawyer Peter Wentzel met Minister of Justice Kobie Coetsee this week to discuss the tension created in several prisons by the release of

By CHARIS PERKINS

political prisoners and first offenders.

Neither would disclose what was said at the meeting, but Mr Wentzel said he was satisfied the question of multiple offenders was receiving attention

He said the amnesty would not be as sweeping as the one granted to first offenders

"The department will apply a more stringent set

of guidelines and scrutinise individual cases carefully," he said "The interests of offenders have to be balanced with the interests of the community"

A group of 38 prisoners at Zonderwater prison near Pretoria went on hunger strike on Tuesday to put pressure on the government to release them in the light of the amnesty granted to first offenders last month

Eleven of them had given up their fasts by the end of the week

A spokesman for the Department of Correctional Services confirmed that 27 prisoners were now refusing meals.

## Strike

He would not give information on other prisons, but said "a number" of inmates at Pretoria prison were protesting by refusing to participate in any programmes

Trouble started at the Zonderwater prison on June 3 when inmates began a protest work strike

Mr. Wentzel wrote to President F.W. de Klerk and Mr. Coetsee on June 10, warning them of nationwide prison riots if the matter was not addressed.

"Prisoners threatened to necklace their warders if something wasn't done," said Mr Wentzel

Over 57 000 convicts have walked free from SA prisons since the beginning of the year.

# Right-wingers leave hospital after getting bail

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The Argus Correspondent ARG 6/8/91

JOHANNESBURG — Orde Boerevolk members Mr Leonard Veenendal and Mr Daryl Stopforth walked out of the Johannesburg Hospital into the arms of their families after being granted bail of R1 000

The two men had been on a hunger strike until Friday when their applications for bail at a "court session" in the hospital were successful. They left hospital yesterday.

Mr Veenendal was on hunger strike for 32 days and Mr Stopforth for 18 days.

With fellow OB member Horst Klenz, they had been in custody since June 1990. The three men face extradition to Namibia to stand trial in connection with the bombing of a United Nations base in 1989.

Mr Klenz, who had been on hunger strike for 26 days, was released from Pretoria Central Prison on Thursday after also being granted bail.

Mr Veenendal and Mr Stopforth were welcomed by friends and OB members, including OB chief Mr Nic Strydom, father of mass murderer Barend Strydom. They emerged from the hospital under strict security arrangements organised by the OB.

Mr Strydom said the OB would "look after the safety of the two men wherever they might go", while they are out on bail.

They are due to appear in court again in Johannesburg on August 30.

Mr Veenendal said the first thing they would do was have a "family lunch" before tending to the interests of other right-wingers who are on hunger strike and who are in a "critical condition".

He believed the hunger strike had been effective in securing their release on bail. Asked about their health, he said they were "very weak".

Mr Strydom said his son Barend ended his hunger strike at the weekend as he was very weak. Attempts would be made to secure his release, he said.

Star 6/8/91

# Right-wing fasters out of hospital

By Carina le Grange

Orde Boerevolk members Leonard Veenendal and Daryl Stopforth walked out of Johannesburg Hospital into the arms of their families yesterday after being granted bail of R1 000 on Friday

The two men had been on a hunger strike until Friday, when their applications for bail at a "court session" in the hospital were successful

Mr Veenendal had been refusing food for 32 days and Mr Stopforth for 18

The two, along with fellow OB member Horst Klenz, face extradition to Namibia to stand trial in connection with the bombing of a United Nations base in 1989

Mr Klenz, who had been on hunger strike for 26 days, was released from Pretoria Central prison on Thursday after being granted bail

OB chief Nic Strydom, father of mass murderer Barend Strydom, told The Star that the OB would "look after the safety of the two men wherever they might go" while they are out on bail

They are due to appear in court in Johannesburg on August 30

Mr Veenendal told reporters that the first thing they would do was have a family lunch, before tending to the interests of other rightwingers who were on hunger strike and in "critical condition"

He said he believed the hunger strike had been effective in securing the men's release on bail

Asked about their health, he said they were very weak

● Mr Strydom said his son Barend had ended his hunger strike at the weekend because he was very weak. Attempts would be made to secure his release, he added

# Strike (253)

## postpones murder hearing

PRETORIA — The murder trial of three right-wingers was postponed in the Supreme Court yesterday, because a hunger strike has rendered the accused too ill to appear.

The men are alleged to be responsible for the Blood Street blast in Pretoria, in which 11 people were injured, and a parcel bomb which killed a Durban computer consultant last year.

Mr Justice F. Roos postponed the trial to October 28, on agreement between counsel for the state and defence.

The accused, Mr Adrian Hendrickus Maritz, 43, of Arcadia, Pretoria, Mr Henry Guy Martin, 49, of Hornsoord, Pretoria, and Dr Lodewyk Grobler van Schalkwyk, 53, of Hartbeespoort, Brits, were admitted to hospital yesterday. They are still in custody.

According to district surgeon Dr W.J. Pieterse, who examined the accused yesterday, he found them to be in a critical condition —

Sapa CT 6/8/91

## Right-wing strikers<sup>(253)</sup> admitted to hospital

ET 7/8/91  
JOHANNESBURG — Three right-wing, hunger strikers were admitted to H F Verwoerd Hospital in Pretoria yesterday

The leader of the Orde Boerevolk, Mr Nic Strydom, said Dr Lodewyk van Schalkwyk, Mr Adrian Maritz and Mr Henri Martin were admitted for observation

The three men are awaiting trial in connection with several right-wing terrorist attacks, including the bombing of the Bloed Street taxi rank in Pretoria

On Monday, the three right-wingers were unable to appear at a court hearing in Pretoria.

Mr Strydom said the condition of Dr Van Schalkwyk, who had heart-bypass surgery several years ago and was experiencing heart problems, was especially worrying. — Sapa



## Three right-wing hunger strikers sent to hospital <sup>(253)</sup> *Star 11/8/91*

Three right-wing hunger strikers were admitted to the HF Verwoerd Hospital in Pretoria yesterday

Orde Boerevolk leader Nic Strydom said Dr Lodewyk van Schalkwyk, Adrian Maritz and Henri Martin had been admitted for observation

The three men are awaiting trial in connection with several right-wing terror attacks, including Pretoria's Bloed Street taxi-rank bombing

On Monday, the three right-wingers were physically unable to appear at a court hearing in Pretoria

Mr Strydom said the condition of Dr van Schalkwyk was especially worrying. Dr van Schalkwyk, who underwent heart-bypass surgery several years ago, was on the 16th day of his hunger strike and was experiencing heart problems

Mr Martin, a British citizen, on his 30th hunger-striking day, and Mr Maritz, on his 23rd day, were weak, according to Mr Strydom.

The Department of Correctional Services was asked to comment, but by late last night had not yet made a statement — Sapa.

# 300 on <sup>(253)</sup> strike at *Sowetan 8/8/91* prison

ABOUT 3 000 black inmates at the Pretoria Central Prison have gone on strike in protest against the Government's "unfair" amnesty system

They are refusing to do duties such as cleaning and have demanded that they also benefit from the programme, according to their attorney, Mr Tiego Moseneke.

Moseneke said the inmates had instructed him to write to President FW de Klerk and the Minister of Justice, Mr Kobie Coetsee

He said prisoners were angered by the release of former policeman Jack la Grange.

The Department of Correctional Services yesterday confirmed that "a number of prisoners at the Pretoria prison are not participating in any programmes"

The situation was under control, a spokesman said. She added "It does happen from time to time that for a variety of possible reasons prisoners refuse to take meals or to participate in programmes which are run at a prison institution"

"Prisoners are also informed that undisciplined behaviour jeopardise their privileges and even their remission of sentence which is earned through good conduct and adaptation"

# Rightwing striker near death

The Argus Correspondent

253 ARG 9/8/91  
JOHANNESBURG — The government has been warned it is facing for the first time the death of a hunger striker, after rightwing awaiting-trialist Dr. Lood van Schalkwyk, 53, apparently suffered a heart attack.

Attorney Mr. Wim Cornelius said after the Harbeespoort doctor was moved to the cardiac unit of Pre-

toria's H F Verwoerd Hospital. "We are very worried about him and do not think he will make it."

Urging the government to seriously consider the motives of the three rightwing hunger strikers admitted to hospital last weekend, he said they were "dead set on starving to death."

The condition of the two other strikers was very weak, he said.

Star 9/8/91. (253)

## Govt warned that hunger striker may die

The Government has been warned it is facing for the first time the death of a hunger striker after right-wing awaiting trialist Dr Lood van Schalkwyk (53) apparently suffered a heart attack yesterday.

Attorney Wim Cornelius urged the Government to seriously consider the motives

of the three right-wing hunger strikers admitted to hospital last weekend. He said they were "dead set on starving to death".

Mr Cornelius said the condition of two other hunger strikers — Adriaan Maritz (43) and Henry Martin (49) — was very weak.

The three men are being detained on charges of murder and illegal possession of firearms relating to Pretoria's Bloed Street bomb blast and the death of a computer consultant in Durban a year ago. In the Pretoria Supreme Court on Monday they were remanded indefinitely. — Staff Reporter

# Right-wing striker <sup>28</sup> suffers heart attack

PRETORIA — A hunger-striking right-wing prisoner suffered a heart attack yesterday, sources said. A spokesman for the Department of Correctional Services confirmed that Dr Lood van Schalkwyk had suffered angina pains yesterday morning. Dr Van Schalkwyk, 53, is facing charges following blasts in Blood Street, Pretoria, and in Durban.

● Lawyer Mr Ntlumoor Yekiso, who is representing three Azapo prisoners at Pollsmoor Prison, said he will make an urgent application to the Supreme Court for an order allowing him to consult with them.

He said Monde Kakaza was in a critical condition and could not consult with him yesterday — Sapa

# Prisoners in Cape jail burn bedding

(253) CT 10/8/91

By DANIEL SIMON

PRISONERS set blankets and other items on fire and fought with baton-wielding warders in two outbreaks of violence at Brandvlei Prison near Worcester this week.

In what she described as a "minor incident", a Correctional Services spokeswoman said four cells were "damaged" when burning blankets and other bedding shattered cell windows and scorched walls on Tuesday.

Damage was not extensive and had been estimated at about R2 000, the spokeswoman said.

A large group of the "trouble makers" have since been forcibly moved from that part of the prison to another complex after reinforcements were brought in from Helderstroom Prison near Caledon on Thursday.

A similar incident also occurred recently at Pretoria Central Prison, where inmates also set fire to bedding and other items. Further details of this incident were not made available by the Department of Correctional Services.

PRETORIA. — The national director of the National Institute for Crime Prevention and Rehabilitation of Offenders (Nicro), Dr Esther Lategan, said yesterday that it was a "dangerous policy" to grant amnesties to curb expenditure in a single state department, Correctional Services.

The financial demands had now been transferred on to the police, she said.

Amnesties granted without paying proper attention to "basic prerequisites" — stable living and working conditions — endangered the safety of the community, she added. — Sapa

It is known that the violence at Brandvlei and other actions at two other prisons result from multiple-offence prisoners' grievances over the amnesty which President F W De Klerk announced for first offenders on July 1.

The spokeswoman said problems at Brandvlei Prison started on Tuesday when a number of prisoners, all multiple offenders, "refused" to take part in prison programmes.

The spokeswoman said a "minor inci-

dent" triggered Thursday's forced removal of 105 inmates.

"A further incident occurred on Thursday morning when a group of prisoners resisted their transfer to another prison on the complex.

"In the process damage was caused to prison property by the prisoners and some prisoners sustained minor injuries. No prison warders were injured," the spokeswoman said.

It was learnt that a large contingent of prison warders, from Brandvlei and Helderstroom, moved into a cell block on Thursday and used batons in removing resisting prisoners.

The spokeswoman indicated that the "undisciplined behaviour" could jeopardise prisoners' privileges and even affect the remission of sentences.

She said the government was considering measures to accommodate second and further offenders.

● About 3 000 prisoners at the Pretoria prison were "on strike" in support of their demands for remission of their sentences, Sapa reports.

Lawyer Mr Tiego Moseneke said the situation was "explosive".

# Hunger striker 'critical'

253  
CT 10/8/91

A HUNGER striker in Pollsmoor Prison is in a critical condition, and another has suffered severe weight loss after a nine-day fast, their attorney Mr. James Yekiso said.

Mr Yekiso said yesterday that Monde Kakaza, sentenced in 1978 to a 24-year jail sentence for sabotage, was too weak to talk on Thursday.

Cell-mate and co-striker Dan Nkopodi, sentenced to 16 years' jail for harbouring terrorists, weighs 64kg after losing 7kg.

A Department of Correctional Services spokesman said it was department policy not to comment on the physical condition of prisoners.

— Sapa

## Govt may release more offenders

Blouay  
12/8/71 WILSON ZWANE 253

GOVERNMENT was considering remitting the sentences of second- and third-time offenders, a spokesman for the Correctional Services Department said yesterday.

The spokesman was responding to reports that 3 000 prisoners at the Pretoria Central Prison were "on strike" demanding remission of their sentences.

President F W de Klerk announced last month that having granted a conditional one-third remission of sentences to first offenders, he was considering "further proposals as to what may be done, if anything, in respect of second and further offenders".

The Correctional Services spokesman confirmed a number of prisoners at the Pretoria prison were not participating in programmes designed for them by prison authorities. "But the figure of 3 000 is grossly exaggerated," she said.

Various factors such as the prisoners' general good behaviour and adaptation in prison and the attitude of the community towards the early release of prisoners would be taken into account in the process.

The refusal by prisoners to take part in prison programmes was jeopardising their chances of having their sentences remitted, she said.



# OB hunger strikers' lawyers turn to FW

star 13/8/91

By Shirley Woodgate 283

Representatives of hunger-striking rightwingers in HF Verwoerd Hospital, Pretoria, have pinned their hopes on President de Klerk for a reprieve in the face of their weakening condition.

Lawyer Wim Cornelius said he had faxed President de Klerk today requesting an urgent meeting to discuss the fate of the Orde Boerevolk members whose health was deteriorating fast.

## Recognised

This follows earlier meetings with Justice Minister Kobie Coetsee aimed at having the three men recognised as political prisoners.

Soon after Dr Lood van Schalkwyk (53) was taken to the intensive care unit after suffering an angina attack last week, Mr Cornelius warned that the three men

were "dead set on fasting to the death" and that the Government now faced the possibility of a hunger-strike death.

OB leader Nic Strydom said the three men had lost a great deal of weight and Dr van Schalkwyk, now in the 22nd day of his hunger strike, had been removed from intensive care and placed in a ward where he was receiving oxygen and special medication.

As British citizen Henry Martin (50) enters his 38th day without food, he is reported to be "very weak and barely able to move". Mr Strydom said Adrian Maritz, now in the 28th day of his strike, had started experiencing blackouts.

The two rightwingers who were on hunger strike in Westville Prison in Durban, Piet Botha (42) and Arnie Smuts (36), had ended their protest after three weeks, Mr Cornelius said.

# 450 Pollsmoor prisoners strike

*Sowetan 14/8/91*

*253*

ABOUT 450 prisoners at Pollsmoor Prison were on strike for the second consecutive day yesterday, according to the Police and Prisons Civil Rights Union.

The union said the strike arose from the controversy surrounding the general amnesty for prisoners and the differences in treatment of white and black prisoners.

The Department of Correctional Services confirmed that a number of prisoners were not "participating in any programmes".

It said the situation was under control and the "atmosphere is calm and relaxed".

"In accordance with the announcement of the amnesty of July 1, the Government was considering the possibility and desirability of members which will accommodate second and further offenders.

"The Department is satisfied that all prisoners irrespective of race are treated in accordance with accepted norms and allegations to the contrary are rejected."

# Inmates strike at Pollsmoor

252

CT 14/8/91

**SOME 450 prisoners are taking part in a strike at Pollsmoor Prison to air grievances — including dissatisfaction with the government's amnesty for first offenders — which have sparked protests at a number of prisons in the past week.**

**According to a statement issued by the Police and Prisons Civil Rights Union (Popcru), the prisoners went on strike on Monday and demanded to see the prison authorities.**

**Grievances include first offenders only being granted amnesty, as well as differences in rations, privileges, labour tasks and accommodation between white and non-white prisoners.**

**According to the Popcru statement the commanding officer, a Colonel Duminy, promised he would probe the matter, but "the prisoners then decided that this was not what they wanted and therefore continued with the strike".**

**Colonel Duminy yesterday referred all inquiries to Pretoria.**

**A Department of Correctional Services statement yesterday afternoon confirmed that "a number of prisoners" were refusing to take meals or take part in prison programmes, but "the situation is under control and the atmosphere is relaxed".**

**● Meanwhile, yesterday afternoon the Department of Correctional Services confirmed that "an incident took place at Pollsmoor Prison on 9 April 1990 after which the prisoner died on 10 April 1990". — Staff Reporter and Sapa**

# No let-up to strike at Pollsmoor

253  
CT 15/8/91

ABOUT 700 inmates at Pollsmoor Prison are still on strike and not participating in any programmes, according to Department of Correctional Services liaison officer Brigadier Erica van Zyl

But the atmosphere was calm at the prison, she said

On Tuesday the department said these types of incidents were dealt with by heads of prisons according to existing policy and are normally resolved through communication and the dispelling of incorrect perceptions at the root of such actions

Meanwhile, prisoners at Leeuwkop Prison outside Johannesburg yesterday set fire to bedding in protest of the amnesty for first-time offenders

Brigadier Van Zyl confirmed the incident of arson but was not able to say how many inmates were involved, adding it was still being investigated

She said the incident was dealt with promptly and the situation brought under control

## Arson at Leeukop

A FIRE was started by prisoners at the Leeukop Prison near Sandton yesterday, the Department of Correctional Services said.

(253)  
Spokesman Major Wena Greyling said "an incident of arson" occurred at mid-morning.

Greyling said no injuries had been reported and the extent of the damage caused by the fire had not yet been established. *Sowetan*

"The incident was dealt with immediately and the fire was extinguished," she said. *15/8/91*

It is understood that the fire was started by prisoners who set their bedding alight. *Sowetan*  
*Correspondent*

# Nofomela has aged, says former prisoner

South 15/8 - 21/8/91

By Chris Gutuza

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The experience of waiting in a solitary cell for six days ahead of the scheduled execution had "turned him into an old man"

SELF-CONFESSED police hit squad member Almond Nofomela aged noticeably through the pressure of nearly being hanged, according to recently released prisoner Mr Gideon Madlongolwane

Madlongolwane, 64, who like his wife Evalina de Bruin, spent 18 months on Death Row for allegedly killing a municipal policeman in Pabalelo, Upington, shared a cell with Nofomela until he was released after a successful appeal

"I knew Nofomela when they came to take him away to be hanged," said Madlongolwane this week "When he came back, after the hanging was stopped at the 11th hour, he was bent over."

Nofomela, who had been awaiting execution for the murder of a farmer was reprieved at the last minute because of his revelations about Vlakplaas police hit squads

Madlongolwane said he would never forget the quiet, bent man who returned to the cell they had shared after he had been saved from the gallows.

## Colleagues

"He had grown old. His skin was tight over his face, now, and he had lost a lot of weight," Madlongolwane said

He said Nofomela had been visited often by police colleagues of his in the last days before he was due to be hanged.

"The day before he was due, two

policemen came — one white, one black They had told him, he said to me later, that the force could do nothing for him anymore.

"He told fellow death row inmate Robert MacBride (sentenced to death for the Magoo's Bar bombing in Durban) that he wanted to reveal all he knew about the hit squads MacBride contacted his wife, who contacted an attorney"

The director of Lawyers for Human Rights, Brian Curtin, got in touch with the prison authorities, and within days Nofomela's confessions on police atrocities and murders inside and outside the borders of the country, became world news.

Madlongolwane said he had seen many inmates condemned to die being taken to the solitary cell ahead of their scheduled hanging - a cell that the prisoners called "die pot".

# Victim speaks of AWB terror

South 15/8 - 21/8/91

A VICTIM of last week's "white-on-white" violence in Ventersdorp this week described his terrifying experience as he was first shot at then dragged from a bakkie by a rightwing mob

Mr Tyekeza Mayaka, interviewed at Klerksdorp Hospital where he is recovering from his injuries, said he was in a bakkie carrying the body of his cousin for burial in the Transkei, when they drove into a fusillade

Mayaka, a platinum mineworker married with four children, told of his horror as he saw the coffin being riddled with bullets

"We were driving through Ventersdorp when we saw a bus being surrounded by white men carrying guns They were shouting and swearing at the people in the bus

"Then we heard gunshots They were shooting at the bus which then

sped off They then turned on us First to be shot was the driver More shots followed and we were dragged out of the car and beaten up," he said

He said the bakkie was overturned "Then, to my horror, I watched them pump bullets into the coffin We were supposed to have buried my cousin last Saturday," Mayaka said

He did not know what had happened to the body or whether his relatives were aware of the incident, he said

Two other occupants of the vehicle, Mr Tolo Ogothongo and Bathala Phandla, are in a serious condition at Klerksdorp Hospital

Ogothongo, the driver of the bakkie, sustained multiple gunshot wounds on his arms and chest

Mayaka sustained two gunshot wounds to the chest and on the right arm Phandla was shot in the stomach and left arm

## CURRENT AFFAIRS

PRISONS FM 16/8/91

### Release tension (253)

**Another 5 800** convicts are scheduled to be released from jail over the next few months, in terms of government's new amnesty programme for first offenders. But the slower pace of releases — following a huge public outcry — has led to three major prisons being "dangerously tense," says one lawyer.

Prisoners at the Pretoria, Zonderwater and Leeuwkop prisons are apparently angry at the slower pace of releases.

At Zonderwater, prisoners have been refusing to work for almost a fortnight. At Pretoria Local, prisoners stopped work on August 1 and have threatened to stop preparing meals on August 15 unless releases begin again. At Leeuwkop, 15 prisoners are on hunger strike protesting their conditions and the slow releases.

Assaults have apparently increased at Pretoria Local as tensions heighten. Lawyers claim their clients have told them of 15 attempted escapes from that prison since State President F W de Klerk announced the new remission plan.

The Department of Correctional Services says the prisons are under control. They say there have been only two minor assaults at Pretoria prisons and only one attempted escape involving eight prisoners.

Since the new amnesty plan was announced on July 1, more than 7 900 first offenders have been released, the additional 5 800 will be released in the next few months. Far more could be released before the end of the year, because the department is considering "the possibility and desirability" of releasing "second and further offenders."

It is to be hoped that such a programme would be handled with more sensitivity than the hopelessly bungled July 1 announcement.

But the releases of political and criminal offenders in the past year has dramatically reduced pressure on overcrowded prisons. On June 30 last year, there were 107 000 prisoners in SA's jails, a year later, the total was just under 90 000. ■

001  
16/8/91

## Project 'may ease strain on jails'

DEPUTY Justice Minister Danie Schutte last night launched a pilot correctional supervision project that he said offered more hope of rehabilitation and might take some strain off the prison system.

The pilot programme will operate in the Pretoria area. Schutte said correctional supervision was not a soft option for criminals.

"Criminals who are not a danger to the community will serve the sentences under the supervision of the community and to the benefit of the community and

PATRICK BULGER

their own families. The system will make it possible for dangerous elements to be removed from society for a longer period of time because the prisons' facilities will be available for them." (253)

Schutte said the new system was in line with a world trend and reflected the changing nature of SA society. "Correctional supervision is a product and combination of the best international systems," he said.



## Prisoner scheme

CT 16/12/71  
JOHANNESBURG —

Deputy Justice Minister  
Mr Danie Schutte last  
night launched a pilot  
correctional-super-  
vision project, which he  
said offered more hope  
of rehabilitation.  
Criminals "who are  
not a danger to the com-  
munity" would be  
placed under its super-  
vision, he explained

(253)

# Prisoners protest

PRISONERS in the Pretoria Prison are still refusing to participate in prison programmes because of unhappiness about the application of the State President's amnesty for first offenders. *Sweetan 16/89*

A spokesman for the Department of Correctional Services yesterday said the prisoners were refusing to work or take part in any other prison activities.

She could not say how many prisoners were involved in the strike.

Other prisons across the country also affected by strikes were Pollsmoor and Leeuwkop.

Star 16/8/91

## New plan to ease bulging jails begins

By Helen Grange  
Pretoria Bureau

(253)

Correctional supervision — a new “more humane” sentencing option — has already benefited prisoners who appeared before Pretoria magistrates yesterday

This alternative to imprisonment was approved by Parliament in June. It is expected to be used widely by the courts to alleviate jail overcrowding and help rehabilitate criminals

The pilot project is now in progress in the Pretoria/Wonderboom magisterial district

Speaking at the launch of the project last night, Deputy Minister of Justice and Correctional Services Danie Schutte said, however, that correctional supervision was not a soft option

Offenders would have to demonstrate their willingness and readiness to fulfil their responsibilities towards the community and their families

Twenty-two supervision officers completed a training course this month

Four social workers have been allocated to four courts in the district to advise on the new sentencing alternative

Mr Schutte said “On the one hand, criminals who are not a danger to the community will serve sentences under the supervision of the community and to the benefit of the community and their own families

“On the other hand, the system will make it possible for dangerous elements to be removed from society for a longer time because prison facilities will be available”

He said dangerous criminals would not have access to the new option

Other advantages to the correctional supervision option was that family ties would not be damaged, and the offenders could contribute to the household's income.

# Hunger striker 'nears death', draws up will

253  
By Bronwyn Wilkinson

Hunger-striking Orde Boerevolk (OB) member Henry Martin (50), who has not eaten for 40 days, drew up his last will and testament yesterday, his attorney Wim Cornelius confirmed last night.

"I think we are going to see the first hunger strike death in South Africa," he said.

"If something is not done soon, I don't think Mr Martin will last to next weekend."

Mr Cornelius confirmed that a representative of the British Embassy had assisted Mr Martin in drawing up the will at the H F Verwoerd Hospital. Mr Martin is a British citizen.

"He is definitely in the worst condition I have ever seen a hunger striker in," Mr Cornelius

Star 16/8/91.  
said

He added that Dr Lood van Schalkwyk, who suffered a heart attack on August 7 while on hunger strike, was "doing well".

Another hunger-striking OB member, Adrian Maritz, who has not eaten for 32 days, was also very weak according to Mr Cornelius, but "his mind was clear".

Mr Cornelius said he had, on the instructions of the OB, requested an urgent consultation with President de Klerk.

● Mr Maritz, Mr Martin and Mr van Schalkwyk are being held in connection with the Bloed Street, Pretoria, bombings on August 11 1990 and the death of Nicholas Cruise, who died when he opened a parcel bomb in October last year.

## APARTHEID BAROMETER

### HUNGER STRIKERS (253)

ABOUT 450 prisoners embarked on a hunger strike at Pollsmoor Prison this week, said the Police and Prisons Civil Rights Union.

The fast is a protest over differences in treatment between white and black prisoners, as well as a demand for general amnesty for prisoners.

■THREE political prisoners at Pollsmoor Prison have been on a continuous hunger strike since the beginning of July.

The two who are presently on a fast are Reverend Dan Nkopodi, serving 10 years, and Monde Khakaza, serving 24 years. They are both members of the Azanian People's Organisation. The third hunger striker is Pan Africanist Congress aligned Litha Mlahleki, serving 42 years.

■UMKHONTO weSizwe member Joseph Koetle has been admitted to Johannesburg hospital. He is in the second week of a hunger strike in protest over the lack of progress regarding his indemnification. He faces, among other charges, a count of murder for the death of a policeman.

■THREE right-wingers are still on hunger strike at the HF Verwoerd Hospital in Pretoria. They are awaiting trial prisoners Henry Martin, Adriaan Maritz and Dr Lodewyk van Schalkwyk.

# Fodder, the political cannon from the right

By SHADLEY NASH Port Elizabeth

NEVER mind political cannon fodder. Right-wing farmers are now using fodder as a political cannon.

Last week a large consignment of animal fodder arrived in Uitenhage, destined for drought stricken farmers in the Eastern Cape.

The fodder, from a right-wing group, Boere Krisis Aksie, was donated only to farmers who were not members of the Broederbond and were prepared to go on record as being opposed to President FW de Klerk's land reform initiatives.

This was the second politically-loaded consignment of drought aid to farmers in the region.

The first arrived about a month ago. While some farmers accepted it gladly, others were angered and refused to sign a memorandum stating their opposition to land reform measures.

Conservative Party MP for Uitenhage Willem Botha received the latest fodder saying: "There are no words that can describe what you have done for us."

"Aiding the farmers is just a drop in the bucket compared to the way you have lifted the morale of the Afrikaners of Uitenhage," he said after dozens of heavily laden trucks rolled

into the CP-controlled town. The wife of one farmer said 270 farmers had accepted the aid.

But farmers in the southern districts, closer to Port Elizabeth, are unequivocal in their rejection.

"I don't believe in any form of aid," was the response from Van Stadens farmer Niel Knott.

He said those farmers who were not profitable — and always the first to run for aid — should quit the business, and the tax structure should be revised.

Another Van Stadens farmer, Charles Heskitt, an executive member of the Eastern Cape Agricultural Union, said: "Organised farmers' unions are presently busy negotiating aid from farmers in the Transvaal."

"However, we have not even been approached and I doubt if we would have qualified for aid from the Boere Krisis Aksie."

Reports said members of the Broederbond and its youth wing would not be entitled to aid.

A BKA representative said: "If the government can give the taxpayer's money to organisations such as Inkatha, I don't see why we can't give aid to our own people." — Pen

## Hunger strike in 41st day

HUNGER-striking right-winger Henry Martin enters his 41st day without food today, having vowed to die rather than spend years in prison (253).

He and two other Orde Boerevolk members, Adrian Maritz (36 days without food) and Lood van Schalkwyk (28 days), are in Pretoria's HF Verwoerd hospital.

# 11 prisoners <sup>(253)</sup> on the run <sup>Times</sup> 18/8/91

ELEVEN prisoners escaped from the Moroka police cells in Soweto this week

This brings to 28 the number of prisoners who escaped in two break-outs in about six weeks

On July 6, 17 prisoners awaiting trial escaped from the cells

On Monday, 11 more prisoners, including a suspected murderer, made their getaway

Constable Nundzi Reginald Mkhize appeared in court on August 2 in connection with assisting escapers

A police spokesman said action had been taken against "certain policemen" regarding both escapes

# Right-wingers sign hunger strike pact

BIDAM 19/8/91

253

JONATHON REES

THREE right-wing hunger strikers have sworn a pact that if one dies they will all starve themselves to death in solidarity regardless of amnesty being granted by government, says Orde Boerevolk leader Nic Strydom.

Henry Martin, 49, Adrian Maritz, 43, and Lood van Schalkwyk, 53, are being held in Pretoria's H F Verwoerd hospital. Martin and Maritz are English speaking and Martin is a British citizen.

Strydom said yesterday Martin had been on hunger strike for 42 days and was believed to be dying. He had lost 23kg and was suffering blackouts and failing eyesight. He could no longer walk and funeral arrangements had been made already.

Maritz has not eaten since July 15 and Van Schalkwyk since July 22.

Extreme right-wing leaders warned yesterday that by refusing to free the hunger strikers, government was creating an explosive situation which could lead to violence and revenge attacks if they died.

The three are Orde Boerevolk members, awaiting trial for murder and attempted murder relating to Pretoria's Bloed Street

bombing in August last year and a parcel bomb explosion at the offices of a Durban computer consultant in October.

Strydom said Martin had been taking several litres of water a day, but now needed assistance to drink and could manage only a few glasses of liquid daily. He could no longer read and had "almost zero" concentration. "I am afraid this man is dying," Strydom said.

Van Schalkwyk, a medical doctor, had a heart bypass operation about a year ago, and suffered a small recurring heart attack last week, Boerestaat Party leader Robert van Tonder said.

British embassy spokesman David Slinn said yesterday the embassy had been in contact with SA authorities and Martin's lawyer Wim Cornelius, after a letter last week from Cornelius asking for British government intervention to secure the release of the hunger strikers.

The Orde Boerevolk hoped to put its case to President F W de Klerk this week, Strydom said.

## NECC renews drive to occupy schools

BIDAM

19/8/91

TANIA LEVY

THE National Education Co-ordinating Committee (NECC) will try to occupy empty white schools this week, and will give details of the campaign at a news conference today.

The southern Transvaal branch has identified 50 white schools in the PWV area which could be targeted. This week's action will probably concentrate on the schools which have

been closed.

These include Orange Grove Primary, Bez Valley Primary, Malvern West Primary, Greenhills Primary, Goedehoop Primary and Western High.

President F W de Klerk and ANC president Nelson Mandela meet today to discuss the report of the joint

working group looking at the education crisis, Education and Training Minister Stoffel van der Merwe announced at the weekend.

Although working group members have generally remained tight-lipped on their discussions, NECC general secretary Ihron Rensburg has said they had failed to reach an agreement on the issue of empty white schools.



# Cop arrested over escape

*253*  
*Soweto 198/91*

By KENOSI MODISANE

A POLICEMAN suspected of having twice assisted prisoners to escape from Moroka Police Station in Soweto has been suspended from duty after being offered bail of R1 000.

Soweto police spokesman Captain Joseph Ngobeni said yesterday Constable Reginald Mkhize has also been ordered to report twice a week at Moroka Police Station

"A number of other policemen who were on duty when the escapes took place are also being investigated. We hope to make more arrests very soon," Ngobeni said

He said a minor, who was among the 11 prisoners who escaped last Monday was brought back to the police by his mother "He has since been released to the custody of his mother."

The escapees, who are said to have sawed through bars in the roof of their cell were held for crimes which included murder, robbery and rape

The arrest of the policeman follows an escape by 17 bandits from the same prison in July - among whom was the alleged Jackroller gang leader Mr Tebogo Bucibo

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# Hunger striker's heart attack

8/20/91 (253)  
ORDE Boerevolk member Lood van Schalkwyk, 53, suffered a massive heart attack yesterday and was in a critical condition on the 29th day of his hunger strike, said his lawyer Wim Cornelius.

Cornelius said last night he and Orde Boerevolk leader Nic Strydom had been granted a meeting — probably tomorrow — with President F W de Klerk and Justice Minister Kobie Coetsee to "discuss the plight of the hunger strikers".

He said Van Schalkwyk was on a heart-lung machine with an intravenous drip and "very, very unstable".

British citizen Henry Martin, 49, has also reached a life-threatening point by not taking food for 43 days — SA's longest recorded hunger strike.

Martin, Van Schalkwyk and Adrian Maritz, 43, are reported to have vowed to starve to death if not granted political

JONATHAN REES

prisoner status and amnesty by government.

The Justice Department said yesterday it was "deeply concerned about the hazardous course of action" taken by the hunger strikers, but could not indemnify people "merely" because they wilfully endangered their lives.

It was "unwarranted and irresponsible" of them to place their lives and health in jeopardy while such action could have no influence on their indemnity applications, the department said.

The hunger strikers are in Pretoria's H F Verwoerd Hospital, awaiting trial on a charge of murder and 11 charges of attempted murder relating to their alleged role in two bomb blasts last year.

□ To Page 2

## Heart attack

8/20/91 (253)  
The previous longest hunger strike in SA was 39 days by two ANC-supporting prisoners, Molefe Metsing and Thabiso Thekane, who ended their fast recently after government granted them indemnity.

Cornelius said British consul-general Norman Ling would accompany him to the hospital today with the aim of ending the hunger strike.

He said Van Schalkwyk had had a heart attack at 2.45pm. Even before the attack, he had been unable to recognise his wife.

He said Martin was not expected to last the week — he had been unable to consume more than a quarter cup of water yester-

day. The President's advisory committee on indemnity is to consider the hunger strikers' status on August 26. This could be too late to save their lives, Cornelius said.

"We need an urgent decision or we are going to lose somebody."

He said the hunger strikers could no longer keep awake. Hospital staff had been instructed to wake them every half hour to prevent them slipping into a coma.

The health of Maritz, on the 37th day of his hunger strike, is reported to be deteriorating rapidly.

The attending doctor said yesterday Martin was in a very precarious position.

□ From Page 1

News in Brief

### Pollsmoor strike still on

A WORK strike by several hundred Pollsmoor prisoners entered its second week yesterday. The prisoners have refused to take part in work parties at the prison, demanding that grievances over the government's amnesty programme for first-time offenders and alleged racial discrimination in the treatment of prisoners be dealt with. A spokeswoman for Correctional Services in Pretoria said the situation was "calm and quiet".

(253) CT 20/8/91

# Whites fought blacks at prison, says warden

Star 20/8/91

152

Rioting broke out at the Baviaanspoort Prison outside Pretoria yesterday afternoon and a number of prisoners were injured when authorities used force to quell the disturbance, a Department of Correctional Services spokesman confirmed.

Colonel Dame Immelman said rebellious prisoners attacked prison officials with stones and damaged property in the fighting.

"It is confirmed that an incident occurred at the Baviaanspoort Prison today where a number of prisoners resorted to riotous behaviour by throwing stones and other objects at staff members," Colonel Immelman told Sapa last night.

The necessary force had to be used to restore order. Some prisoners sustained minor injuries during the incident," he added. Teargas had been used.

A prison warden, who declined to be named, said at least 35 people were injured when white prisoners had attacked black inmates. He said black prisoners had written a petition on Friday to Correctional Services officials, demanding the removal of white prisoners from the complex.

Yesterday, he alleged, a senior official of prisons addressed about 80 white prisoners outside the prison, who had armed themselves with sticks and guns. After the address, teargas was fired at the black prisoners and then the white prisoners launched an attack.

Colonel Immelman said the situation had returned to normal at the prison — Sapa

# OB warns of violence if hunger striker dies

By Shirley Woodgate

Violence would erupt if one of the three rightwingers on hunger strike in Pretoria died, Orde Boerevolk leader Nic Strydom warned today

Dr Lood van Schalkwyk (53) is in a critical state and Briton Henry Martin (50) and Adrian Maritz (43) have lapsed into a stupor in HF Verwoerd Hospital, he said

"The men have vowed if one dies of starvation, the other two will fast to the death"

And now Mr Martin's 79-year-old mother, Milly, has joined her son on the hunger strike and is refusing food in a Pretoria old age home.

"In the present climate and with the Ventersdorp incident still fresh in mind, the men would inevitably be seen as martyrs. There would be violence, however undesirable, and the blame for their death would be placed on the Government"

Dr van Schalkwyk yesterday suffered his second heart attack since refusing food for 29 days and Mr Martin (43 days) and Mr Maritz (36 days) have lapsed into a stupor and are being woken every two hours by hospital staff to prevent them falling into a coma, said lawyer Wim Cornelius

Today Mr Cornelius and British deputy consul-general Norman Ling will visit the hospital where Mr Ling will see Mr Martin. A short statement will be issued at the hospital at midday

In another development, he said he expected to meet with President de Klerk this week to discuss granting political prisoner status to the three hunger strikers

The three Orde Boerevolk members are awaiting trial for murder and attempted murder

The charges relate to the bomb blast in Pretoria's Bloed Street a year ago and the death of a computer consultant in a parcel bomb explosion in Durban in October last year

Mr Cornelius said the men would end their protest only when they are recognised as political prisoners and are granted indemnity

F  
30

# Hunger-striker suffers massive heart attack

253 CT 20/8/91

Own Correspondent

JOHANNESBURG — Orde Boerevolk member Dr Lood van Schalkwyk, 53, suffered a massive heart attack yesterday and was in a critical condition on the 29th day of his hunger strike, according to his lawyer Mr Wim Cornelius

Mr Cornelius said last night he and OB leader Mr Nic Strydom had been granted a meeting with President F W de Klerk and Minister of Justice Mr Kobie Coetsee to "discuss the plight of the hunger-strikers" The meeting would probably be held tomorrow

Meanwhile Mrs Millie Martin, the infirm 80-year-old mother of hunger-striker Mr Henry Martin, has joined her son in a hunger strike at the AGS

Old Age Home in Pretoria

Mr Martin, 49, together with Mr Adrian Maritz, 43, have reached a life-threatening stage Mr Martin has not taken food for 43 days — the longest recorded hunger strike in South African history

Mr Martin and Dr Van Schalkwyk could soon become the first known South African hunger-strikers to die. Along with Mr Maritz they have vowed to starve themselves to death if not granted political-prisoner status and amnesty by the government

The Justice Department said yesterday it was "deeply concerned about the hazardous course of action" taken by the hunger-strikers, but could not indemnify people "merely" because they wilfully endangered their lives.

ACCOUNTING  
MRS JA HC

# Union calls for prison probe to be dropped

ARG 21/8/91  
EDWARD MOLOINYANE  
Staff Reporter

253

MEMBERS of the Police and Prisons' Civil Rights Union, appearing before a board of enquiry at Pollsmoor Prison into a strike last year, called on the government to drop the hearing after a dispute over alleged irregular conduct by the presiding officer

The call was made at a Press conference attended by about 60 uniformed prison warders in Athlone yesterday — and addressed by union officials, Dr Allan Boesak and lawyer Mr Essa Moosa — on the grounds that the hearing was “the only political trial still being conducted in this country”

Seventy prison warders are appearing before the board at Pollsmoor in a sequel to the strike by more than 800 policemen and prison warders in

March last year the demand an end to racial discrimination in the departments, and for the recognition of the union

Union general-secretary Mr Peter Loggenberg said the inquiry at Pollsmoor came to “an abrupt end” on Monday when the defendants asked for the presiding officer, deputy-commanding officer of Pollsmoor Colonel J C Roberts, to recuse himself on the grounds that

- Tapes containing important evidence had disappeared mysteriously during proceedings on Monday,

- Members of the prison service who had committed serious criminal offences such as sodomy, murder, assault and theft had not been charged, suspended or subjected to an enquiry as union members were, and,

- The presiding officer had “displayed bias”

# Two more join hunger strike

(253)

CT 21/8/91

DURBAN — Two right-wing detainees at Westville Prison here have joined a hunger strike led by three prisoners in Pretoria Central Prison

The two face charges of murder for their alleged part in the bus massacre near Kwa Mashu last year in which seven people were gunned down

A spokesman for the Department of Correctional Services said Mr Piet Botha and Mr Adriaan Smuts, both members of the far-right organisation Orde Boerevolk, began their hunger strike on Monday

They are to be tried next month

● Meanwhile in Pretoria, leader of the Orde Boerevolk Mr Nic Strydom warned that violence would erupt should any of the right-wing hunger strikers die

Of the three hunger strikers in Pretoria Central Prison, Dr Lood van Schalkwyk, 53, is in a critical state and Henry Martin, 50, and Adrian Maritz, 43, have lapsed into a stupor

Three women right-wingers started a placard picket on the pavement outside the offices of the Minister of Law and Order, Mr Adriaan Vlok, in central Pretoria yesterday, vowing to remain there until the plight of the three prisoners was addressed. — Own Correspondent and Sapa



# Witwolf's family in protest

Sowetan 21/8/91

253

THE mother-in-law of Witwolf Barend Strydom chained herself to a public telephone booth outside the offices of the Minister of Law and Order.

She has sworn to stay there until three rightwing hunger strikers are released or President FW de Klerk makes an an-

nouncement

Mrs Trudie Rautenbach, her daughter Mrs Karen Strydom, and the daughter of Boereweerstandsbeweging leader Andrew Ford, Miss Petro Ford, took up positions on the pavement in Pretorius street at 10 20am yesterday.

The three said in a statement "We are here

out of sympathy and support for our freedom fighters who are dying of hunger strikes in the Boers' freedom fight"

According to the statement, the three had no choice but to go on a hunger strike to attract the Government's attention

The three women have been on hunger strike since Monday and will continue with their protest until they are removed

Mr Deon Rautenbach is also at the scene to support the women with water. He said he spent six months in custody with Dr van Schalkwyk and had permission to visit him this afternoon -  
*Sowetan Correspondent*

2 253-111 193

253

# Prisoners on rampage in Baviaanspoort

253

*Sowetan 2/8/91*  
RIOTING broke out at the Baviaanspoort Prison outside Pretoria on Monday and a number of prisoners were injured when authorities used force to quell the disturbance, a Department of Correctional Services spokesman confirmed.

Col Danie Immelman said rebellious prisoners attacked prison officials with stones and damaged property in the fighting on Monday afternoon.

"It is confirmed that an incident occurred at the Baviaanspoort Prison today where a number of prisoners resorted to riotous behaviour by throwing stones and other objects at staff members," Immelman said.

"The necessary force had to be used to restore order. Some prisoners sustained minor injuries during the incident."

He said teargas only had been used.

A prison warden, who declined to be named, said at least 35 people were injured when white prisoners attacked black inmates.

He said black prisoners had written a petition on Friday to Correctional Services officials, demanding the removal of white prisoners from the complex.

On Monday, he alleged, a senior official of prisons addressed about 80 white prisoners outside the prison, who had armed themselves with sticks and guns.

He said after the address teargas was fired at the black prisoners and then the white prisoners launched an attack.

Immelman said the situation had returned to normal at the prison - *Sapa*



Support . . . Trudie Rautenbach and Karen Strydom protest against the detention of right-wing hunger strikers in Pretoria yesterday.

## Durban extremists fast for indemnity (253)

Star 21/8/91  
Own Correspondent

DURBAN — Two right-wing detainees, facing charges of murder for their part in the bus massacre near KwaMashu last year, have embarked on a hunger strike at Durban's Westville Prison.

A spokesman for the Department of Correctional Services said Piet Botha and Adriaan Smuts, both members of the Orde Boerevolk, began their hunger strike on Monday.

AWB member Eugene Marais, the third man who took part in the bus attack in which seven people were gunned

down on October 17, was sentenced to death in April.

Mr Botha and Mr Smuts have been in detention in terms of Section 29 of the Internal Security Act since their arrest. They are to be tried next month.

Mr Botha first started his hunger strike on July 16 and in a statement smuggled out of the prison, he said he would refuse food until he died or was granted indemnity as a "political prisoner".

He said the Government was "selling out" whites and was releasing black political prisoners while keeping right-wingers behind bars.

# Hunger strikers near 'point of no return'

Star 21/8/91.

(253)

By Carina le Gange  
Medical Reporter

By the time a hunger striker went into a coma there was a good chance that irreversible damage had already been suffered by the kidneys and other organs, the national director of the National Medical and Dental Association (Namda), Dr David Green, said yesterday.

Right-wing hunger strikers Dr Lood van Schalwyk, Adrian Maitz and British citizen Hery Martin entered respectively their 30th, 37th and 44th days on hunger strike yesterday.

The men's legal representative Wim Cornelius said this week that Dr van Schalwyk had suffered a heart attack on Monday while Mr Maritz and Mr Martin were in "a stupor" and expected to lapse into a coma.

Approached on the progression of the body's decline during a hunger strike, Dr Green gave details of what could be expected from reasonably healthy people who embarked on hunger

strikes but who continued to take water.

Dr Green said that, theoretically, if a hunger striker entered a coma and was then fed intravenously, he should be able to wake up. It was his clinical judgment however that once matters had progressed that far, it could be "too late" to save a person.

"Once the body stops keeping the person awake it is very much an avenue of no return — but I must add that here we also very much enter uncharted waters."

Dr Green said after the first week of a hunger strike the person would feel the worst, experiencing stomach cramps, headaches and nausea, but that he would not yet be in real danger although weight loss would occur.

He cautioned however that even those who took water would be in danger of dehydrating as they were often not aware that they were not taking enough.

"From the second week the matter becomes fairly critical although pain tends to disappear.

"After ten percent of

body weight has been lost — which can happen between the second week and 21 days — people tend to lose their thirst drive and the potential for kidney damage increases.

At three weeks, he said, body weight drops by about 15 percent and the patient slows down.

"They can't concentrate for as long as they used to, their memory becomes less effective, there is a general slowing down.

"They also tend to feel very cold. Even if the heating in hospital wards is turned up they still wear lots of clothes as the body temperature drops to as low as 35 deg C."

Dr Green said the threshold for discomfort and pain dropped at this stage. It was his impression that they felt extremely ill. Dizziness also occurs as blood pressure drops.

After three weeks, biochemical instability occurs.

"The most obvious part of this is that the body tends to lose sodium, the effects of which is the potential to cause water overload and swelling of the brain.

"The body also loses potassium and this is worrying as it causes heart rhythm disturbances. The heart becomes irregular. Also, this is the point at which early kidney problems start affecting the body, with toxins no longer being effectively cleared.

"At this point it is assumed the process is still fully reversible should a saline drip be administered," he said.

Apart from the other problems experienced up to this stage, it has been noted that a large number of hunger strikers suffer from a slowed heart beat.

"It has also been noted that a small but significant number of hunger strikers can experience sudden death during this stage," Dr Green said.

He said very few people have remained on hunger strike after 30 days and very little was known of what happens after this stage.

● In terms of the internationally accepted guidelines of the Tokyo Declaration — subscribed to by South Africa — hunger strikers may not be forced.

# Right-wing hunger strikers now refusing to take liquids

By Shirley Woodgate

Two right-wing hunger strikers in Pretoria's H.F. Verwoerd Hospital reinforced their stand yesterday by refusing to take any further forms of liquid, Order! Boerevolk leader Nic Strydom claimed today.

He said the condition of Dr. Lood van Schalkwyk (53), who has had two heart attacks since the start of his hunger strike, was "slightly improved", but Adrian Maritz and Briton Henry Martin, who had rejected water, were very weak.

As urgent attempts were being made for a meeting between Mr. Strydom, lawyer Wim Cornelius and President de Klerk this week, three right-wing women, including Barendt Strydom's wife Karen, chained themselves to a telephone booth

outside police headquarters in Pretoria. Backing attempts to have the three hunger strikers recognised as political prisoners, the women carried placards reading: "FW why do you forget our men and allow them to die".

Mr. Cornelius said he had faxed the Government an agenda for the proposed meeting this week with Mr. de Klerk. He and Mr. Strydom would attend and would discuss the issue of the hunger strikers and their "precarious" health, while Mr. Strydom, the father of Wit Wolf Barend, had a personal matter which he wanted to be taken up.

Mr. Cornelius repeated fears that Mr. Martin, now without food for 45 days, would not survive until August 27 when the lawyer would appear before the State President's Advisory Committee in Bloemfontein. The three men face charges relating to Pretoria's Blood Street bomb blast and a parcel bomb explosion in Durban in which a computer consultant died. They have been in detention since November 30 last year but the case against them has been postponed because of their state of health.

● Threat of violence — Page 11

Spur 21/8/91

## Hunger striker given oxygen, says visitor

(253)  
RIGHT-WING hunger  
striker Henry Martin, on  
his 45th day without food,  
had to be given oxygen on  
Tuesday night, the wife of  
fellow hunger striker Dr  
Lood van Schalkwyk said.  
Heather van Schalkwyk  
said her husband, who has  
not eaten for 31 days, was

16/Decy 22/8/91.  
JONATHON REES

weak

Hunger striker Adrian  
Maritz is also in a critical  
condition in Pretoria's HF  
Verwoerd Hospital

Meanwhile two AWB  
members are on a hunger

strike at Durban's West-  
ville prison, Sapa reports

A Correctional Services  
Department spokesman  
confirmed that David Pe-  
trus Botha and Adriaan  
Smuts, who face seven  
murder charges and 26 of  
attempted murder, have  
not eaten since Monday

# Hunger striker's life is 'precarious'

LONDON — There is growing concern here for imprisoned Briton Mr Henry Martin, in custody in Pretoria, who is said to be near death on the 45th day of a hunger strike

Murder accused Mr Martin, 50, a member of the Orde Boerevolk, who is demanding his release on grounds of being a political prisoner, had to be given oxygen on Tuesday night.

A doctor attending Mr Martin said he was in a "precarious" position, and noted that by the 42nd day of a hunger strike a person is in danger of suffering brain damage

Mr Martin's fellow accused, right-wingers Mr Adriaan Maritz, 43, and Dr Lood van Schalkwyk, 53, have been refusing food for 37 days and 30 days respectively

Mr Martin's mother, aged 79, has apparently started her own hunger strike to support her son and two women chained themselves together in a Pretoria street this week to publicise the strike

A second indemnity application by the men is to be heard on August 27. Their initial indemnity applications were turned down

# Willing to die for their cause

## Englishman a 'Boer' ally

**H**UNGER striker Henry Martin (50), a lonely Englishman whose commitment to the "Boer" cause has taken him on the road to wilful self-destruction, was an unlikely martyr before he joined the Orde Boerevolk a year ago

The only notable thing about Martin in days gone by might have been his choice in living alone as a bachelor in a foreign country, with no relatives save his ailing mother who lives in an old-age home in Pretoria

As Martin lay dying in hospital this week, his mother lay sick and helpless, unable to visit her son, only able to await word of his condition. She has told his friends that when he dies, she will follow him

A once robust man, Martin arrived in South Africa in 1967, bringing his computer skills and setting himself up in a Pretoria computer company

With his talent for breeding and training dogs, he launched a guard dog school, an occupation he loved, according to friends

Martin quickly learnt how to speak Afrikaans, although his accent betrayed his roots.

He has always been staunchly anti-communist, say friends, but what drove him to join the Orde Boerevolk last year and the extent of his involvement in ter-

rorist activities on behalf of the "Boer" cause remains vague

After Martin's arrest last November for his alleged involvement with Adrian Maritz and Lood van Schalkwyk in the Bloed Street, Pretoria, bombing last August — as well as a parcel-bomb explosion at the offices of a Durban computer consultant in October — his life took a tragic turn

In his struggle for amnesty in terms of the Pretoria Minute, he has brought himself to the

## As right-wing hunger strikers fast approach their deaths, HELEN GRANGE tries to find cause and reason.

brink of death — and despite the lack of signs that his release is imminent, he is determined to go on until the end

"We really appreciate him," commented Orde Boerevolk leader Nic Strydom, who adds that his organisation welcomes the commitment of non-South African citizens to its cause

But one senses a tone of uncertainty among his friends and political sympathisers regarding the new, death-defying limit being set by Martin in fighting for release — because if and when he does become South Africa's "Bobby Sands", there will surely be more to follow

According to Mr Strydom, Martin, Maritz and Van Schalkwyk have vowed to follow each other to the grave if any one of them dies □

## Now families bear the brunt

**A**DRIAN Maritz (43) and Lood van Schalkwyk (53) are "Boers" willing to die in their struggle for amnesty — regardless of the trauma they will leave behind for their families

Both men, engaged in a hunger strike which is fast sapping their desire to live, have left

their wives to fill their families' financial vacuum since being arrested in November in connection with the Bloed Street, Pretoria, bombing.

Their destinies merged when their political leanings led them to join the Orde Boerevolk last year — but until then, Maritz and Van Schalkwyk had led very different lifestyles.

Van Schalkwyk, a retired medical doctor, owned at least two medical practices, in Middeburg and Ellisras, during his professional career, and specialised in homeopathy.

He was busy expanding the Hartbeespoort petrol garage he managed jointly with his British-born wife, Heather, when he was arrested.

Van Schalkwyk has five children from his previous marriages, while his current wife of

four years has three of her own. Heather speaks readily of his domestic persona — his love of classical music and woodwork, his deep commitment to religion (he is an "Israelite") — but knows little of his political activities

"We ladies weren't in on that, but I know he is very anti-communist

"While I can understand in my head why my husband is hunger striking, it is difficult to understand it in the heart"

Van Schalkwyk had a heart bypass operation a year ago, and has suffered two heart attacks in the past week

Maritz, whose condition deteriorated suddenly on Sunday night, lies motionless nearby — his wife Karen constantly at his bedside

He used to "live, sleep and eat" computers, according to Mrs van Schalkwyk

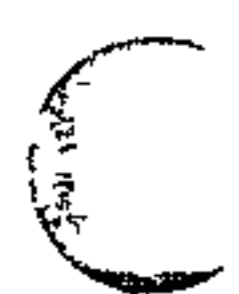
Born in Utrecht, Maritz moved to Pretoria, where he found his political aspirations locked in the Orde Boerevolk

Before he was arrested last year, he and Karen ran a computer company in Pretoria. Now, Karen holds down two part-time jobs to cover the cost of living

She and Mrs van Schalkwyk have had to relocate from their expensive Pretoria suburbs in their quest for financial independence "It's a struggle to hold the fort, but we understand our husbands' commitments," said Mrs van Schalkwyk □

Star 22/8/91

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# Fasters' amnesty plea to be heard

Star 22/8/91

253

A second indemnity application by three hunger-striking rightwingers will be heard on Tuesday, according to a statement by the Department of Justice and Correctional Services yesterday.

In response to inquiries, the department said initial indemnity applications by Adrian Maritz, Henry Martin and Dr Lood van Schalkwyk were turned down after the Indemnity Committee heard representations from their legal representatives.

However, the Minister of Justice and Correctional Services had

directed that their application be considered after receiving further affidavits from their legal representatives.

According to their lawyer, Wim Cornelius, the men are in serious condition medically.

Dr van Schalkwyk, who had a heart bypass operation three years ago, suffered two heart attacks in hospital this week. Both Mr Maritz and Mr Martin now weigh less than 60 kg (Mr Maritz is 1,8 m tall and Mr Martin 2 m).

● Trudie Rautenbach (54), mother-in-law of "Wit Wolf" Barend Strydom, and Petro Ford

(16), the daughter of Boere Weerstandsbeweging leader Andrew Ford, sat chained together in central Pretoria for the second day yesterday to publicise the fast by right-wing prisoners.

● In Durban, a spokesman for the Prisons Department, Major Wena Greyling, confirmed that David Petrus Botha and Adriaan Smuts, who are being held at Durban's Westville prison, are continuing to refuse food after starting a hunger strike on Monday — Sapa

● Willing to die for the cause — Page 25



# Prisons 'a hotbed of discontent'

By Bronwyn Wilkinson 253

Prison inmates were angry and bitter at the July 1 first-time offenders amnesty and its implementation, said people with access to prisoners yesterday.

In the last two weeks, according to Department of Correctional Services spokesman Colonel Danie Immelman, prisoners had noted six times in prisons around the country Laura Pollecutt, a representative of Lawyers for Human Rights, said the mood in prisons had changed dramatically since July 1.

"People feel the amnesty is not being applied across the board, so none of the prisoners can know what to expect especially among the common-law prisoners."

Ms Pollecutt said prisoners also resented the July 1 amnesty because they did not feel it was meant for them.

"The motivation of the amnesty in the first place was not to assist the prisoners themselves. It was politically motivated," she said.

Paula McBride, whose husband Robert McBride received a death row reprieve in April, said she only went to Pretoria Central Prison to visit her husband, and noticed "a lot of unhappiness" among prisoners.

Mrs McBride would not elaborate on the reports as she was hoping to bring them to the attention of the Minister of Correctional Services.

Commenting on recent uprisings, Colonel Immelman said there had been 12 instances where "prisoners refused to participate in prison programmes". In six reported cases, he said, "prisoners resorted to riotous behaviour and heads of prison had to take the necessary action to restore order".

In the latest riot, several prisoners were injured at Baviaanspoort Prison near Pretoria on Monday.

Colonel Immelman dismissed as "nonsense" reports that the riot started when

white prisoners attacked black inmates, and that black prisoners had petitioned Correctional Services officials on Friday for the removal of whites from the prison.

"There are no white prisoners at Baviaanspoort," he said, adding that recent protests and uprisings in prisons were the work of a minority of prisoners.

At Pollsmoor Prison yesterday, about 100 prisoners, who allegedly led the recent protests at the prison and who were transferred to the maximum security section, embarked on a hunger strike and demanded to see the Minister of Correctional Services.

On August 14 prisoners at Leeukop Prison set fire to

their bedding in protest against the amnesty granted to first time offenders.

Prisoners at Pretoria Central Prison reportedly went on strike on August 10, demanding remission of their sentences. The Department of Correctional Services denied that 3 000 prisoners had joined the strike.

Modderbee Prison inmates reportedly held a picket inside the prison in the same week to protest alleged human rights violations to demand their immediate release.

Last month, prisoners at Zonderwater Prison held a strike and warned F W de Klerk and Minister Kobie Coetsee that prisoners were desperate with nothing to lose.

# Six prisoners killed in fire protest

By Clyde Johnson  
and Bronwyn Wilkinson

253

Six inmates at Barberton prison died and five were admitted to hospital after a fire in maximum security cells early this morning

The six suffocated after mattresses and blankets, piled up in the centre of a cell, were set alight at about 2.45 am

A Department of Correctional Services spokesman said five communal cells caught fire

Police were called in to assist in transporting the five injured prisoners to hospital

The five suffered respiratory difficulties but are said to be in a satisfactory condition

This is the sixth incident of prison unrest in two weeks which has been ascribed to prisoner discontent with the way the first-time offender amnesty

is being applied

Lawyers for Human Rights said the mood in prisons had changed dramatically since July 1, with prisoners believing the amnesty was not being applied across the board

There was a lot of anger among non-law prisoners

In a statement released this morning, the Minister of Justice and Correctional Services, Kobie Coetsee, said prisoners were campaigning against am-

nesty in the worst possible way

"Unwise actions by prisoners to harm themselves and other prisoners is the worst way to campaign any course. If their motive was to promote their release, it must be clearly understood that incidents caused by prisoners will not influence the authorities to ill-considered and unbridled releases

"On the contrary, irresponsible actions and demands coupled with threats to lives and

damage to property can only cause the delay of or negative effect any progress or congestion which the authorities may consider," the Minister said

Mr Coetsee said the Barberton prison deaths were regretted

The LHR said this morning it had requested an urgent meeting with the Commissioner of Prisons to discuss prison unrest but had not yet received a response

# POLICE ROW OVER POLLSMOOR DEATH

253  
Sousa 17 - 28/8/91  
2/2/8

By Rehana Rossouw

DETAILS emerged this week of a savage assault at Pollsmoor Prison last year during which warders allegedly beat a prisoner with batons and trampled on his body before rolling it down a flight of stairs.

These revelations come after a week of crisis at Pollsmoor where 100 prisoners, who are refusing to work, embarked on a hunger strike and prison warders refused to participate in a disciplinary inquiry.

The failure to take action against the warders responsible for the assault was one of the reasons given by 70 prison warders on Tuesday for refusing to attend an inquiry at Pollsmoor.

The inquiry, which began last March, is investigating their participation in a sit-in last year over apartheid practices in the Prison Services. The warders, all members of the

Police and Prisons Civil Rights Union (Popcru), say they are unhappy that they were being subjected to an inquiry, while other warders, who were responsible for a prison death, had not been charged or suspended.

Sergeant Nichol Cornelius from Pollsmoor witnessed the attack which led to the death of prisoner Mr John Delo. He said the assault, on April 9 last year, took place after a group of warders were called to a cell to intervene in a fight between prisoners.

"After they broke up the fight, some of the warders started assaulting the prisoners with batons," he said. "Five prisoners ran out into the corridor and they continued hitting them there. "They were using their batons like murder weapons.

"Delo fell to the ground and one of the white warders stomped on his body. Then he picked Delo up by his feet and let him drop on to the floor. "A little bit later, Delo was dragged down some stairs and then kicked and

rolled down more stairs." His head was bleeding and his face was swollen, Cornelius said.

Delo and another prisoner were hospitalised after the alleged attack where Delo died.

"I gave an affidavit detailing what I saw to the prison authorities, I gave the police a copy and contacted the Attorney General's office when I was told by the investigating officer that there was not enough evidence.

"All the warders I named are still in their jobs, no action has been taken against them."

Popcru announced at a press conference this week that unless the presiding officer at their enquiry — the deputy commanding officer at Pollsmoor, Colonel JC Roberts — recused himself, they refused to proceed with the inquiry.

An Attorney General's office spokesperson said a decision would be taken soon whether to prosecute the warders behind Delo's death.



**RECONCILIATION:** Head of the ANC social welfare desk Winnie Mandela with ANC dissident, Jose Ribeiro de Sousa, after a meeting held in Johannesburg on Monday between the ANC and 20 of 32 former ANC detainees. With them is De Sousa's daughter. An ANC sub-committee has been set up to investigate allegations of torture and maltreatment made by the detainees. De Sousa, 29, said he had been held in ANC prisons for five years.

Ailing Azapo (253)

prisoner freed

Southern 22/8 - 28/8/91

AN ailing AZAPO political prisoner from Port Elizabeth, Mr Monde Kakaza, was released from Pollsmoor prison on Wednesday after serving 13 years of a 24-year sentence for sabotage.

"I am excited, but also sad about my release as I leave behind my brothers, Litha Mlahleki and Dan Nkopodi, and a sister Phyllis Fante," said Kakaza in reference to other political inmates still in prison.

# Six killed as wave of anger over amnesty releases sweeps

By 23/8/91

A WAVE of unrest is sweeping SA prisons as inmates protest against government's prisoner release programme which lawyers say is selective and arbitrary.

At least six prisoners have died and lawyers for Human Rights (LHR) has been informed of another four deaths.

Justice and Correctional Services Minister Kobie Coetsee said yesterday that "good order and discipline" had until recently been the hallmark of SA prisons, "due to the claims on a variety of grounds to be released, a spirit of unrest has been introduced".

In the latest incident yesterday six inmates of Barberton Prison died when mattresses were set alight in a communal cell. The Correctional Services Department said they probably died from breathing the smoke. Five others were hospitalised and the incident was being investigated departmentally and by the SA Police.

In reaction to the Barberton deaths, Coetsee warned that if the prisoners' mood was to promote their release, "incidents caused by prisoners will not influence the authorities to consider and unbridled releases".

LHR, which is preparing a court action to gain access to prisoners to test claims of killings and assaults, said it had received a report of a death at Baviaanspoort prison.

PATRICK BULGER

An LHR spokesman said the death allegedly occurred during a mass assault by white warders on black prisoners earlier this week. An LHR spokesman said 300 prisoners had been treated for injuries.

A Correctional Services spokesman denied a prisoner had died and described the allegation as "ridiculous".

The spokesman said 62 prisoners around the country were refusing to take part in prison programmes.

"Over the past few weeks a couple of incidents occurred where prisoners resorted to riotous behaviour necessary force

## PRISONS

bedding fire protest at Leuwkop, a strike at Pretoria, Central, a picket at Modderbee, a strike at Zonggerwater and the Baviaanspoort incident.

LHR litigation director Ahmed Motala said there had also been disturbances at Potchesiroom and Pretoria Local prisons.

# Government reviewing indemnity for ailing rightwing fasters

253  
ARG 23/8/91

## Argus Correspondent

PRETORIA. — The government is to consider the indemnity applications of three hunger striking prisoners awaiting trial next week — although time is running out for two of the men at H F Verwoerd Hospital in Pretoria.

Briton Mr Henry Martin, Mr Adrian Maritz and Dr Lood van Schalkwyk, all members of the Orde Boerevolk, have vowed they will fast until the end if they are not granted amnesty on charges of murder and attempted murder.

Mr Martin and Mr Maritz are bordering on comas, and Mr Martin, on his 47th day of hunger strike, is going blind. It is understood both men might already be brain damaged and that irreparable damage has been done to the kidneys.

In a statement yesterday, the Ministry of Justice and Correctional Services said an Indemnity Committee would consider further affidavits by the hunger strikers' legal representatives next Tuesday.

Meanwhile the Attorney-General had been ready for a long time to proceed with the trial of the three accused, but

the trial had been postponed initially at the request of the accused in order to have their applications heard by the Indemnity Committee.

It was again postponed in August because the accused were at that stage too weak to attend as a result of their hunger strike.

According to the statement it was impossible to determine the state of health of Mr Martin and Mr Maritz, as they had refused any medical examination or treatment.

"But there is no doubt they are acting in a manner endangering their health and their lives."

It was pointed out that the charges against the three men arose from the theft of explosives at a mine and the subsequent placing of two bombs at a taxi rank in Pretoria, at which a lot of people normally gathered.

One bomb exploded, injuring 13 people.

The accused were also charged in connection with the placing of a bomb in a computer sent to a firm in Durban for repairs. This bomb killed a technician when he switched on the computer.

Original applications for indemnity by the three had been turned down by the Indemnity Committee because of the seriousness of the crimes.

"All possible remedies and care that can legally and in terms of civilised norms be made available to them are at the disposal of the accused. This includes a fair trial, the benefit, even for a second time, of the application of the Indemnity Act by an independent advisory body, and the legal representation at the Advisory Body and at the trial at the cost of the state," the statement concluded.

## Red Cross doctor sees hunger-strikers

(253) of 23/8/91  
JOHANNESBURG — An International Committee of the Red Cross doctor yesterday examined five hunger-striking prisoners at the H F Verwoerd Hospital in Pretoria to ensure the authorities are respecting the terms of the Tokyo Convention

Dr Marc Joyeux visited three right-wingers who claim political indemnity and two others, he declined to identify for ethical reasons

The three, members of Orde Boerevolk, are British subject Mr Henry Martin, on the 46th day of his hunger strike, Mr Adrian Maritz (39th day) and Dr Lood van Schalkwyk (32nd day) They are demanding unconditional release as political detainees

Their lawyer, Mr Wim Cornelius, said he feared they could die or go into a permanent coma before their second applications for indemnity are heard on August 27 — Sapa

# SA prisons 'swept by unrest wave'

253  
CT 23/8/91

Own Correspondent

JOHANNESBURG — A wave of unrest is sweeping South African prisons, Lawyers for Human Rights said yesterday.

The LHR said inmates were protesting against the government's prisoner release programme which lawyers say is selective and arbitrary.

At least six prisoners have died and the LHR has been informed of another four deaths.

The Minister of Justice and Correctional Services, Mr Kobie Coetsee, said yesterday that while "good order and discipline" had until recently been the hallmark of SA prisons, "due to the claims on a variety of grounds to be released, a spirit of unrest has been introduced".

In the latest incident early yesterday morning, six inmates of Barberton Prison died when mattresses were set alight in a communal cell. The Correctional Services Department said in a statement the six probably died as a

result of the heavy smoke. Five others were hospitalised.

Mr Coetsee, in reaction to the Barberton deaths, said that "incidents caused by prisoners will not influence the authorities to ill-considered and unbridled releases".

LHR, which is preparing a court action to gain access to prisoners to test claims of killings and assaults, said it had received a report of a death at Baviaanspoort Prison. A Correctional Services spokesman denied that a prisoner had died.

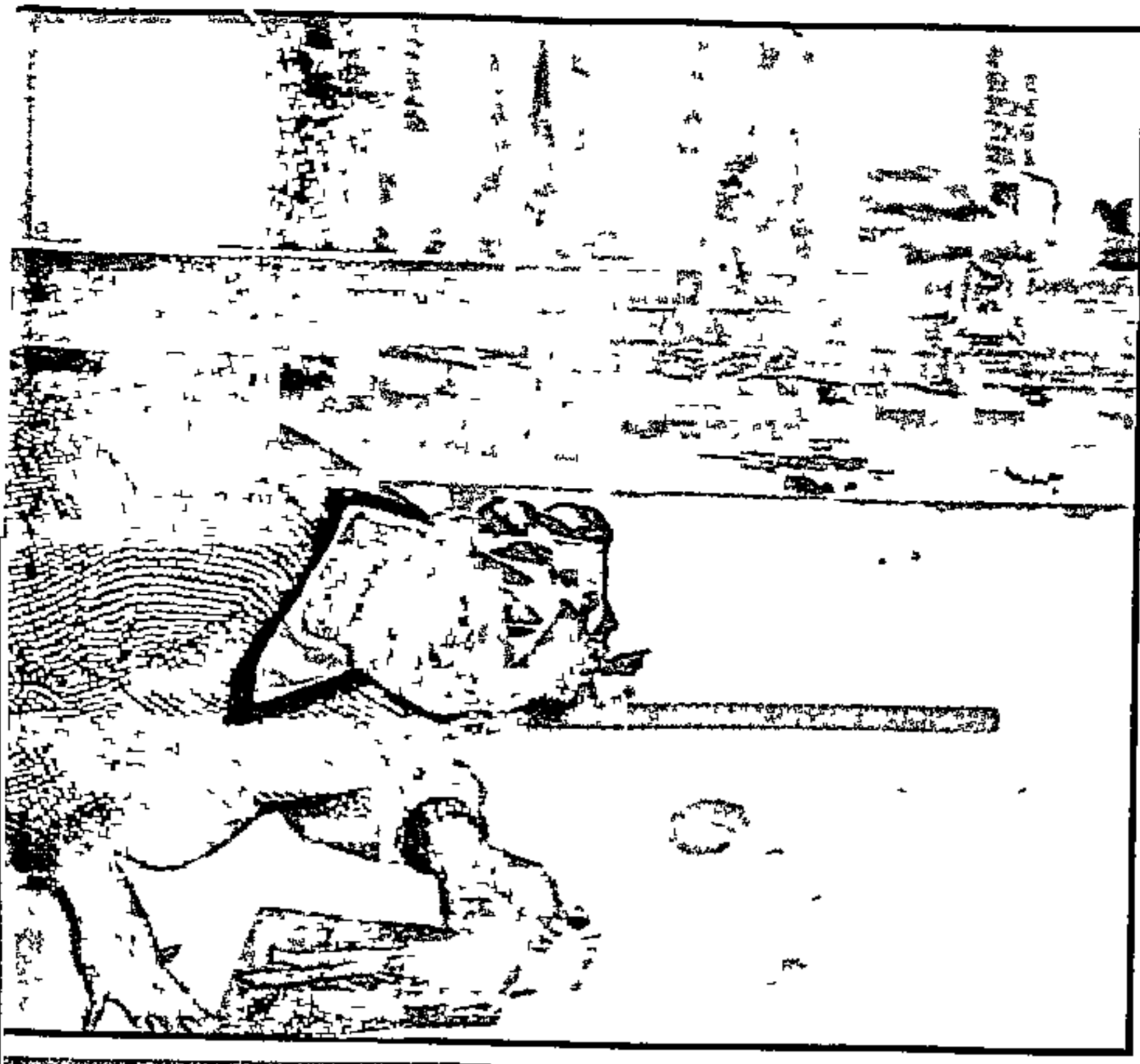
The spokesman said 67 prisoners nationwide were refusing to take part in prison programmes. While the average daily occupancy rate was 118 000 in 1989, this had dropped to 87 753 by the end of last month.

● The Department of Correctional Services said yesterday there was "no need to comment" on claims by Pollsmoor Prison warders that about 100 prisoners were on a hunger strike after being isolated in the maximum security section of the prison. Sapa reports.



# Prison riots

Attorneys for prisoners



## KILLS 5

*Sweeper 23/8/91*

*(253)*

By ISMAIL LAGARDIEN  
Political Correspondent

**THE "explosive" situation in South African prisons erupted when six prisoners were killed after inmates at Barberton Prison set five communal cells alight.**

President FW de Klerk and Justice Minister Kobie Coetsee were warned last month in a blunt message from lawyers representing inmates at Zonderwater Prison that the situation in South Africa's prisons was

"explosive". The names of the Barberton inmates who died early yesterday morning are: Paulus Malepe (36), John Mkhatswa (38), Sipho Lubisi (23), Joseph Makwana (30), Kenneth Khumalo (31) and John Mohlala, (28). Four unconfirmed deaths have also been reported three from Zonderwater and one from Bavianspoort prisons according to information received by

Lawyers for Human Rights, the Bavianspoort death was due to injuries sustained during a mass attack by white prison warders on black inmates. No further information or official confirmation was available by late yesterday on the reported deaths at Zonderwater. A spokesman for the Department of Correctional Services yesterday refuted the LHR information. "The allegation that a Bavianspoort prisoner died on Monday as a result of

### Furore

The inmates at Zonderwater said through their legal team in the warning to De Klerk and Coetsee. We are dealing with desperate men, and many of them really have nothing whatsoever to lose the most volatile and explosive situation which the Department has in all the upheaval in the country's prisons was due largely to dissatisfaction with the Government's amnesty for first offenders earlier this year. Prisoners have high expectations amid the future over the release of first-time offenders and the Government had failed to clarify issues with inmates, the Democratic Party's spokesman for Correctional Services, Mr Dave Dalling, said yesterday.

Inmates die in rioting  
*Sowetan 23/8/91*  
*(253)*

From Page 1

To Page 2

THE decision by three rightwing prisoners to continue their hunger strike while they have applied for indemnity from the State has been described as futile by Justice Minister Kobie Coetsee.

The three, Mr Adrian Maritz, Mr Henry Martin and Dr Lodewyk van Schalkwyk, were indicted on charges relating to two bomb blasts at a Pretoria taxi rank.

Coetsee said their decision would not influence

# Hunger strike is futile - Coetsee

*Sowetan 23/8/91*

253

## Sowetan Reporter

the Indemnity Committee (or the cases against them) which, during an earlier hearing, on May 20, advised that indemnity had been refused

The three have re-issued their applications

and a second hearing is weak to go to court scheduled for August 27

Coetsee said the Attorney-General had been ready to proceed against the three for a while but that their condition, caused by the hunger strike, had left them too

“It is absolutely unwarranted and irresponsible of the accused to place their lives and health in jeopardy while such actions cannot influence the outcome of their applications for indemnity.”

# Brave action saves trapped prisoners

By Clyde Johnson  
Lowveld Bureau (253)

**BARBERTON** — Quick thinking and fast action by staff members at Barberton's maximum security prison yesterday saved the lives of many prisoners trapped in smoke-filled cells

Despite their efforts, however, six prisoners died of suffocation. Five others were taken to hospital with respiratory difficulties.

Barberton farm prison correctional services' commanding officer Brigadier Andre Terblanche said smouldering fires were detected in five cells shortly before 3 am.

The alarm was sounded and within minutes the prison's fire department was on the scene.

They had to break open the windows to direct the water from their hoses on to the smouldering foam mattresses and blankets which had been set alight by the inmates.

The lights had been broken and dense smoke reduced visibility.

Using gas lamps and torches and wearing gas masks, wardens entered the cells and dragged prisoners outside.

Mouth-to-mouth resuscitation was applied and 14 prisoners were treated at the jail infirmary.

"It took a lot of courage entering those dark cells occupied by hardened criminals. But

everybody realised that someone in there could be dying, so the men dashed in regardless," the Brigadier said.

He said that during the past three weeks, prisoners had expressed dissatisfaction at having to stay in jail while murderers, like themselves, had been granted amnesty.

"The fires were started to express this particular grievance and give us a fright. Unfortunately they did not bargain on the poisonous smoke from the foam rubber mattresses which killed six men."

All but two of the prisoners have been discharged from hospital.

No names have been released.

## Pollsmoor strike over — department

CAPE TOWN — The Department of Correctional Services said yesterday there was "no need to comment" on claims by Pollsmoor prison warders that about 100 prisoners were on a hunger strike after being isolated in the maximum security section of the prison.

The department also saw no need to comment on claims that a prison riot squad — warders with batons, teargas equipment and dogs — stood by at the prison on Monday when the inmates were taken out of their cells.

According to Pollsmoor warders, the prisoners were singled out by Pollsmoor authorities as ringleaders of last week's work strike.

Asked for comment, a Department of Correctional Services spokesman said "As has been mentioned before, the situation at Pollsmoor is under control and the prisoners are no longer on a work strike" — Sapa

## Warders in brutal attacks, say lawyers

A black prisoner is alleged to have died this week as a result of injuries received during a mass assault on Monday by white warders in Baviaanspoort's Medium Prison.

Lawyers for Human Rights (LHR) national director Brian Currin said there had been other allegations of brutal assaults.

He said reports had been received that busloads of white members of the Department of Correctional Services had been brought in to quell protests at prisons.

"Until we are given access to prisoners, we have no reason to doubt the veracity of the allegations," Mr Currin said.

The LHR had requested an urgent meeting with the Commissioner of Prisons, but had not received a response.

"We are therefore drafting papers for an urgent court application to grant us access to prisoners."

Mr Currin said reports of discrimination against

members of committees elected to voice prisoners' grievances, and of transfers to other prisons of those regarded as troublemakers, had reached the LHR offices.

The Department of Correctional Services has dismissed LHR's claims as "ludicrous".

"This is a typical example of the ridiculous rumours being spread by certain people of late, with the sole aim of discrediting the Department of Correctional Services," said prisons spokesman Colonel Dame Immelman.

He said that "over the past few weeks a couple of incidents occurred where prisoners resorted to riotous behaviour, damaging prison property and attacking staff members with stones and other objects".

It was "totally unacceptable for the good order in prisons to be jeopardised by the undisciplined behaviour of a few prisoners, and the necessary force was used to restore order" — Sapa

# OB hunger striker given oxygen

Pretoria Bureau

Right-wing hunger striker Henry Martin began hyperventilating yesterday and had to be given oxygen, his lawyer Wim Cornelius said.

Mr Martin (50) is on the verge of a coma in the H.F. Verwoerd Hospital in Pretoria. He was seen yesterday by the International Committee of the Red Cross, whose report on his condition is confidential.

The Orde Boerevolk member is in a worse condition than two other hunger-striking OB members, Adrian Maritz and Lood van Schalkwyk.

Mr Maritz was still able to be consulted, although he was also in imminent danger of slipping into a coma.

Dr van Schalkwyk was "satisfactory" but ran the risk of suffering a third heart attack, Mr Cornelius said.

He said the hospital had allowed a private medical doctor to examine Mr Martin yesterday and was waiting for the results of the examination.

The three men have vowed to continue their hunger strike until they are granted indemnity in terms of the Pretoria Minute.

In a statement yesterday, the Ministry of Justice and Correctional Services said their "unwarranted and irresponsible" actions could not influence the outcome of their applications for indemnity, due to be heard on Tuesday.

"It cannot be expected of the Government to indemnify people against prosecution because they wilfully endanger their lives and health," the statement said.

The three rightwingers were demanding indemnity in a "most serious case involving serious charges based on common-law offences" and there was no precedent for indemnity against a prosecution of this nature unless evidence in a court trial either justified indemnity or the advisory body of judges had advised to that effect.

The three are charged with the theft of mine explosives and the subsequent placing of two bombs at a Pretoria taxi rank. One bomb exploded, injuring 13 people.

They are also charged with planting a bomb which killed a computer technician.

# Brave action saves trapped prisoners

By Clyde Johnson  
Lowveld Bureau

253

Star 23/8/91

**BARBERTON** — Quick thinking and fast action by staff members at Barberton's maximum security prison yesterday saved the lives of many prisoners trapped in smoke-filled cells

Despite their efforts, however, six prisoners died of suffocation. Five others were taken to hospital with respiratory difficulties

Barberton farm prison correctional services' commanding officer Brigadier Andre Terblanche said smouldering fires were detected in five cells shortly be-

fore 3 am. The alarm was sounded and within minutes the prison's fire department was on the scene

They had to break open the windows to direct the water from their hoses on to the smouldering foam mattresses and blankets which had been set alight by the inmates.

The lights had been broken and dense smoke reduced visibility

Using gas lamps and torches and wearing gas masks, wardens entered the cells and dragged prisoners outside

Mouth-to-mouth resuscitation was applied and 14 prisoners were treated at the jail infirmary.

"It took a lot of courage entering those dark cells occupied by hardened criminals. But

everybody realised that someone in there could be dying, so the men dashed in regardless," the Brigadier said.

He said that during the past three weeks, prisoners had expressed dissatisfaction at having to stay in jail while murderers, like themselves, had been granted amnesty.

"The fires were started to express this particular grievance and give us a fright. Unfortunately they did not bargain on the poisonous smoke from the foam rubber mattresses which killed six men."

All but two of the prisoners have been discharged from hospital.

No names have been released.

# Wife says Maritz is 'dying'

**JOHANNESBURG** — Mrs Karin Maritz, wife of hunger striker Mr Adriaan Maritz, said yesterday afternoon that she believed her husband and Mr Henry Martin were dying — and that relatives had been made legally powerless to end the hunger strike once they dropped into comas.

Mrs Maritz said the Briton, Mr Henry Martin, was now receiving oxygen regularly. He had resisted all efforts to move him from the hospital room

She said her husband now weighed 50kg, down from 78kg.

"He is a walking skeleton, but still won't give up. He has mentally prepared himself to die."

Dr Lood van Schalkwyk, the third hunger striker, was still coherent, but tended to become forgetful, she said.

Meanwhile, Mr Piet "Skiet" Rudolph, the founder and former leader of the Orde Boerevolk, yesterday issued an urgent call

for the government to release the three right-wing hunger strikers at H F Verwoerd Hospital.

Yesterday the OB members were respectively on their 47th, 39th and 32nd days of fast.

● One of three right-wing women holding a sit-in placard protest outside the offices of the Minister of Law and Order, Mr Adriaan Vlok, in Pretoria said they would end their four-day vigil in support of the hunger strikers yesterday evening. — Sapa

# OB backs claim by 2 hunger strikers of SADF, NIS link

CLAIMS by two of the three Orde Boerevolk hunger strikers in Pretoria that they were State agents when they exploded a bomb in Durban have been backed up by the OB.

In an exclusive interview with Saturday Star, OB chief of staff Leonard Veenendal said the three men were assisted in their actions by a security policeman, whose name he provided.

Hunger-strikers Henry Martin and Adrian Maritz were respectively members of the National Intelligence Service and Military Intelligence, he said.

"This was constantly kept as confidential information and the OB never intended using this information to discredit the Government.

"But the seriousness of the guys' conditions and their wish to make this public (made it necessary) You can describe it as a dying man's wish," Mr Veenendal said.

Mr Martin is on his 48th day without food and Mr Maritz his 41st. Both are re-

253  
**BRENDAN TEMPLETON  
and HELEN GRANGE**

national Intelligence Service spokesmen denied the two hunger strikers had ever worked for them.

Mr Veenendal said Mr Maritz, Mr Martin, Dr van Schalkwyk, the policeman and another man, whom he named, made up a five-man OB cell led by Mr Maritz.

Mr Martin and Mr Maritz were highly skilled computer operators, running their own computer consultancy firm, he said. Their skills came in very useful when gathering information, he added. The function of the cell was to provide intelligence and logistical support to the OB.

Mr Veenendal claimed the men had discovered the ANC's Operation Vula, which was being co-ordinated from the Durban-based computer firm.

"These cells were highly advanced and all the cells in the system were computer-linked. What they did know was that this whole com-

## Odd man in a trio waiting for death — Page 10

portedly near-comatose Dr Lood van Schalkwyk has fasted for 34 days and suffered three heart attacks during the fast.

Mr Veenendal said the men embarked on a water strike for three days last week, but he had subsequently ordered them to start drinking again.

"It's going to make a hell of a stink if this goes to trial, and I wonder if the Government doesn't just want them to die," he said.

Ministry of Law and Order spokesman Captain Craig Kotze rejected any security police involvement in the bombing. He said the policeman had never worked for the security branch — he was a constable "not a warrant officer, as was reported" and had acted as a probationary detective.

Captain Kotze confirmed that charges were being investigated against the constable in connection with the Natal blast. SADF and Na-

puter system was run from Durban, and there was a certain technician who they positively identified as an ANC operative. They even had a photostat of a security police file on him.

"I then told him to double check his facts, to do deeper investigation, and that the first step was to put the Durban security police on to these doings," he said.

When the police failed to act against the firm, the cell decided to take matters into their own hands and sent a booby-trapped computer to Durban via a transport company, Fastlane Freight.

The parcel was opened by the man they had targeted for death, technician Nicholas James Cruise (23), who was killed in the blast.

Captain Kotze denied reports which appeared in Vrye Weekblad yesterday claiming the police constable had been granted indemnity as a state witness. "That is up to the courts to decide," he said.

He also denied that the

man had been trained as an explosives expert, as was reported in the newspaper.

Asked whether the OB had been a cell connected to undercover activities on behalf of the State, Mr Veenendal said "That is absolutely not true."

Mr Maritz said Military Intelligence used rightwingers on a regular basis for the execution of operations. He told Vrye Weekblad that this made it easier for the authorities to "distance themselves if they are caught."

A highly placed OB source said the information had been leaked at an unfortunate time and may work against the hunger strikers' prospects for indemnity.

The hunger strikers' lawyer, Wim Cornelius, denied reports in Vrye Weekblad that he had "desperately" tried to contact State President de Klerk in connection with his clients.

Mr Cornelius said he had been invited by Mr de Klerk to consult with him on their conditions, but had declined because it would have compromised his position in a sub judice case, he said.

He also denied a report in the right-wing newspaper Die Patriot that he had documentary evidence which proved Mr Maritz and Mr Martin had been State agents. "I deny any knowledge of any documentation and I reiterate that the subject is sub judice," he said.

Mr Veenendal said attempts to meet with Justice Minister Kobie Coetzee had met with no success. He warned that violent retribution could follow the deaths of any of the hunger strikers.

"The Orde Boerevolk has suspended military action but we will not be able to guarantee our members' behaviour. OB cells are still very much intact and armed, just like Umkhonto we Sizwe," he said.

# 'BOMBERS WERE STATE AGENTS'

# Unrest brews in jails

Clp Press 25/8/91.

(253)

ANGER has been simmering behind South Africa's prison walls for years and this week it burst into open violence at Barberton farm prison, where the country's hardened criminals are kept.

At about 2 30 am on Thursday, inmates set alight mattresses in a communal cell. Six died. The Correctional Services Department said they probably died from the smoke. Five others were admitted to hospital.

Two days earlier there was trouble at Baviansport when, according to Press reports, white warders allegedly staged a mass assault on black prisoners. There was reportedly one death there, but prison officials have dismissed the claim as "judicious".

They emphatically denied reports that three prisoners died at Leeuwkop and three at Modderbee and Zonderwater.

A statement said, "This is an example of ridiculous allegations which are made public with the express intention on the part of certain organisations of gaining publicity and disrupting a situation which is under control."

Incidents over the past two weeks include protests and hunger strikes at Pollsmoor in Cape Town, a bedding fire pro-

## Human rights lawyers

### batting to get in

### to check the facts

BY LEN KALANE

test at Leeuwkop, a strike at Pretoria Central, a picket at Modderbee, and a strike at Zonderwater.

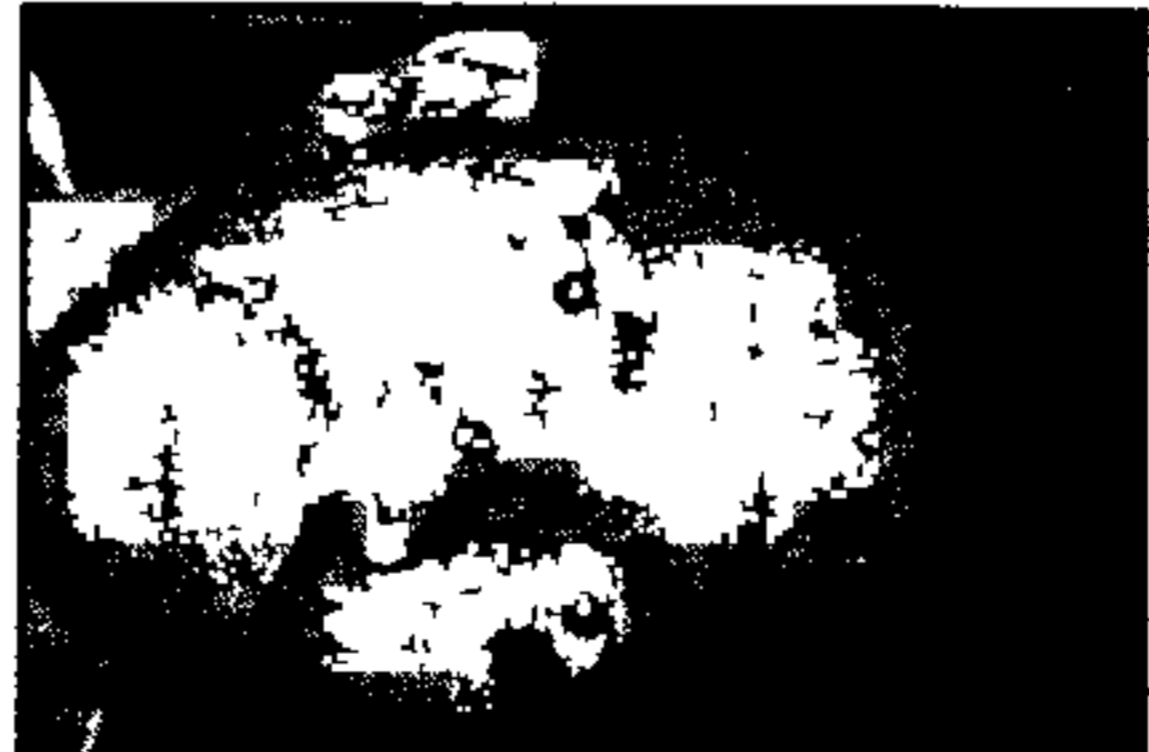
Yet it is hard to say just what is going on behind prison walls, because stringent prison laws forbid the press from reporting freely on prison conditions and happenings.

Pressure groups such as Lawyers for Human Rights (LHR) are preparing a court action to

gain access to prisoners to test claims of killings and assaults.

The State President's amnesty programme for first-time offenders is thought to be the main reason behind the present wave of prison unrest.

Prisoners are said to be dissatisfied with the way the exercise is being carried out. Former prisoner Darius Hlatswayo, the executive member of the Pris-



**DARIUS HLATSWAYO**  
... Trouble brewing.

oners' Aid Union of South Africa (Pausa), warned City Press a week ago of a growing "powder keg" which could blow up at any time in the prisons.

Hlatswayo, who said he was speaking on behalf of those he left behind on his release last month, said there was general apathy in prison after hopes were heightened by De Klerk's amnesty announcement. "Everybody thought the time had come to go home. There are prisoners who rightfully qualify for amnesty but nothing came of it. There is going to be more trouble," warned Hlatswayo.

"In the meantime, we are investigating the possibility of a court action to gain access to those who require assistance," said the statement.

A South African Correctional Services spokesman told City Press that at present only an insignificant number of prisoners refused to participate in prison programmes.

"In accordance with the July 1 amnesty, the Government is considering the possibility and desirability of measures which will accommodate second and further offenders."

The Department said offenders with a history of crime could not be treated the same as first offenders was also important. They were satisfied that the present situation in prisons was dealt with in a just and responsible manner.



# Hunger-striker in a coma

70  
S/Times 25/8/91  
253  
RIGHT-WINGER Henry Martin — today on his 49th day without food — lapsed in and out of a coma last night

He and fellow Orde Boerevolk hunger-striker Adrian Maritz, 44, were receiving oxygen and both complained of severe chest pains, Mr Maritz's wife, Karen, told the Sunday Times last night.

The third OB hunger-striker, Dr Lood van Schalkwyk, 53, had lost 30kg and suffered three heart attacks during his 35

By HERMAN JANSEN

days without food, said his wife, Heather. She is helping Mrs Maritz tend to the three men at the HF Verwoerd hospital in Pretoria

It is feared that British citizen Henry Martin, 50, a bachelor, could already have suffered irreparable brain damage.

Mrs Maritz said "Sometimes Henry stays in a coma for two hours — we then wake him up in fear that he will lapse into permanent unconsciousness

"The three of them are only holding on for Monday when the appeal of their indemnity application will be heard by the Indemnity Committee. They believe they will be indemnified. It's the last straw they clutch to — all they think and talk about"

The men went on hunger strike to secure an unconditional pardon. They are awaiting trial for the bombing last October of an ANC computer consultancy in Durban during which a technician was killed.

They also face charges in connection with the bombing of a taxi rank in Bloed Street, Pretoria, in which 13 blacks were injured.

OB chief-of-staff Leonard Veenendaal said yesterday "It's a ticking time bomb. If one of them dies, it will spark a violent emotional reaction for which the Orde Boerevolk cannot be held responsible"

AWB warns of 'powder-keg' explosion if hunger strikers die

ARG 26/8/91

253

VENTERSDORP. — The Afrikaner Weerstandsbeweging's executive council decided at an emergency meeting that President De Klerk and the Minister of Justice, Mr Kobie Coetsee, be asked to release urgently three rightwing hunger strikers

In a Press statement Mr Ernie van der Westhuizen, an executive council member, said

"The AWB warns that if the government ignores these rightwingers and if they were to die the already explosive situation would change into a powder-keg, especially in view of the fact that leftwing hunger strikers

have been indemnified and released by the government

"The executive council of the AWB warns that if the Orde Boerevolk hunger strikers were to die, our organisation would not be able to calm down rightwing anger nor be able to control it"

Mr Van der Westhuizen said Briton Mr Henry Martin was believed to be in critical condition. Mr Martin entered the 50th day of his hunger strike today.

The other strikers are Mr Adrian Maritz (43rd day) and Dr Lood van Schalkwyk (36th) — Sapa

Star 26/8/91

# Lawyer to plead for critically ill strikers

By Shirley Woodgate 253

Lawyer Wim Cornelius appears before the State President's advisory committee in Johannesburg later today to argue for the immediate release and indemnity for the Orde Boerevolk hunger strikers in Pretoria's H F Verwoerd Hospital.

Briton Henry Martin has become South Africa's longest hunger striker and his supporters fear his death is now inevitable as he enters his 50th day without food.

"All three men are very weak, on oxygen and merely taking a quarter to half a cup of liquid daily, Mr Martin was merely able to say to me yesterday 'help me, help me', before lapsing back into a coma," said Mr Cornelius.

There are also fears for the life of Adrian Maritz, who today entered the 44th day of his hunger strike.

And the condition of Dr Lood van Schalkwyk was "very serious" as he starts the 37th day of his protest after suffering three heart attacks.

The meeting today, between the spokesmen for the hunger strikers and the advisory committee, is behind closed doors and no information will be released afterwards.

The advisory committee, a legal body headed by three Appeal Court judges possibly assisted by two assessors, would advise the State President but was unable to make decisions.

The men's wives are keeping a daily vigil at their husbands' bedsides and Mr Cornelius said they were taking the strain "very badly".

The three men were charged in connection with the Bloed Street taxi rank bombings in Pretoria last year in which several people were injured, as well as the parcel bomb which killed Durban computer technician Nicholas Cruse (23).

The Afrikaner Weerstandsbeweging yesterday warned the political situation would become a powder-keg if one of them died.

# Life or death by hunger judges hold key

(253)

APG 27/8/91

## Political Staff

THE government is awaiting the advice of the Indemnity Board on three rightwing detainees on a hunger strike

The board — three Supreme Court judges — met in Johannesburg yesterday to discuss Mr Henry Martin, Mr Adrian Maritz and Dr Lood van Schalkwyk, on their 50th, 43rd and 36th days of fasting

The government can on the recommendation of the board grant them indemnity against prosecution

An announcement could be made by President De Klerk or by the Minister of Justice, Mr Kobie Coetsee

The spokesman said the hunger-strikers, in the H F Verwoerd Hospital in Pretoria, were all conscious but refused medical examinations

There is deep concern that the men could become rightwing martyrs if they died

The ANC has said death would be unnecessary since it was in the government's power to resolve the whole issue of political prisoners

The charges against the men arise from the theft of explosives and placing two bombs at a taxi rank in Pretoria. One exploded, injuring 13 people

The three have also been charged in connection with placing a bomb in a computer sent to a firm in Durban for repair. It killed a technician when he switched on the computer.

... year and May

1991  
The IBIR said Shadrack Motoung, who died in May this year, was last seen alive in police custody at Khutsong Police Station. Witnesses said he was shot dead within an hour after police removed him from the police station.

William Makajae also died in police cus-

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## Plight of right-wingers draws fire from ANC

THE ANC was deeply concerned about the possible deaths of Orde Boerevolk hunger strikers Henry Martin and Adrian Maritz, it said yesterday.

actually operated for government to deteriorate to the point they were likely to die showed "the most appalling cynicism" (25b)

Since it was within the power of government to resolve the whole issue of political prisoners, their deaths would be tragic and totally unnecessary, the ANC said.

In Pretoria, AWB secretary-general Piet Rudolph welcomed the concern expressed by the ANC.

Government should long ago have had discussions with them.

Rudolph said President F W de Klerk was "taking politically foolish decisions" by not releasing Martin, Maritz and Lood van Schalkwyk. "It is, however, heartening to note that the ANC views (them) as political prisoners," he said.

"The government's behaviour is even more disturbing because Martin and Maritz were apparently members of the NIS and Military Intelligence," the ANC said.

Orde Boerevolk leader Nic Strydom said the men were in a critical condition when he visited them at Pretoria's H F Verwoerd Hospital on Sunday. — Sapa.

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## Hunger strike enters day 11

THE only female ANC political prisoner held at Pollsmoor Prison, Nontuthuzelo Fante, is on the 11th day of her hunger strike (27/8/91)

According to her lawyer, Mr Allan Dodson, Fante was sentenced in 1987 to 15 years imprisonment for attempted murder. She is demanding an immediate release — Sapa (253)

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ANC plea for Orde Boerevoik trio

PRETORIA.—The condition of the three right-wing hunger-strikers at H.F. Verwoerd Hospital remained critical yesterday as the ANC said it was deeply concerned that one of them might die. The leader of the Orde Boerevoik, Mr Nic Strydom, said yesterday that when he visited the three on Sunday night he could no longer have a "meaningful conversation" with Mr Henry Martin. All three were being given oxygen.

It was understood late yesterday that policemen were guarding the men in hospital, but there was no official confirmation. The men's families were reported to be keeping a bedside vigil. Mr Martin, Mr Adrian Maritz and Dr Lood van Schalkwyk were on their 49th, 42nd and 35th days of fasting yesterday. A spokesman for the Justice Department told SABC-TV last night that the three were all fully conscious, but they had re-

fused medical examinations. The spokesman said their applications for indemnity were heard in Johannesburg yesterday. Mr Wim Cornelius, a lawyer for the three, yesterday appealed to the advisory committee to President F.W. de Klerk for their release. The ANC said yesterday the men's deaths "will be tragic and unnecessary".

"The government's behaviour is even more disturbing because Mr Martin and Mr Maritz were apparently members of the National Intelligence Service and Military Intelligence. "To allow persons who have actually operated for the government to deteriorate to the point that they are likely to die, suggests that the police are not prepared to face the embarrassment of acknowledging complicity in their activities and

shows the most appalling cynicism." Mr Piet Rudolph, secretary-general of the Afrikaner Weerstandsbeweging, welcomed the ANC's concern. He said the trio's alleged crimes "could not have been any worse than those committed or ordered by Mr Nelson Mandela, Mr Joe Slovo and even Mr Piet Rudolph", all of whom had been indemnified and freed — Sapa, Political Staff, UPI

Lawyer sees advisory committee as hunger stri

# Trio's fate in FW's

253 Star 24/8/91

By Shirley Woodgate

Right-wing hopes are pinned on the State President for a speedy decision which may save the lives of the three critically ill Orde Boerevolk hunger strikers in Pretoria's H F Verwoerd Hospital.

Speaking after he had addressed the State President's advisory committee yesterday, their lawyer, Wim Cornelius, stressed all proceedings had been in strictest confidence after witnesses had sworn an oath under the Official Secrets Act.

"There is nothing more we can do. Now we are simply waiting for Mr de Klerk, who has the final say.

"I trust his decision will be expedited considering the terrible state of Henry Martin, Adrian Maritz and Dr Eood van Schalkwyk.

Noting the ANC's deep concern about the possible deaths of the hunger strikers and its claims that the Government should have long ago had discussions with them, Mr Cornelius said he was relieved to hear the attitude of the organisation.

"Rightwingers expressed the same concern for ANC detainees before they were released," said Mr Cornelius.

As the distraught wives of the three men keep a daytime vigil at their husbands' bedsides, Briton Henry Martin who has become South Africa's longest hunger striker, entered the 51st day without food today and his condition was the worst of the three.

All three men are passing blood, they are thin and frail, dehydrated and chalky white. They are barely able to speak," said Mr Cornelius.

## Thrombosis

ask your... students... Groups are... individual... through open... their full poten... specialists in... available to... Sound like...

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# hands



# Police shot as prisoner escapes

By Monica Oosterbroek

A policeman was shot and seriously injured when a prisoner made a dramatic escape from the J.G. Strijdom Hospital in Johannesburg last night.

Police liaison officer Captain Eugene Opperman said the officer was shot when four men entered the ward to free an injured prisoner suspected of car theft.

Hospital superintendent Dr Chris Visagie said the four men visited the prisoner at about 6.30pm.

They were allowed to help the prisoner to the toilet. When they came out, one of them produced a gun and fired at two policemen, hitting one of them in the chest.

Captain Opperman said the other officer faked being shot by falling to the floor and lying there while the four men grabbed the prisoner and ran out of the room.

The policeman then raised the alarm and pursued them.

## 'Irregular'

He managed to arrest one man. A hospital security guard arrested another, but the other two and the prisoner escaped.

The injured policeman was taken to the operating theatre last night. He is in a serious condition.

Dr Visagie accused the policemen of "irregular" behaviour by allowing the four visitors to escort the prisoner to the toilet.

"I don't know why the policemen allowed four unauthorised visitors into the ward in the first place, or why the prisoner was allowed to go off with them alone," he said.

He said he would hold a meeting with senior staff members today to get their views on security and to look at possible solutions.

## Fasting right-wingers will thank ANC

THREE right-wing hunger strikers will send a personal note of thanks to the ANC for the organisation's public support. (253)

The ANC expressed its concern this week at the hunger strikers' plight, which it said illustrated government's lack of clarity on the political prisoner issue.

President F W de Klerk is expected to decide soon, possibly today, whether to indemnify the three. *By Day 28/8/91*

Lawyer Wim Cornelius said yesterday the hunger strikers were "infinitely grateful" for what he described as an "incredible gesture" by the ANC.

A personal letter would be sent to ANC

JONATHON REES

general secretary Cyril Ramaphosa.

Orde Boerevolk members Henry Martin, 49, Adrian Maritz, 43, and Lood van Schalkwyk, 53, are in critical condition in Pretoria's H F Verwoerd Hospital. They are refusing food until government accords them political prisoner status and indemnity.

They are awaiting trial on charges of murder and attempted murder for their alleged role in two bomb blasts last year.

An ANC spokesman said yesterday the organisation believed that if people were prepared to come clean about their past, they should be granted indemnity.

# Jointly talks on Munster strikers

## Government to decide today on fate of three rightwingers

TOS WENZEL, Political Staff

THE government is unlikely to give in to demands for the release of three rightwing hunger strikers.

The Cabinet will decide today the fate of the three, who are in a critical condition in H F Verwoerd Hospital, Pretoria

A Department of Justice spokesman said a statement would be issued today or tomorrow

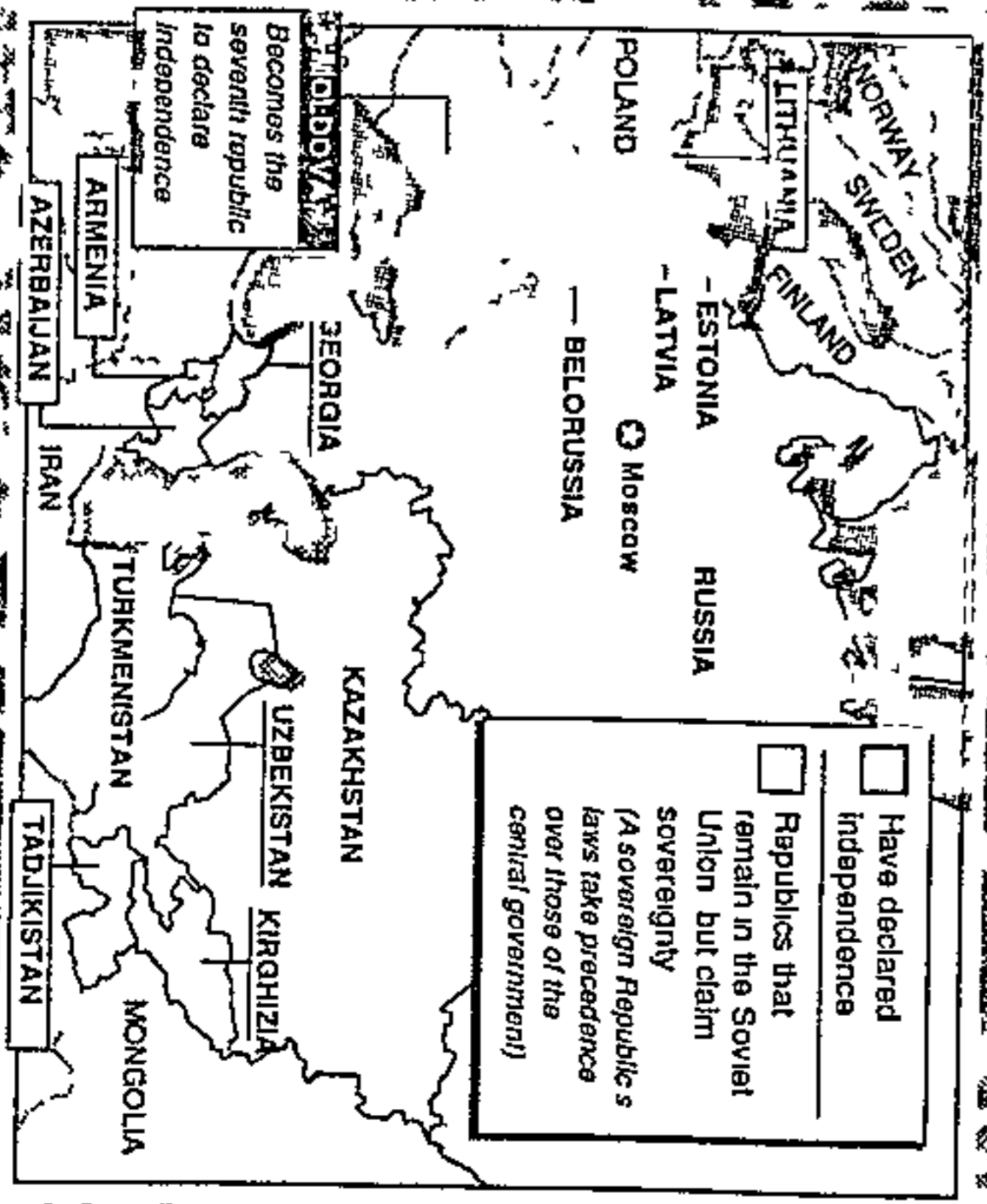
Indications today were that the administration would not give in to what one top government source in Pretoria described as "blackmail" by the rightwingers

Even the possibility of the detainees becoming martyrs to the rightwing cause is not likely to deter the Cabinet from deciding that the men cannot be indemnified

The feeling in government circles is that the whole legal system will be dealt a serious blow if the government bows to rightwing pressure and releases the three

Another argument against their being released is that they have not yet stood trial

Allegations from the right that ANC prisoners who committed serious offences were indemnified while this was being refused in the case of rightwingers were rejected by Government sources



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Allegations from the right that ANC prisoners who committed serious offences were indemnified while this was being refused in the case of rightwingers were rejected by government sources

They pointed out that all ANC prisoners who had been released had stood trial and had served part of their sentences. Some had accepted parole as a condition for release

The charges against the rightwingers arose from the theft of explosives at a mine and the placing of two bombs at a taxi rank in Pretoria. One bomb exploded, injuring 13 people

The accused are also being charged with the placing of a bomb in a computer sent to a firm in Durban for repairs. The bomb killed a technician when he switched the computer on

### 'Very poor'

The condition of Mr Henry Martin, Mr Adrian Maritz and Dr Lood van Schalkwyk has been described as "very poor"

Mr Martin is on his 52nd day of hunger strike today, Mr Maritz has not eaten for 44 days and Dr Van Schalkwyk for 37 days. All three men are using oxygen. Dr Van Schalkwyk has had two heart attacks in the past month

Sapa reports that rightwing women have vowed to continue to demonstrate outside the hospital until they know the outcome of the indemnity application

● A request by hunger-striking Phyllis Fante, the only woman ANC political prisoner at Pollsmoor Prison, to be transferred to hospital depends on the instructions of the prison doctor, says a spokesman for the department of Correctional Services

Fante is on the 13th day of a hunger strike to secure her release

● In 1981 IRA member and British MP Bobby Sands died in the Maze Prison in Belfast after refusing food for 66 days. He was 27

Another Irish hunger striker, MP Kieran Doherty, died on his 73rd day without food



**CELEBRATIONS:** Thousands of people in the republic declared independent

# Gorbys to blow

MOSCOW — President Mikhail Gorbachev has fought to regain his authority with a fiery plea to preserve the Soviet Union, but pressure to tear it apart is building relentlessly

Mr Gorbachev, regaining his authoritative form in the Soviet parliament after surviving a coup by hardline communists, said he would step down rather than preside over the disintegration of the country

"I urge all of you and the leadership of all the republics — all citizens of the country — to give some thought once again to what could happen if we refuse to sign the Union Treaty," Gorbachev said

"I will state here before all of you, before the country and before the people, I am for a renewed union, a reformed union, but I am for making it now

"Only if this is not possible, if nothing else is done, I will resign

Mr Gorbachev's insistence on signing the Union Treaty, defining a new federalism for a country that was rooted in a thousand years of history, met with a lukewarm response. Eight of the 15 Soviet rep

## Striker requests move

A REQUEST has been made to the Department of Correctional Services for the transfer to hospital of the only woman ANC political prisoner at Pollsmoor, Ms Nontuthuzelo Fante. **CT 28/8/91**

A Department of Correctional Services spokesman said Ms Fante would be treated "strictly in accordance with prevailing international standards". He said the hunger-strikers were receiving medical treatment from a doctor who decided when a prisoner should be admitted to hospital. **(253)**

## Bop debates freeing coup prisoners

Own Correspondent

JOHANNESBURG — The Bophuthatswana parliament yesterday debated at length whether to release 141 prisoners jailed for their part in a 1988 coup attempt in the homeland.

The prisoners' release may influence the Danish parliament to drop its veto of the European Community's lifting of sanctions Speaking from Denmark yesterday,

**CT 28/8/91**

day, Social Democratic Party secretary Mr Steen Christensen said that the release of the prisoners would be a "very important step".

But he stressed that the release of all political prisoners in South Africa, including those in the homelands, was one of several criteria for the lifting of sanctions. The Bophuthatswana cabinet

would make a final decision next week, a spokesman said.

● Sapa reports from Mmabatho that Bophuthatswana president Mr Lucas Mangope yesterday told his parliament that the impression that the South African government could compel Bophuthatswana to release political prisoners was a gross misrepresentation.

# Hunger

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CP 28/8/91

# trio wait for FWW

**JOHANNESBURG.** — President F W de Klerk is expected to act soon to save the lives of three right-wing hunger strikers.

"We are waiting on an hour-to-hour basis," said Mr Wim Cornelius, a lawyer for the three men.

He said a decision by Mr De Klerk on whether to indemnify and release hunger strikers was expected very soon.

Yesterday Mr Cornelius argued before the President's advisory committee for the immediate release of the three men.

Mr Cornelius described the conditions of Briton Mr Henry Martin, Mr Adrian Maritz and Dr Lood van Schalkwyk as "very poor, very grave".

Outside the H F Verwoerd Hospital, a group of women last night continued their vigil.

Organiser Mrs Trudie Rautenbach of the Boerestaat Party said the women had been asked to leave the hospital premises, as the hospital's management allegedly feared a strike by medical workers. The management could not be reached for comment.

Police said they had monitored the peaceful demonstration, and no one had been arrested.

## Passing blood

Mrs Rautenbach also said a member of the AWB women's commando of Ventersdorp would remain at the bedside of the hunger strikers throughout each night, to awaken the men if they fell asleep.

"We fear that they will sink into a permanent coma if they are not awakened regularly," she said.

Among those demonstrating outside the hospital was Mrs Karen Strydom, who is the wife of the imprisoned

mass murder Barend Hendrik Strydom.

Mr Cornelius said yesterday that the hunger strikers' condition continued to deteriorate. All were passing blood, he said.

Mr Martin enters the 52nd day of his hunger strike today. Mr Maritz is on the 44th day and Dr Van Schalkwyk — who has had two heart attacks this past month — on the 37th day. All three men require oxygen.

Dr Van Schalkwyk also was beginning to develop a thrombosis in his leg, and Mr Martin could hardly keep his eyes open, said the lawyer.

"Mr Martin is slipping in and out of a coma."

The three hunger strikers are to send a personal note thanking the ANC for its public support.

The ANC expressed its concern this week at the hunger strikers' plight, which it said illustrated government's lack of clarity on the political prisoner issue — Sapa.

# Prisons deny death claims

THE Department of Correctional Services has dismissed as ridiculous claims that six more prisoners died after being assaulted at three jails last week.

Lawyers for Human Rights is still awaiting a reply from the Commissioner of Prisons, General WH Willemse, following a request for an urgent meeting to discuss growing claims of assaults, racial discrimination and death in several prisons. *Soultan 28/8/91*

LHR said it was also working on papers to lodge an urgent court interdict to obtain access to prisoners

The DCS said it confirmed only the deaths of six prisoners who, it said, died in a fire at the Barberton Prison last Thursday

The department said yesterday "The unverified allegations reported in a number of newspapers on Friday morning that three prisoners died at Leeuwkop Prison as a result of assaults, and that a

further three died at the Modderbee and Zonderwater prisons respectively, are emphatically denied (253)

"Once again, this is an example of ridiculous allegations which are made public with the express intention on the part of certain organisations to gain publicity and to disrupt a situation which is under control"

"All organisations and bodies, whether well-meaning or not, are called on to show great sensitivity when dealing with the situation"

LHR said it regarded all claims by prisoners and their families as "allegations" at this stage and wished to assist in resolving the crisis. It said it had been requested by prisoners to intervene on their behalf.

A DCS spokesman yesterday confirmed the LHR's request was "receiving attention"

By Tos Wentzel and Shirley Woodgate

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# Cabinet to rule on fasting rightwingers

The Cabinet is expected to decide today on the fate of three right-wing hunger strikers, seriously ill in H.F. Verwoerd Hospital, Pretoria.

Their lawyer, Wim Cornelius, had been expecting a decision at any time from President de Klerk after representations for indemnity made on the men's behalf to the State President's advisory committee.

One top Government source in Pretoria said the Cabinet was unlikely to give in to what he described as "blackmail" from the right-wing activists.

The feeling in Government circles is that the entire legal system will be given a serious blow if the Government bows to pressure and decides to release the three.

Another argument against them being released is that they have not yet stood trial.

On claims from the Right that ANC prisoners who had committed serious offences had been indemnified while this was being refused in the case of rightwingers, Government sources said all ANC prisoners who had been released had stood trial and served part of a sentence.

As the condition of the hunger strikers deteriorates, the ANC today planned to send a representative to visit them in hospital.

Mr. Cornelius said the ANC's public support of the hunger strikers was deeply appreciated.

"We give them 10-plis for their humanitarian stance. Fears have been expressed that Briton Henry Martin (49), who enters his 52nd day without food, or Adrian Maritz (43), now in the 46th day of his protest, will slip into a coma.

"It is now a distinct threat and, if that occurs, we will have massive problems," said Mr Cornelius.

He said Dr. E.ood van Schalkwyk (53), in his 39th day of fasting today, showed signs that his liver was collapsing.



# Stance on hunger strikers 'acceptable'

Staff Reporter and  
The Argus Foreign Service

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ARG 29/8/91 NEWS ANALYSIS

PRESIDENT De Klerk's unyielding stance on the three rightwing hunger strikers is acceptable in terms of international governmental views and attitudes on the infringement of human liberties

The condition of the hunger strikers — Mr Henry Martin, Mr Adrian Maritz and Dr Lood van Schalkwyk, now in their 53rd, 45th and 38th days respectively without food — is said to be "very poor". They are in the H F Verwoerd Hospital in Pretoria

Doctors cannot force hunger strikers to take food but should tell them about the medical consequences of their actions

This is contained in a document on the medical management of hunger strikers provisionally agreed to by several organisations, including the National Medical and Dental Association (Namda), the African National Congress, the Department of Correctional Services, the Medical Association of South Africa and the Department of Law and Order

The document, drawn up at a conference in Pretoria two months ago, states that strikers who have been refusing food for more than two weeks or have lost 10 percent of their body weight should be taken to non-prison hospitals

This must be done in consultation with the strikers and should not be regarded as consent to treatment

Prison regulations must apply to all places where the prisoners are held

All health workers involved in the care of hunger strikers must be provided with the procedures for medical treatment and ethical codes, including psychological support

Hunger strikers should be told of their rights, channels to lodge complaints and ethical matters binding the doctors

The Human Rights Commission should be informed if strikers refuse to be hospitalised so that it can arrange counselling to improve communication

Strikers should be transferred to better health care facilities should they experience biochemical instability or lose more than 15 percent of their body weight

● The British government does not interfere with hunger strikers and, if it came to it, will allow them to die

The last time this happened was on May 5 1981, when Bobby Sands died

Since then, according to the Howard League for Penal Reform, a number of prisoners

have gone on hunger strike, but records indicate that none died.

The last prisoners the British government force-fed were suffragettes at the turn of the century, causing worldwide outrage, the league said.

The most recent hunger striker in Britain was Sara Thornton, who killed her abusive, alcoholic husband.

She starved herself for about 20 days in protest against her failure to have her murder charge reduced to manslaughter (culpable homicide) on appeal, then called off the strike

A spokesman for Amnesty International said the human rights organisation did not monitor hunger strikes.

The National Council for Civil Liberties also does not involve itself in hunger strike issues, because it does not regard liberties to be infringed if protesters themselves choose to starve.

# Hunger strikers

## VOW to continue

### State stands firm — no indemnity for rightwingers

253 Arg 29/8/91

PRETORIA. — Three rightwing hunger strikers denied indemnity by President De Klerk have vowed to continue until they are recognised as political detainees, indemnified, and released.

This was confirmed today by their lawyer, Mr Wim Cornelius, who said he had spoken to the critically ill Mr Henry Martin, Mr Adrian Maritz and Dr Lood van Schalkwyk at Pretoria's H F Verwoerd Hospital, following the government's decision last night not to grant indemnity against prosecution.

Mr De Klerk, after meeting his Cabinet, decided against amnesty because their offences fell outside guidelines determining political offences, said a statement by Justice and Correctional Services Minister Ko-bie Coetsee.

In another development, Orde Boerevork leader Mr Nic Strydom said he would ask his men to end their fast.

"I doubt whether I will be able to but I will try," he said.

The three have been fasting for at least five weeks, demanding political status and amnesty from charges linked to two bomb blasts that killed one person and injured 13 last year.

Mr Coetsee said "The fact that the accused are placing their lives in danger can have no influence on any decision to proceed with their trial on charges for very serious common law offences.

"Yielding to their actions would jeopardise the criminal justice system."

Mr Coetsee said that they would receive a fair trial.

He emphasised that the accused and their supporters



### Mother vows to join son in death

The Argus Correspondent  
PRETORIA — Mrs Milly Martin, the 78-year-old mother of hunger-striking right wing activist Henry Martin, has vowed "I'll kill myself if her son starves to death."

She said from the AGS Home for the Aged in Pretoria she wanted her son to come out of prison so he could take her home to England.

"I need him now, and he needs me. I don't want to stay here. I'm a prisoner as much as he is."

Mrs Martin said she was not allowed to see her son and that she was being force fed, but sources at the home said she was eating of her own accord and was in good condition considering her age.

"I want to go back to England and if I can't go without him, I'll kill myself."

## Killer 'unable

to go back to England

have no influence on any decision with their trial on charges for various common law offences

"Yielding to their actions would jeopardise the criminal justice system"

Mr Coetsee said that they would receive a fair trial

He emphasised that the accused and their supporters were responsible for the outcome of their actions.

Meanwhile, reaction from rightwingers to the rejection of indemnity has been vociferous

Mrs Trudie Rautenbach, who last week mounted a vigil outside the Ministry of Justice in Pretoria, said Mr De Klerk "has signed a death warrant"

### **'Give them corpses'**

Boerestaat Party leader Mr Robert van Tonder said that the government had a "callous disdain for whites" and was forcing them to civil war

Lawyer Mr Cornelius said the hunger strikers, who are reported to be weak and dehydrated, had indicated that "if the government wants corpses, we will give them corpses"

Mr Cornelius said the men rejected an offer by Transvaal Attorney-General Mr D Brunette SC that bail would be considered

Mr Brunette had announced that their trial would begin on October 28 and chances of bail lay in their hands

### **Bomb blasts**

The men are charged with stealing explosives from a mine and placing two bombs at Pretoria's Bloed Street taxi rank in August last year

At least 13 people were injured when one bomb exploded. The other was defused

They are also charged with another explosion in Durban in October, which killed a computer consultant

● Rightwinger Mr Leonard Veenendaal, who was on a month-long hunger strike in Pretoria Central Prison until released on R1 000 bail on August 1, has been admitted to a hospital in Vereeniging with kidney failure

A family friend, Miss Karen Claassen, said today that the kidney failure was a result of the fast

His friend, Mr Daryl Stopforth, who fasted for 20 days in jail, also had a kidney problem, she said. — Sapa

● See page 2.

**What's cooking? W**  
**Eight-page**  
**kitchen guide r**  
**today**

## Hunger striker has third angina attack

ONE of the three critically ill right-wing hunger strikers suffered a third angina attack yesterday and was placed on a heart machine and intravenous drip.

Lawyer Wim Cornelius said 53-year-old Lood van Schalkwyk's drip was to treat only his heart condition and did not contain any nutrients. *Blom 29/8/91*

Van Schalkwyk has not eaten for 38 days. Along with fellow Orde Boerevolk members Henry Martin, 49, and Adrian Maritz, 43, he has said he will starve himself to death unless government recognises their demands for political prisoner status and indemnity.

Although government was widely expected to announce the outcome of the

JONATHON REES

application for the three men's indemnity, no word was received by last night.

Martin has not eaten for 52 days, making him SA's longest hunger striker. Maritz has been without food for 46 days. *(253)*

The three are in Pretoria's HF Verwoerd Hospital awaiting trial on charges of murder and attempted murder for their alleged role in two bomb blasts last year.

They are receiving widespread international media coverage. Cornelius said British acting consul-general Norman Ling was in daily contact with him and was reporting back to the British embassy.

# Hunger man on heart machine

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er 29/8/91

Own Correspondent

**JOHANNESBURG.** — One of the three critically ill right-wing hunger strikers suffered a third angina attack yesterday and was placed on a heart machine and intravenous drip.

Lawyer Mr Wim Cornelius said 53-year-old Mr Lood van Schalkwyk's drip was to treat his heart condition only and did not contain any nutrients.

Mr Van Schalkwyk has not eaten for 38 days. Along with fellow Orde Boerevolk members Mr Henry Martin, 49, and Mr Adrian Maritz, 43, he has said he will starve himself to death unless the government recognises their demands for political prisoner status and indemnity.

Although the government was widely expected to announce the outcome of the application for the three men's indemnity, no word had been received by last night.

Mr Martin has not eaten for 52 days. Mr Maritz has been without food for 46 days.

The three are in Pretoria's H F Verwoerd Hospital awaiting trial on charges of murder and attempted murder for their alleged role in two bomb blasts last year.

They are receiving widespread international media coverage.

## Prison deaths should be probed, say lawyers

JOHANNESBURG. — Lawyers for Human Rights want to know why the South African judiciary is not exercising its right of unlimited access to prisons in the light of reported deaths and violence.

"We expected they would go in to take statements," LHR national director Mr Brian Currin said on Tuesday

(253) CT 29/8/91

Six inmates at Barberton prison died and five were admitted to hospital last week in a wave of protests against the way the first-time offender amnesty is being applied.

LHR claimed prisoners believed amnesty was not being applied across the board.

Mr Currin said the "unhappiness" started with the early parole of former policemen Mr Jack la Grange and Mr Robert van der Merwe — Sap

If Govt wants corpses, we will give them corpses, say trio

# 'We'll fast until we die'

By Kaizer Nyatumba  
Political Staff

Three right-wing hunger strikers whom the Government has denied political indemnity, this morning vowed to continue their fast until they were recognised as political prisoners, and released, said their lawyer, Wim Cornelius.

The three all members of Orde Boerevolk — Dr. Lood van Schalkwyk, Adrian Maritz and Briton Henry

Martin — have now been on hunger strike for 39, 46 and 53 days respectively. They are reported to be in a serious condition and are weak and dehydrated.

If the Government wants corpses, we will give them corpses, the three men said in a statement issued by Mr Cornelius, who informed them of the Government's decision at 10 am.

In a statement released late last night, Justice and Correctional Services Minister Kobie Coetsee said President de Klerk had, in consultation with the Cabinet, decided against granting the three hunger strikers indemnity from prosecution.

Mr Coetsee said President de Klerk's decision was based on the fact that the applicable offences fell outside the guidelines of what constituted political offences as laid down by the Indemnity Committee.

Mr Coetsee said the fact that the right-wingers were placing their lives and health in danger could have "no influence on any decision to how proceed with their trial on charges for very serious common law offences."

Giving in to their demands would "jeopardise the criminal justice system to an extent which can under no circumstances be allowed by the Government."

In his statement last night Mr Coetsee said the accused and those who supported their actions were "fully responsible for the consequences thereof to the health of the accused."

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another explosion in Durban last October. At least 13 people were injured in the Pretoria explosion and a computer consultant was killed in the Durban blast.

Mr Coetsee said the accused would receive "a fair trial with the opportunity to state their cases and causes and the facts relevant to their case in full" and Transvaal Attorney-General D B Brunette SC said he would support bail application by the three "subject to strict conditions."

Mr Brunette said the possible granting of bail was now "in the hands of the accused themselves."

Mr Cornelius told The Star the three men also feared for their lives should they be released on bail while awaiting trial.

And in an interview with The Star, Boerestaat Party leader Albert van Tonder this morning said it had to be clear to everybody in the country that "we now have a black government with a white skin."

The same Government had given indemnity to ANC members who had committed worse offences, he said.

The three men are charged with stealing explosives from a mine, placing two bombs at Pretoria's Bloed Street taxi rank in August last year and causing

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## Grave concern over prisons, says Mandela

Former convict Golden Miles Bhudu fell sobbing at the feet of Nelson Mandela yesterday as the ANC leader said that the question of prison violence was of grave concern to the ANC.

Mr Bhudu (28), was protesting at the ANC head offices yesterday "in solidarity with my brothers" who died in the Barberton prison revolt.

Dressed in olive prison fatigues, his wrists and ankles in chains, Mr Bhudu said prison conditions were deteriorating.

Mr Mandela, accompanied by ANC deputy president Walter Sisulu, said he was happy that men like Mr Bhudu were concerned with the welfare of both common-law and political prisoners.

— Staff Reporter



# New legal defence body open

## SOON for business

South  
29/8 - 4/9/91.

A NEW legal defence fund to be headed by former political prisoner Mr Patrick Magubela, 42, is geared to receive about 300 cases a month.

Magubela, who spent 10 years in jail for high treason, has been appointed national director of the South African Legal Defence Fund (Saldef), a national trust fund which will assist in providing legal defence and promoting human rights in South Africa. It opens its doors in Observatory in October and will operate along similar lines to the International Defence and Aid Fund (Idaf) which closes shop in London at the same time.

"It is vital that the work of Idaf be continued and the position is a big challenge to me," said Magubela.

Idaf has provided legal defence for thousands of South Africans, Magubela among them. Last year it spent about R35 million on trials and related legal costs in South Africa.

The head of Idaf's legal programme, Ms Hilary Rabkin, who is in Cape Town helping Saldef set up its national headquarters, said about 300 new cases were coming to Idaf each month. "I expect that Saldef will be



**SALDEF LINE-UP:** From left, Horst Kleinschmidt, Beyers Naudé, Kwedi Mkalipi (PAC), Zola Skweyiya (ANC) and attorney Dullah Omar

dealing with the same volume of cases," she said. Magubela says the question of funding is one of the major challenges facing Saldef. Magubela, Dr Beyers Naudé, who is chairperson of the trust, and Idaf's director Mr Horst Kleinschmidt, are overseas to secure funding for the South African trust fund. Saldef's board of trustees includes Magubela, an attorney who obtained an honours degree in law while in prison, was sentenced in 1982 to 20 years for high treason, but was released in April this year. Civil rights lawyer Mr Ebrahim Mohamed has been appointed the fund's legal director.

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# Phyllis Fante still fasting

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*South 29/8 - 4/9/91*  
MS Phyllis Notutuzelo Fante, the only woman political prisoner in the Western Cape, has been on hunger strike at the Pollsmoor Prison for two weeks in support of her demand for her immediate, unconditional release.

She suspended an earlier fast in July after apparently receiving assurances that efforts were being made to secure her release on parole.

"These assurances have not materialised and the promise of unconditional release has been withdrawn," her lawyer, Mr Alan Dodson, said.

"She has now been informed that she may be released on parole on March 22, 1992."

THE State President, Mr De Klerk's, decision this week not to grant indemnity to the three right-wing hunger strikers fasting to death in Pretoria was painful but unavoidable.

No government worth its salt could have done otherwise — or else it would be undermining respect for the law.

The constitution, the basic law of the land, is a scrap of paper unless it commands respect throughout the community. Unhappily, this country's constitution was flawed from the start in 1910 and was seriously undermined in the 1950s in the crisis over the Cape franchise when so-called coloured voters were removed from the common roll.

Respect for the law has been steadily undermined since then in countless other ways. Unjust discriminatory legislation such as the pass laws, group areas, job reservation, race classification and all the rest have had a devastating effect.

When laws are patently unjust, the law itself is brought into disrepute. As Edmund Burke once observed, when laws are the enemy of the people, the people become the enemy of the law.

What is more, the enforcers of unjust laws are intensely disliked and even hated in the community. The police tend to lose the respect which they need to do their job properly. More and more people act in defiance of the law and its enforcers, resorting eventually to violent rebellion.

In South Africa a culture of political violence and counter-violence became entrenched and violence spread into the criminal culture of the country on a scale which becomes more horribly evident each day. In some areas armed robbery and assassination are now almost routine.

### Moral blackmail

Now that South Africa is moving away from the era of racial oppression, it will not be enough to negotiate a new constitution. It will not be enough to beef up the security forces. The important thing is to restore a culture of respect for the law. Mr De Klerk has no choice.

The hunger strikers, charged with grave offences involving the use of explosives, were due to stand trial in

# Hunger strikes — and respect for rule of law

ET 30/9/91 (253)



Political Survey  
By GERALD SHAW

accordance with the law. Only when the trial had run its course could the question of clemency, indemnity or amnesty arise. The State cannot allow the judicial system to be overturned by moral blackmail.

But how can a culture of respect for the law be restored? What practical steps can be taken?

The signing of the National Peace Accord in Pretoria in two weeks will be a good start. This watershed document will bind the government, the NP, the ANC, the DP, Inkatha, the PAC and all the other signatory parties and organisations to refrain from violence and intimidation in politics. The carrying of weapons in political marches or gatherings and the stirring up of fear and hatred will be prohibited.

(The CP and the extra-parliamentary Right, sadly, have had no part in drafting the accord.)

On September 14 the signatories will undertake to keep lines of communication open between them at all levels to avoid situations of conflict developing. A major advance will be their approval of a detailed code of conduct governing the work of the police and rendering the SAP accountable to the community. Effective structures to monitor the police and investigate complaints will be set up.

All members of the SAP will be required to commit themselves to

the code, which upholds the highest standards of professional police work. And the police will be protected from gratuitous harassment.

Will the accord work? No doubt it will, in time, but it is best not to expect too much, too soon. As this column was being written the news agencies were reporting yet another murderous attack in Natal. Mr Richard Nxele, a member of the Inkatha Freedom Party in Table Mountain township, had been shot dead by an assassin — and a member of the attacking group had been shot dead by the police. And so the slaughter continues.

Yet no one doubts the commitment of the senior government, ANC and Inkatha representatives who have helped to draw up the draft accord. What remains to be seen is how soon and how effectively the State, Inkatha and the ANC are able to bring their structures and followers into line after September 14.

A return to peace and respect for the law is not the work of a day. But this accord is an immense step forward, going beyond hand-wringing and pious sentiment. Powerful structures are being set up to ensure that its provisions are observed and enforced on the ground, headed by a national peace committee, supported by regional and local committees.

Meanwhile, the lives of the three hunger strikers are ebbing away in Pretoria. Rightwingers are increasingly bitter, resentful and alienated from the mainstream of political life. A tragedy is in store if the Right is not drawn quickly into the movement of reconciliation.

As in the last days of French Algeria, and to this day in Ulster, even a small band of dedicated zealots can set back the prospects of peace.

## Hospital for striker?

MR Alan Dodson, the lawyer representing the only ANC female political prisoner at Pollsmoor, Ms Nontuthuzelo Fante, said the Cape district surgeon was expected to make a decision on her possible transfer to hospital.

Ms Fante is on the 14th day of a hunger strike.

She was sentenced to 15 years' imprisonment in 1987 for attempted murder arising from political conflict in Zolani township near Ashton.

Mr Dodson said her application for indemnity was due for consideration on September 17. —

Sapa

(253) CT 30/8/91

# Now hunger strikers refuse water

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ARTS 30/8/71

The Argus Correspondent

**PRETORIA.** — The rightwing hunger strikers, who are critically ill, are refusing water after a ruling that the men can only be visited during hospital visiting hours

Since the failure of their request for indemnity on Wednesday night, Mr Henry Martin, Mr Adrian Maritz and Dr Lood van Schalkwyk may only be visited for half an hour in the afternoon and half an hour in the evening.

A further stipulation is that they may only have one visitor at a time

The men were moved to separate wards yesterday

Today, Mr Martin has been on hunger strike for 54 days, Mr Maritz for 47 days and Dr Van Schalkwyk for 40 days.

## To the death

The prisoners have vowed to fast until death unless they are recognised as political prisoners and released. But the judicial indemnity committee has been unanimous that they are not political prisoners.

Justice Department sources denying criticism from Conservative Party leader Andries Treurnicht — said ANC hunger strikers released on humanitarian grounds had first been defined as political prisoners

Although the ANC and the CP have called upon President de Klerk to let them go, the government has received support and seems unlikely to give into pressure now

Houghton MP Tony Leon, a Democratic Party justice and law and order spokesman, said the strikers were whites who committed violence despite many civil and political rights. But blacks who had committed acts of political violence had no rights

## Civilian victims

However, DP law and order spokesman Peter Gastrow said the DP supported their release on humanitarian grounds

Under the guidelines for defining political offences, an important criterion is whether the victims of violence are civilians or servants of the State

The men face 12 attempted murder charges relating to the Blood Street taxi rank bombing and one murder charge related to the Durban bombing

All the victims were civilians

Yesterday the lawyer for the strikers, Mr Wim Cornelius, was planning joint representations including the ANC and South African Council of Churches to get the men indemnified.



## MANGLED MONSTERS:

Bystanders inspect the mangled wreckage of a petrol tanker and a 10-ton heavy duty tip-truck which collided at the intersection of De Grendel and Plattekloof Roads, Bothasig, today. A mobile crane from the Metro emergency service was used to lift and separate the vehicles. The driver of the tanker, which was laden with "bunker oil" fuel, was trapped in his cab and staff from the Milnerton fire brigade used mechanical jaws to free him. He was not badly injured. A newspaper vendor and the driver of the tip-truck were both injured. The impact of the accident at 6.40am hurled the lorries across the intersection and the wrecked vehicles straddled the road, disrupting rush hour traffic. Traffic police routed motorists around the accident. Ambulance staff treated the three injured people before they were taken to hospital. Their identities are not known.

Picture: HANNES THIART, The Argus.

## Stories to get you talking

### Heart swop 158 ... and 159!

**PORTLAND** — A man given a mismatched transplant heart walked out of the hospital in fine spirits just 11 days after a second operation to correct the mistake

Greg Hamilton wore a T-shirt that said "Heart Transplant 158 and 159"

"I'm doing very well I feel real good I'm anxious to get home," said Mr Hamilton, 41

Mr Hamilton who has type O blood, received a type A heart on August 14

Lab personnel discovered the mix-up while examining a tissue sample hours into the transplant operation

Mr Hamilton was put at the top of the list for the next available heart.

The mismatched heart was removed on August 18 and replaced — Sapa-AP

### Sex-change athlete allowed to compete

**SYDNEY** — A male athlete who has had a sex change operation will be allowed to compete in women's long distance events, Australian track and field officials have ruled.

"After a lot of investigation and discussion, we have accepted that this person is a woman and she is free to compete in female events," said Mr Nell King, general manager of Athletics Australia.

The issue of transsexual athletes was discussed at the International Amateur Athletic Federation congress in Tokyo last week. The IAAF opted not to make a firm decision on its gender identification policy. National federations may currently make their own individual rulings.

A number of women Australian athletes have protested against the participation of the transsexual athlete, who has not been identified in news reports or by Athletics Australia

Mr King said in a statement issued from Tokyo that he was satisfied the transsexual athlete was legally a woman

The transsexual, in her late 20s, first came to the notice of officials when she competed in the New South Wales state championship in February — Sapa-AP

# Right-winger in hospital

ET 30/8/91

JOHANNESBURG — Right-winger Mr Leonard Veenendaal, whose extradition hearing to Namibia is scheduled for today, was admitted to a hospital in Vereeniging on Wednesday with kidney failure.

A family friend, Ms Karen Claassen, said yesterday that Mr Veenendaal, who was on a month-long hunger strike in Pretoria Central Prison until released on R1 000 bail on August 1, suffered kidney failure as a result of the fast.

"He is passing blood and seriously ill," Ms Claassen said.

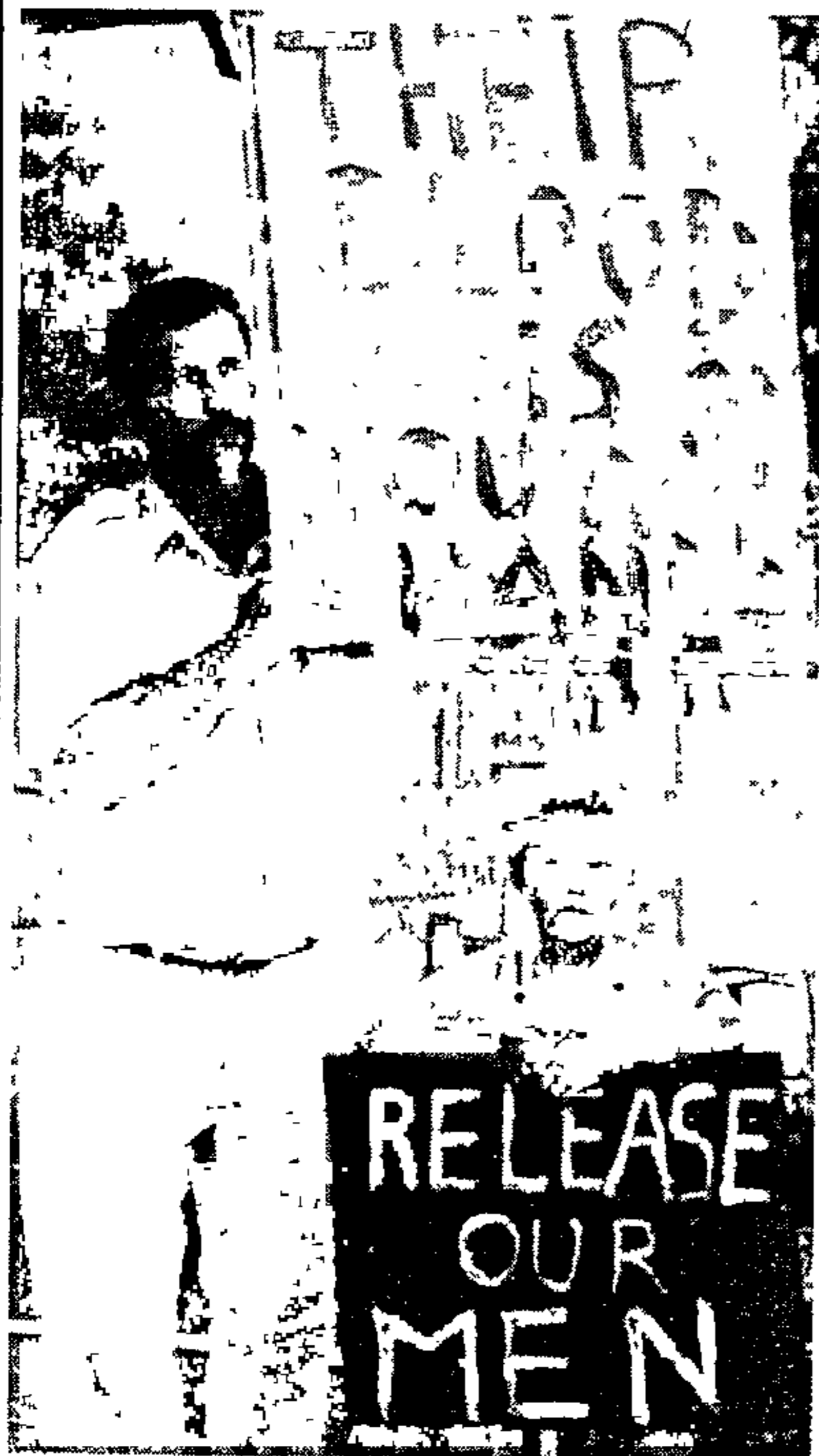
His friend, Mr Daryl Stopforth, who was also imprisoned and who fasted for 20 days, also suffered kidney complications and was under treatment by a doctor, Ms Claassen said.

"I doubt very much if Leonard will be able to appear in court tomorrow because he is seriously ill."

Ms Claassen is Mr Stopforth's fiancée.

The extradition hearing is scheduled for Mr Stopforth, Mr Veenendaal and a German citizen, Mr Horst Klentz.

The three members of the Orde Boerevolk are wanted in Namibia in connection with a bomb attack on a United Nations computer in Outjo, before Namibian independence, during which a guard was killed — Sapa



**HUNGER PROTEST** ... A man and a child were among the handful of placard-carrying protesters demonstrating yesterday against the government's decision not to grant indemnity to three Orde Boerevolk hunger strikers in the HF Verwoerd Hospital in Pretoria.

Picture AP

# Hunger strike: Anger

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**PRETORIA.** — The government last night faced a wave of anger from organisations across the political spectrum at its decision not to grant indemnity to three right-wing hunger strikers.

The ANC condemned the action and AWB leader Mr Eugene Terre'Blanche issued a thinly veiled threat that his organisation's future actions would be strongly influenced by whether mercy was shown to the men.

Justice Minister Mr Kobie Coetsee announced early yesterday that President F W de Klerk, with the cabinet, had decided not to grant indemnity to the three.

The hunger strikers — the Orde Boerevolk's Mr Henry Martin (54th day on strike), Mr Adrian Maritz (47th day) and Dr Lood van Schalkwyk (40th day) — have vowed to continue their fast and rejected a bail offer.

● ANC president Mr Nelson Mandela expressed "keen disappointment" and said the men should be freed immediately on humanitarian grounds.

● CP leader Dr Andries Treurnicht said the men should be freed to prevent a tragedy.

A hospital source claimed that the three had started refusing water, and as a consequence, Mr Martin should die within 72 hours. — Own Correspondents and Sapa

● Martin courted Maggie — Page 2

## Own Correspondent

**DURBAN** — President F W de Klerk yesterday granted indemnity to Durban conscientious objector Mr Michael Graaf, 29, making him the first person to be granted indemnity for refusing to serve in the SADF.

Mr Graaf yesterday said he had been fighting for more than 10 years to "get the army off my back", and that the announcement would mean that objectors would no longer be treated as common criminals.

The Legal Resources Centre here represented Mr Graaf and final meetings last

# Pardon for army objector

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week led to the State President granting him indemnity. Lawyers said it should be noted that he was granted indemnity on the basis that his refusal to serve in the SADF

took place before October 1991 — the cut-off date for indemnity for political offences.

Mr Graaf started his military training in January 1980 and gained the rank of lieutenant before completing his service in Namibia.

He said his experiences in Namibia led to his refusal to have further dealings with the SADF.

He was a founder member of the End Conscription Campaign and is still active in the organisation.

Mr Graaf is currently an education co-ordinator for a street schools project.

# Orde trio: the strike goes on

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**THREE** rightwing hunger strikers who have been denied political indemnity by State President FW de Klerk, yesterday vowed to continue their fast.

They are demanding recognition as political detainees and indemnity

This was confirmed by their lawyer, Mr Wim Cornelius, who said he had spoken to the critically ill Messrs Henry Martin, Adrian Maritz and Dr Lood van Schalkwyk at Pretoria's HF Verwoerd Hospital early yesterday morning, following the Government's decision late on Wednesday night not to grant them indemnity against prosecution.

State President FW de Klerk, after meeting his Cabinet, decided against amnesty as their offences

fell outside the guidelines determining political offences, said a statement by Justice and Correctional Services Minister Mr Kobie Coetsee.

The three Orde Boerevolk members have been fasting for at least five weeks, demanding political status and amnesty from charges linked to two bomb blasts that killed one and injured at least 13 people last year.

"The fact that the accused are placing their lives and health in danger can have no influence on any decision to now proceed with their trial on charges for very serious common law offences

"Yielding to their actions would jeopardize the criminal justice system to an extent which can under no circumstances be allowed by the Government."

Coetsee said their trial

would proceed as soon as circumstances permitted, giving his assurances that the three men would receive a fair and just trial ..

He however stressed that the accused and those who supported their actions were fully responsible for the consequences to the health of the accused.

Cornelius said the men had rejected an offer by Transvaal Attorney-General, Mr DB Brunette, SC, that bail would be considered on application subject to court conditions.

"They are quite adamant that they are not interested in the proposed bail as it serves no purpose as they are not of the intention to stand trial for the political offences committed."

The men feared for

their lives should they be released on bail while awaiting trial, he said

All three, who are reportedly weak and dehydrated, had indicated that "if the Government wants corpses, we will give them corpses," Cornelius said.

The Attorney-General announced the trial of the three hunger strikers had been postponed to October 28.

The men are being charged with stealing explosives from a mine and placing two bombs at Pretoria's Bloed Street taxi rank in August last year.

At least 13 people were injured when one of the bombs exploded.

They are also charged with another explosion in Durban in October which killed a computer consultant. - Sapa



# ER family disputes police claim of man's cell death

AN East Rand man has died in police custody less than four weeks after two others died under mysterious circumstances at a Vaal Triangle prison

The man died at Springs Police Station on Saturday night. Police could yesterday not reveal his identity and the circumstances that led to his death.

They said warders found the dead man on the night of August 24 during a visit to the cells. He was picked up by the police in a

*Sowetan 30/8/91*  
"drunken state at a taxi rank and taken into custody to sober up"

His death follows four weeks after two Sebokeng men, Mr Columbus Maqoma (37) and Mr Peter Masilo (40), had died in separate incidents at different police stations on July 23.

Maqoma and Masilo were reported to have died within hours of each other.

Maqoma had allegedly col-

By KENOSI MODISANE

lapsed after complaining about pains in his chest and short breath. He was taken to hospital where he was certified dead on arrival.

However, his family disputed the police version of the circumstances leading to his death.

Masilo was reported to have collapsed and died inside the

charge office at Sharpville Police Station.

Police claimed he had assaulted a policeman in the charge office. He was forcefully restrained and later collapsed.

He was arrested after police had been called to investigate a disturbance in the township, the police said.

His family, however, said he was picked up by the Vaal Murder and Robbery Squad in a pre-dawn raid on his home.

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*Mr*

# Trio now refuse to take water

By Carma le Grange  
and Political Reporter

The hunger strikers in Pretoria have been put in separate wards and are now refusing to take water

"This makes the situation of the three hunger strikers, especially Henry Martin in his 53rd day of fasting, absolutely crucial," said their legal representative, Wim Cornelius

He was speaking after visiting Mr Martin, Adrian Maritz and Dr Lood van Schalkwyk last night

He said the men had been separated from each other. Visits by their wives had been restricted to two half-hour visits a day, whereas they previously had "reasonable access"

"I have been advised that all three have stopped taking water in protest"

Mr Cornelius also said Orde Boerevolk official Leonard Veenendal, recently

released from hospital on bail after being on hunger strike for 33 days, had been admitted to hospital again with possible kidney failure

Mr Veenendal was to have appeared in court today with Darryl Stopforth and Horst Klenz in connection with an extradition order to Namibia

Throughout the day, a group of about 11 khaki-clad and placard-wielding AWB supporters protested outside the hospital against the Government's indemnity refusal

Orde Boerevolk (OB) leader Nic Strydom said he had wanted to persuade the three prisoners to start eating but was yesterday refused permission to see them

"I think it's in the best interest of everybody in the country that the three men should not die," he said

Justice and Correctional Services Minister Kobie Coetsee yesterday an-

nounced that President de Klerk had, in consultation with the Cabinet, decided against granting the three men indemnity from prosecution

Mr Cornelius today accused the Government of trying to frustrate the hunger strikers and break their morale by putting them in separate wards and severely restricting access to them

He said it was strange Pretoria had resorted to "this psychological torture" at a time when "almost all organisations" — including the ANC, the Democratic Party, the South African Council of Churches and Lawyers for Human Rights — were calling for their release

Boerestaat Party (BP) leader Robert van Tonder warned if the three men died because of the hunger strike, "it would become virtually impossible to hold demonstrations peacefully"

Civilian death the key issue

# Govt won't budge on 3 fasters

By Peter Fabricius  
Carina le Grange  
and Helen Grange

The Government's decision not to release three ultra-right-wing hunger strikers signals a new, tougher approach to handling the Right, political observers believe

And the decision seems to have set a precedent for not releasing prisoners who have killed civilians. This could put paid to the chances of early release for ANC prisoners such as Robert McBride, who detonated a car bomb which killed three patrons of the Magoo's Bar in Durban.

The fact that the three rightwingers are charged with killing a civilian with a parcel bomb apparently influenced the Government in its decision.

The fatal clash between the police and the far Right at Ventersdorp, and the AWB's plan to disrupt Agriculture Minister Dr Kraai van Niekerk's Parys meeting this week may also have hardened the Government's attitude, observers believe

The Cabinet dug in its heels on Wednesday despite one report from the extended indemnity committee that the three hunger strikers — Henry Martin, Adrian Maritz and Dr Lood van Schalkwyk

— should be released because of the possible effects of their hunger strike

Last night the men's lawyer, Wim Cornelius, said their condition was deteriorating rapidly. Mr Martin has been on hunger strike for 54 days, Mr Maritz for 47 and Dr van Schalkwyk for 40 days

The extended committee which met on Monday ruled that the applicants' offences fell outside the guidelines of what constituted political offences as laid down by the Indemnity Committee. However, because of the hunger strike, the committee recommended the men be freed

## Called

Both the ANC and the Conservative Party have called upon President de Klerk to rescind the Cabinet decision and let them go

Under the guidelines for defining political offences, negotiated by the ANC and the Government, an important criterion is whether the victims of violence are civilians or servants of the State.

Informed sources disclosed that one of the three judges on the indemnity committee — assisted by two advocates — first considered the application for release by the three rightwingers on May 29, and rejected it

Justice Minister Kobie Coetsee said in his statement they were unanimous in finding again that the three did not fall within the definition of political offenders

Informed sources said this was not unanimous, the committee had in fact split over the question of whether the three should be freed.

Yesterday Mr Cornelius was planning joint representations, including to the ANC and the South African Council of Churches (SACC), to get the men indemnified

The move comes as Boerestaat Party leader Robert van Tonder last night expressed fears that the men would be force-fed after they had been separated yesterday. However, under the Tokyo Declaration — to which South Africa subscribes — hunger strikers may not be force-fed.

Mr Cornelius was last night waiting for permission from the Department of Correctional Services to allow envoys of the ANC and the SACC to visit the men

This week both bodies issued statements calling on the Government not to allow a situation which would result in the men dying

According to Norman Ling of the British Consulate, a consulate official is expected to visit Mr Martin, a British subject, today

● See Pages 2 and 3

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**IN THE WEEK THAT THREE HUNGER STRIKERS FACE DEATH ...**

**Why has FW thrown down the gauntlet?**



FW de Klerk recently relented in freeing hunger-striking ANC prisoners. Why is he now digging in his heels over rightwing hunger strikers?

By GAVIN EVANS

W/Mail 30/8-5/9/91 (253)

**T**HE government has opted to stare down the right wing, with the stakes being the imminent deaths of three hunger strikers

Wednesday's announcement by Justice Minister Kobie Coetsee that the men will not receive political indemnity is being interpreted by the right as a declaration of war. Clearly the government believes it can win it.

Having defused the Inkatha scandal by holding out against the right at Ventersdorp, President FW de Klerk seems set on taking a leaf out of the book of former British prime minister Margaret Thatcher, who 10 years ago allowed 10 Irish Republican Army hunger strikers to die rather than restore their political prisoner status.

The three — British citizen Henry Martin (49), Adrian Maritz (43) and Dr Lodewyk van Schalkwyk (53) — on Thursday respectively completed 53, 47 and 39 days without food. They are now preparing for certain, and possibly extremely painful, deaths, having refused an offer from Transvaal Attorney-General Don Brunette to support bail applications on their behalf.

"Bail serves no purpose," their lawyer, Wim Cornelius told *The Weekly Mail* on Thursday. "They went on hunger strike to be released and indemnified, and therefore they didn't apply for bail and they won't accept it."

The death of the three would confront the right wing with its moment of truth. Though it would create martyrs, it would force extreme rightists into having to carry their stand out to the final conclusion.

Failure to mount a really impressive show of protest if they died would deflate right-wing claims of support and preparedness to resist De Klerk.

On the other hand, a huge show of

protest would afford De Klerk the opportunity to crack the whip and face down the right wing before the movement becomes even more threatening.

The three are being kept in the emergency ward at IIF Verwoerd Hospital in Pretoria, where family members and supporters are maintaining a vigil at their bedsides.

"They are all now very dehydrated and the prospects of them dying are escalating. There's a strong chance of them going into a coma any moment now," said Cornelius.

"All three are in a very bad condition, but Van Schalkwyk's condition is even worse because of his serious heart condition."

"They all believe they will die — in

fact that is what they've believed from the beginning, so the government's refusal to grant them indemnity came as no surprise."

Van Schalkwyk has had three heart attacks while Martin is believed to be on the verge of lapsing into a coma.

All members of the extreme-right Orde Boerevolk, the three are being charged with murder and attempted murder. According to the state, they placed two bombs at a taxi rank in Pretoria. One exploded, injuring 13 civilians, some seriously, while the other was defused.

They are also charged with placing a bomb in a computer sent to a Durban computer firm for repairs. "This bomb killed a technician, a private individual with no political affiliation," the minister of justice said in a statement.

The Indemnity Committee, appointed to advise the government, unanimously found that their offences did not fall within the guidelines for establishing political offences. The cabinet accepted the committee's advice.

Orde Boerevolk leader Nic Strydom said on Thursday he would ask the men to end their hunger strike, but said he doubted he would be able to talk them out of their stand. "They are very determined men, but I will try," he said.

What is certain, from previous medical records of hunger strikers, is that even if they do end their action, each will have already suffered permanent

and irreversible damage to their internal organs.

This fact was highlighted by the announcement on Thursday that Leonard Veenendaal, whose extradition hearing was scheduled for Friday, was admitted to a hospital in Vereeniging on Wednesday with kidney failure. Veenendaal embarked on a month-long hunger strike before being released on bail of R1 000 on August 1.

A family friend, Karen Claassen, said he was passing blood and was seriously ill.

Boerestaat leader Robert van Tonder told *The Weekly Mail* on Thursday he believed the government was forcing a confrontation with the right wing by refusing to indemnify the men.

"The way we see it is that we have a black government with a white skin," he said. "The De Klerk regime doesn't give a damn for the whites. He is wilfully creating a mood of hatred and loathing among the right."

"A situation like in Ireland is developing, in which there will soon be no hope of negotiating. If they die, the mood in the country will become extremely unpredictable — it might lead to civil war."

The danger of the government allowing the men to go to their deaths is that it may tend to legitimate future violence by the right.

Commenting on the Irish experience, in his book *Ten Men Dead*, David Beresford wrote "Hunger striking, when taken to the death, has a sublime quality about it, in conjunction with terrorism it offers a consummation of murder and self-sacrifice which in a sense can legitimise the violence which precedes and follows it."

Perhaps with this in mind, African National Congress president Nelson Mandela on Thursday expressed the movement's "keen disappointment" at the government's decision not to grant the right wingers indemnity from prosecution.

"This matter should be resolved in such a manner that it contributes to a better understanding between all South Africans and enhances the delicate peace process under way. On humanitarian grounds alone, the men should be freed immediately."

Mandela also said the decision forced the ANC to ask whether the government was determined to cover up the "nefarious deeds committed by elements of its security forces."

The three hunger strikers have stated that they worked for both military intelligence and the National Intelligence Service.

**APARTHEID BAROMETER**

**POLITICAL PRISONERS**

The longest serving political prisoner in South Africa, Litha Mlahleki, is being held in solitary confinement at Pollsmoor Prison after the release of his two cellmates, Monde Khakaza and Reverend Daniel Nkopodi, last week. He was sentenced to 42 years' jail in 1978 for various offences, including sabotage, three counts of attempted murder, possession of a firearm, resisting arrest and disarming a policeman.

**HUNGER STRIKERS**

Three right wing hunger strikers, Henry Martin, Adrian Maritz and Dr Lood van Schalkwyk, were on the verge of death this week. Martin had not eaten for more than seven weeks, Maritz for over six weeks and Van Schalkwyk for over five weeks.

Phyllis Fante is in the second week of her second hunger strike at Pollsmoor Women's Prison. She is demanding immediate release, since she considers herself a political prisoner.

She was arrested with seven others in 1987 and was jailed for 15 years for attempted murder. Five of her co accused have been indemnified and the other, Andile Tyebele, remains in prison.

**HOW A HUNGER STRIKER DIES ...**

**T**HE Irish Republican Army's Bobby Sands is the most famous man to have starved himself to death. This is how he died in the Maze Prison after 66 days:

"Later in the day Carron was allowed in for the last time. He found Sands in no shape to talk. He was lying on the waterbed, his left eye was black and closed, the right eye was nearly closed and his mouth twisted as if he had suffered a stroke. He had no feeling in his legs and could only whisper. Every now and then he started dry retch-

ing. He managed to ask Carron if there was any change. The Fermanagh man said no, there was no change. Sands said 'Well, that's it'. He told Carron, 'Keep my Ma in mind'. Carron bent over the bed, hugged him and kissed him...

"On Sunday, Sands lapsed into a coma. His parents, brother Sean and Marcella were with him to the end, which came at 1.17 on the morning of Tuesday May 5, 1981."

●From *Ten Men Dead: The Story of the 1981 Irish Hunger Strike*, by David Beresford

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# US activist in SA backs call to free rights-wingers

**PAT DEVEREAUX**  
Weekend Argus  
Correspondent

**JOHANNESBURG** — Every American black political activist Angela Davis — who once topped the FBI's list of most wanted people — arrived in South Africa yesterday and immediately backed the African National Congress's call for the release of the three right-wing hunger strikers on humanitarian grounds.

"Of course, our solidarity is with the progressive forces, but we agree with the ANC in asking for their (the right-wingers) release. As progressives, we have a responsibility to represent humanity and must not adopt the measures taken by the oppressors," said Professor Davis at a Johannesburg Press conference last night.

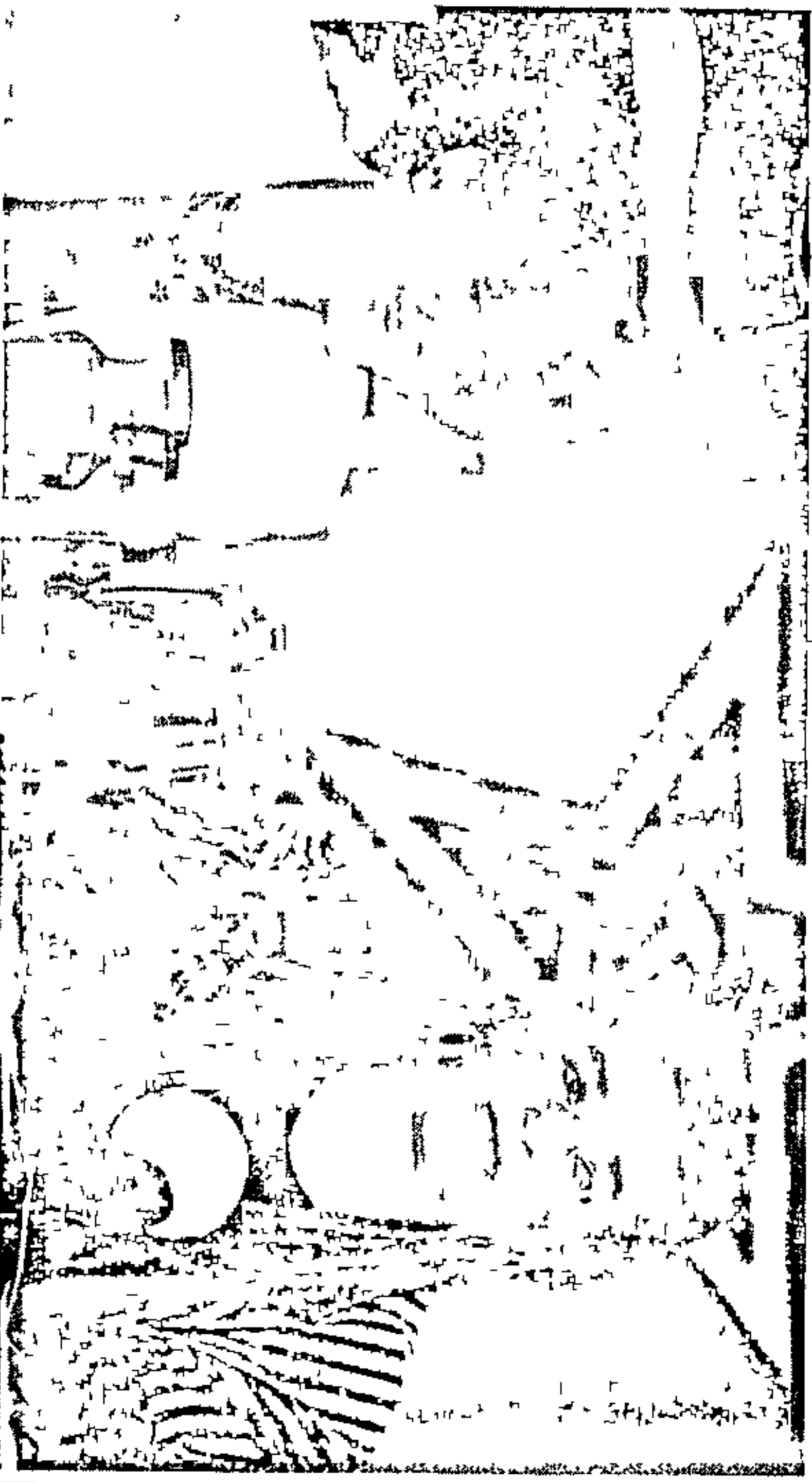
A guest of the ANC Women's League, the South African Communist Party and the Institute for Black Research, Professor Davis was accompanied by Charlene Mitchell, President of the National Alliance against Racist and Political Repression — one of the first groups to take up the issue of apartheid in the US.

On the collapse of communism in the Soviet Union, Professor Davis, a member of the Communist Party's central committee in the United States, said it was "a very sad and difficult time for those who have fought for socialism around the world."

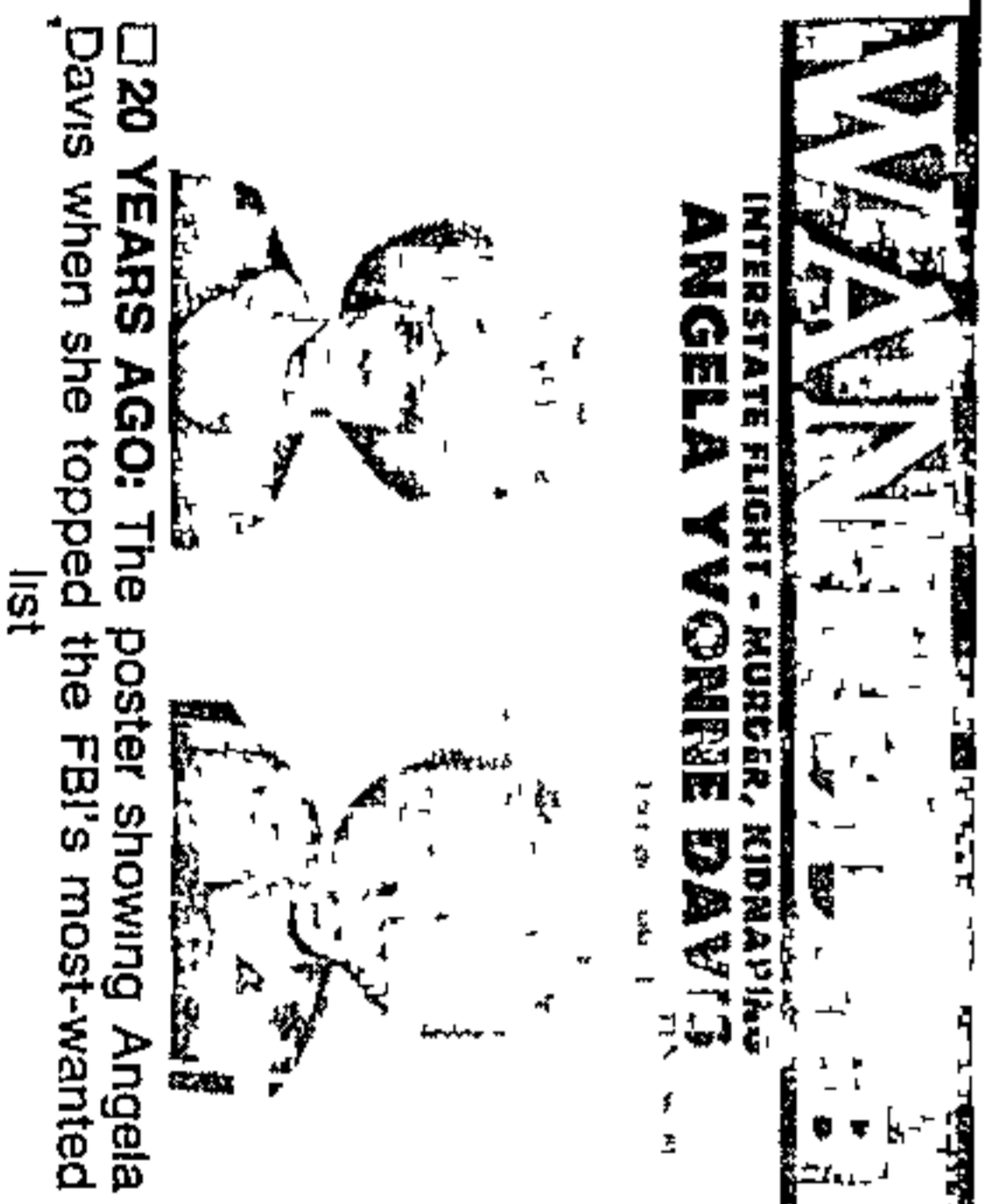
"I am no less an advocate of socialism than I was before. In the US we are witnessing a crisis of capitalism. We need jobs, housing, health care and education. Socialism is more relevant today," she added.

Asked what she hoped to achieve by visiting South Africa, she said "A few years ago, I never could have imagined being here. All my political life we vowed we would not visit until South Africa was free."

"We hope to revitalise the movement for a free South Africa and we hope to advance our own fight against racism and sexism in the US."



**ADVOCATE OF SOCIALISM:** American black political activist Professor Angela Davis, left, and Ms Charlene Mitchell, president of the National Alliance against Racist and Political Repression at yesterday's Press conference in Johannesburg



**20 YEARS AGO:** The poster showing Angela Davis when she topped the FBI's most-wanted list

## Don't release strikers, plead victim's friends

**BRENDAN TEMPLETON**  
Weekend Argus Correspondent

**JOHANNESBURG** — Friends of parcel-bomb victim Mr Nick Cruise are bitterly opposed to the release of the Pretoria hunger-striking trio who have admitted they killed him.

A deadly bomb allegedly sent by the three Orle Boer-volk members — Mr Henry Martin, Mr Adrian Maritz and Dr Lood van Schalkwyk — killed Mr Cruise and shattered his loved ones' lives.

Mr Maritz and Mr Martin last week claimed they sent the bomb marked for Mr Cruise's attention because they believed the Durban computer company where he worked, PC Plus Consultants, was co-ordinating the African National Congress's Operation Vula.

Now as the three lie close to death in Pretoria's H F Verwoerd Hospital, friends of Mr Cruise do not believe the government should allow them political indemnity.

PC-Plus owner Mr Tam Alexander this week said the paration which stated that hunger strikers were entitled to support from their families and this meant they could no longer support each other.

When Mr Maritz and Mr Martin were together, they ensured that they stayed awake and were alive.

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## Do-or-die for hunger strikers

**AKA 31/91**  
From Page 1

visit the hunger strikers at a time which means that the allotted half-hour has to be shared if more than one family member wishes to see them.

Other visitors have to apply for special permission.

Mrs Karen Maritz and Mrs Heather van Schalkwyk looked tired and pale last night.

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right-wingers had probably made the claims to whip up right-wing sympathy and to try to qualify for indemnity.

He admitted the company was opposed to apartheid and had ANC members as employees, but this did not make it a front for the movement.

A close friend and colleague of Mr Cruise, Mr Gary Peiser, said he started receiving threatening telephone calls and letters after the bomb blast.

He said it took him months to recover emotionally from the ordeal. He did not believe the hunger-striking trio should be set free.

## Do-or-die for hunger strikers

**AKA 31/91**  
From Page 1

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When Mr Maritz and Mr Martin were together, they ensured that they stayed awake and were alive.

Mr Martin has stopped breathing on occasion and been resuscitated with oxygen.

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He described Mr Cruise as "a totally innocent man" and a committed Christian who was targeted for death one day by the simple act of answering a telephone call.

On the other end of the line was Mr Henry Martin — a regular customer — who asked Mr Cruise if he could fix one of his computers, he said.

Mr Alexander said he narrowly escaped being killed by the bomb — he was helping Mr Cruise unwrap the parcel, but then had to leave the room to answer a telephone.

Today, Mr Cruise's father is still trying to come to terms with the act which robbed him of his son — he also lost Nick's mother in 1986.

# Do-or-die <sup>(253)</sup> CT 31/8/91 deadline for hunger strike

**BRENDAN TEMPLETON**

Weekend Argus Correspondent

JOHANNESBURG — Tuesday is looming as the do-or-die deadline for the three rightwing hunger strikers now weakening by the hour in a Pretoria hospital.

They will re-assess their position after a planned visit on Monday by a high-powered African National Congress (ANC) delegation led by Mr Nelson Mandela, their lawyer, Mr Wim Cornelius, has revealed.

The hunger strikers have vowed to continue their fast until they are granted political indemnity or released on humanitarian grounds.

Yesterday, rumours spread that Henry Martin and Dr van Schalkwyk were weakening in their resolve to continue their fast.

Minister of Justice Mr Kobie Coetsee, said in a statement last night that Dr Van Schalkwyk had successfully applied for bail pending his trial on October 28. Bail of R5 000 was granted.

However, this was brusquely denied by Mr Cornelius, who said "I received a written mandate at 6,30pm (last night) stating that he (Dr Van Schalkwyk) has discussed bail conditions with the deputy attorney-general and that he couldn't come to any agreement with the bail conditions."

"He has decided to re-assess his position and will come to a formal deci-

sion on Tuesday. I deny that I accepted the bail," added Mr Cornelius.

He also denied that Henry Martin had weakened in his resolve. All three men were determined to continue with their hunger strike, he said.

Meanwhile, the affair took a new turn when it was revealed that Dr Van Schalkwyk had been threatened with a shotgun. One of the police guards cocked his weapon and pointed it at the bed during an altercation involving the visiting rights of the detainee's wife, according to Mr Cornelius.

Mr Cornelius said he would insist that the incident, which allegedly occurred on Thursday evening, be investigated.

The threat apparently occurred after Mrs Van Schalkwyk overstayed her allotted half-hour with her husband at the H F Verwoerd Hospital.

However, Mr Cornelius said Mrs Van Schalkwyk had overstayed her welcome by only a few minutes.

Thursday's alleged incident came amid a drawn-out tussle between prison authorities and family of the hunger strikers.

The families have been restricted to the official hospital visiting hours of 30 minutes in the afternoon and 30 minutes in the evening, and the armed guards are applying this rule rigidly. Only one person is allowed in to

■ See Page 3

P.T.O.



mitted they killed him

A deadly bomb allegedly sent by the three Orde Boere volk members — Mr Henry Martin, Mr Adrian Maritz and Dr Lood van Schalkwyk — killed Mr Cruise and shattered his loved ones' lives.

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## Do-or-die for hunger strikers

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visit the hunger strikers at a time which means that the allotted half-hour has to be shared if more than one family member wishes to see them.

Other visitors have to apply for special permission

Mrs Karen Maritz and Mrs Heather van Schalkwyk looked tired and pale last night

Mrs Maritz said her husband and Dr Van Schalkwyk had stopped taking water in an attempt to pressure the authorities into allowing family and friends unlimited access as they had had before the men's indemnity was refused on Wednesday night.

Mr Cornelius said he found it strange the authorities had suddenly clamped down on the hunger strikers immediately after the indemnity refusal.

He accused the government of contravening the Tokyo Dec-

laration which stated that hunger strikers were entitled to support from their families

The men had been separated and this meant they could no longer support each other.

When Mr Maritz and Mr Martin were together, they ensured that they stayed awake and were alive

Mr Martin has stopped breathing on occasion and been resuscitated with oxygen.

This was no longer possible and he feared for the men's lives because they did not have a nurse at their bedsides 24 hours a day, he said.

When asked how she felt about her husband turning down the bail conditions, Mrs van Schalkwyk said "It's a decision that each person makes for themselves, but possibly we would like to see them out as soon as possible."

Mr Cornelius said there would be "a massive problem"

if one of the men slipped into a coma

"There was no reason to separate them. They at least had the comfort of each other

Yesterday, Mr Maritz's weight had slipped to 52kg, and Mr Cornelius expressed great concern at the rate of this weight loss

Henry Martin's weight had dropped to about 75kg and Dr Van Schalkwyk had dropped to 70kg

Mr Cornelius denied a Johannesburg newspaper editorial which stated yesterday that the second bomb explosion allegedly caused by the trio and which killed Nick Cruise, 23, had occurred after the government's indemnity cut-off date of October 8 last year

The Natal parcel bomb occurred on October 2 and the Bloed Street taxi rank bomb exploded on August 11, he said

# Death soon for hunger strikers?

CT 31/8/91 Own Correspondent

(253)

JOHANNESBURG — South Africa's three right-wing hunger strikers could expect "death to come fairly rapidly" after their refusal to take water, the national director of the National Medical and Dental Association, Dr David Green, said yesterday

The hunger strikers, who on Wednesday were denied indemnity against prosecution, enter their third day of refusing water today

Orde Boerevolk leader Mr Nic Strydom yesterday confirmed that the three men, Mr Henry Martin, 50, Mr Adrian Maritz, 43, and Dr Lood van Schalkwyk, 53, had refused to take water to protest against their separation and restrictions placed on visits by their families

Mr Strydom said the men were all very weak, but he was unable to give more details as he had been refused entry to their wards in Pretoria's H F Verwoerd Hospital

The Department of Justice has described their condition as serious, but said the men were refusing to be examined by a medical doctor and, therefore, a more precise assessment of their health was difficult, if not impossible

Dr Green said he agreed with a hospital source that Mr Martin could be expected to die within 72 hours of refusing to take water



## Prison hunger strike resumed

JOHANNESBURG — A hunger strike at Bophuthatswana's Rooigrond Central Prison was resumed by several prisoners last Monday, according to activists in the Mmabatho area.

The Mafikeng Anti-Repression Forum said in a statement that so far 64 prisoners had resumed their hunger strike. However, General Cas Delport of the homeland's Prisons Department said there were 72 prisoners on hunger strike.

Maref said the prisoners had resumed fasting to press for their release in terms of the Pretoria Minute.

General Delport said the Bophuthatswana government was not a signatory to the Pretoria Minute.

MPs said the issue of political prisoners was debated in the Bophuthatswana parliament earlier in the week and a decision was expected to be taken some time next week.

Sapa (253) CT 31/8/91

# HUNGER 3'S

# Posi Drama

# Mandela

# to visit

# Strikers

**PRETORIA.** — ANC president Mr Nelson Mandela will meet the three right-wing hunger strikers on Monday in a bid to end the crisis.

The surprise announcement of Mr Mandela's visit came after the wives of two of the hunger strikers, Mrs Heather van Schalkwyk and Mrs Karin Martin, said their husbands were now prepared to forswear violence and negotiate.

And in another major development in a night of drama concerning the hunger strike, one of the three men, Dr Lood van Schalkwyk, rejected a R5 000 offer of bail.

Dr Van Schalkwyk, Mr Henry Martin and Mr Adrian Maritz have all refused food for over 40 days. Mr Martin has fasted for 55 days. All three have vowed to continue with their strike in Pretoria's H F Verwoerd Hospital until they are granted political indemnity or released on humanitarian grounds.

They are facing charges arising from a bomb blast at Pretoria's Blood Street taxi rank last year in which 11 people were injured and a second explosion in Durban in October in which a computer consultant was killed.

Yesterday senior ANC members met Mr Wim Cornelius, lawyer for the three hunger strikers, to prepare for a meeting with Mr Mandela.

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CT 31/8/91



55th DAY OF STRIKE  
Mr Henry Martin



47th DAY OF HUNGER STRIKE  
Karin before his arrest earlier this year  
Mr Adrian Maritz and his

Mr Cornelius said Mr Mandela was not trying to score political points by becoming involved.

"He is genuinely concerned with these people. We take our hats off. It is an incredible humanitarian gesture."

Mr Cornelius also said Dr Van Schalkwyk had refused the bail offer because of the strict conditions attached.

"We negotiated on possible bail conditions, but we could not come to an agreement with the government," Mr Cornelius said.

One of the conditions was that Dr Van Schalkwyk could not speak to the press.

Dr Van Schalkwyk would review his position on Tuesday after Monday's meeting between the three hunger strikers and Mr Mandela.

Mr Cornelius said he had a written mandate from Dr Van Schalkwyk outlining his reasons for his refusal of bail.

Mr Martin and Mr Maritz were also determined to fast until their conditions were met, Mr Cornelius added.

Mrs Heather van Schalkwyk, who visited her husband last night, agreed with his decision to reject the offer.

"Of course we would like to have him out, but we want amnesty. He should be able to take his place in the new South Africa," she said.

Looking tired and drawn from the ordeal of having to support her husband, she said his state was "in the hands of the Almighty".

Mrs Van Schalkwyk said her husband was

"very weak" he had some heart trouble today. But he was still "strong in resolve", she said.

Asked if she supported her husband, Mrs Van Schalkwyk said "It is hard to understand, I can understand it in my head, but not in my heart."

Last night right-wing sources said the three were all "very weak", with Mr Martin "slipping in and out of a coma".

The Department of Justice said the condition of the three men was serious.

● The British govern-

ment has raised the issue of Mr Martin, who is a British citizen.

A Foreign Office spokesman confirmed yesterday that Mr Cornelius, as well as a friend of his, contacted the British ambassador in Pretoria, Mr Tony Reeve, to express concern about his predicament.

As a result, she said, the issue "was raised with the South Africans" by Mr Reeve, who "expressed a humanitarian concern".

— Own Correspondents and Sapa

● Near tragedy over visiting rights ● Mandela's visit could

# Striker in shotgun

star 16/8/91 (25)

BRENDAN TEMPLETON

**RIGHT-WING** hunger striker Dr Lood van Schalkwyk was threatened with a shotgun in his Pretoria hospital bed, his attorney revealed last night.

One of Dr van Schalkwyk's guards cocked his weapon and pointed it at the bed during an altercation involving the visiting rights of the detainee's wife, attorney Wim Cornelius said.

Mr Cornelius insists that the incident, which occurred on Thursday evening, be investigated

The threat apparently occurred after Mrs van Schalkwyk overstayed her allotted half-hour with her husband at the H F Verwoerd Hospital. But Mr Cornelius said Mrs van Schalkwyk had overstayed her welcome by only a few minutes

**'Let them starve to death' — Page 2**  
**Go-between carries heavy burden;**  
**'Poor show if men are freed' — Page 4**

Approached for comment last night, northern Transvaal police liaison officer Lieutenant-Colonel Frank Alton said the incident had been reported and was being investigated. He said the hunger strikers were being guarded by uniformed police officers.

A source said the incident could have been brought about by a personal matter not related to the hunger strike that "went back a few years".

Mr Cornelius condemned the act, saying it could have resulted in Dr van Schalkwyk having another heart attack. The detainee has had a number of attacks during his fast and is connected to heart monitoring equipment.

It has been revealed that Tuesday is looming as the do-or-die deadline for the three hunger strikers, now weakening by the hour.

Mr Cornelius confirmed the men would reassess their position following an expected visit on Monday by an ANC delegation led by Nelson Mandela.

Minister Kobie Coetsee said in a statement last night that Dr van Schalkwyk had successfully applied for bail pending his trial on October 28. Bail of R5 000 was granted.

But this was brusquely denied by Mr Cornelius, who said, "I received a written mandate at 6 30 pm (last night) stating that Dr van Schalkwyk has discussed bail conditions with the deputy attorney-general and that he couldn't come to any agreement with the bail conditions."

"He has decided to reassess his position and will come to a formal decision on Tuesday. I deny that I accepted the bail," he added. He also denied that Henry Martin had weakened in his resolve.

Thursday's shotgun incident came amid a drawn-out tussle between prison authorities and family of the hunger strikers.

The families have been

● TO PAGE 2.

be turning point

# drama

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# Strikers

(253)

● FROM PAGE 1.

restricted to the official hospital visiting hours of 30 minutes in the afternoon and 30 minutes in evening, and the armed guards are applying this rule with cast-iron severity.

Only one person is allowed in to visit the hunger strikers at a time. This means that the half-hour has to be shared if more than one family member wishes to see them.

Other visitors have to apply for special permission.

On top of this, Mr Cornelius said he was not allowed to see the prisoners' medical records and had been told to apply to the Department of Correctional Services for access to them.

Karen Maritz and Heather van Schalkwyk both looked tired and pale last night. An angry Mrs Maritz accused a Colonel van Staden of trying to break the hunger strike.

Her husband and Dr van Schalkwyk had stopped taking water in an attempt to pressure the authorities to allow family and friends unlimited access as they had had before the men's indemnity was refused on Wednesday night.

Mr Cornelius said he found it strange that the authorities had sudden-

ly clamped down on the hunger strikers immediately after the indemnity refusal. He accused the Government of contravening the Tokyo Declaration which stated that hunger strikers were entitled to support from their families. The men had been separated and this meant they could no longer support each other, he said.

Mr Martin has stopped breathing on occasions, and has had to be resuscitated with oxygen. He feared for the men's lives because they did not have a nurse at their bedsides 24 hours a day, he said.

When asked how she felt about her husband turning down the bail conditions, Mrs van Schalkwyk said: "It's a decision that each person makes for themselves, but possibly we would like to see them out as soon as possible."

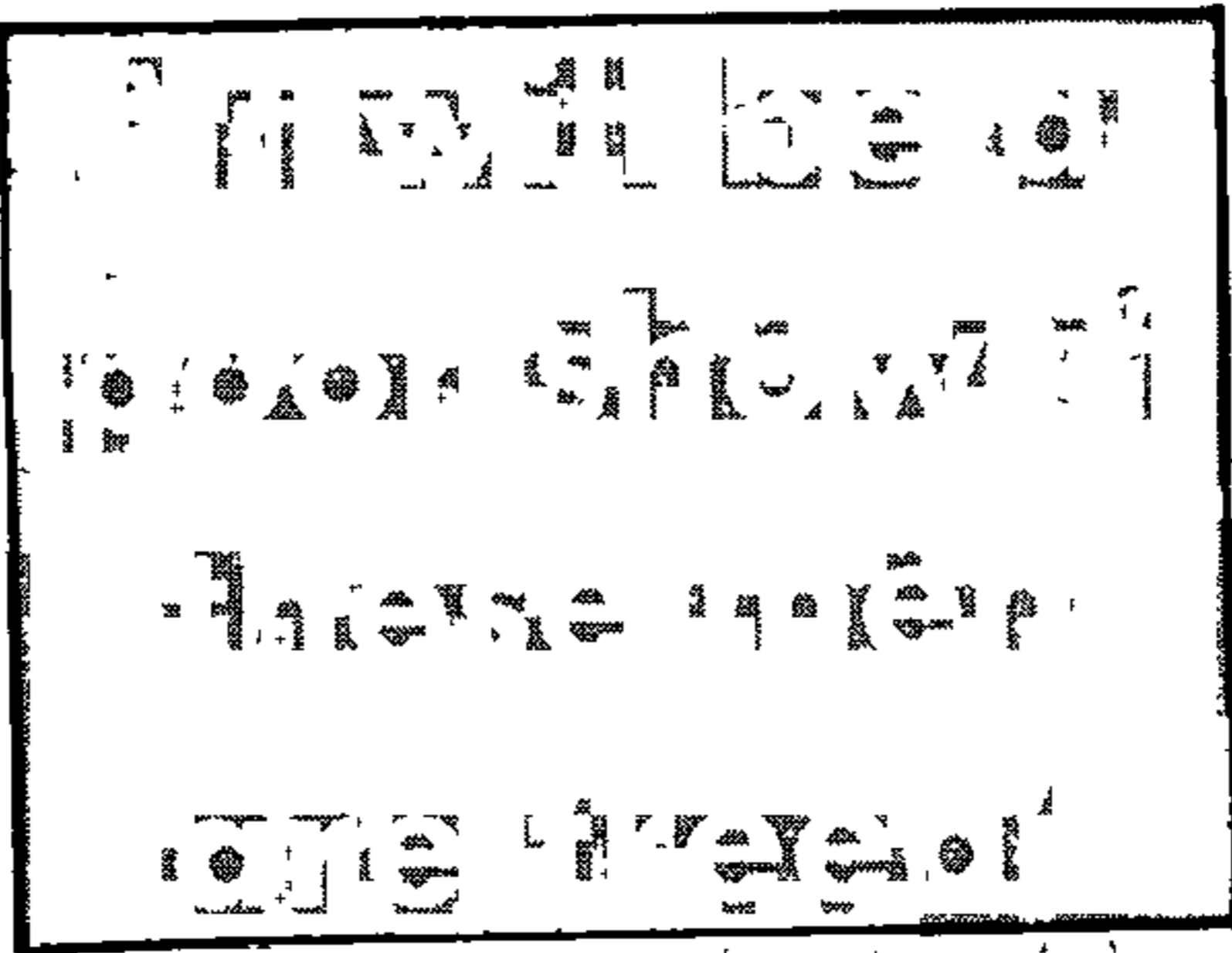
Mr Cornelius said there would be "a massive problem" if one of the men slipped into a coma.

He denied a Johannesburg newspaper editorial which stated yesterday that the second bomb explosion allegedly caused by the two of trio, which killed Nick Cruise (23), had occurred after the Government's indemnity cut-off of October 8.

The Natal parcel bomb exploded on October 2, and the Bloed Street taxi rank bomb exploded on August 11.

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**BRENDAN TEMPLETON**

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FRIENDS of parcel-bomb victim Nick Cruise are bitterly opposed to the release of the Pretoria hunger-striking trio who have admitted they killed him.

A deadly bomb allegedly sent by the three Orde Boerevolk members — Henry Martin, Adrian Maritz and Dr Lood van Schalkwyk — killed Mr Cruise and shattered his loved one's lives forever.

Mr Maritz and Mr Martin last week claimed they sent the bomb marked for Mr Cruise's attention because they believed the Durban computer company where he worked, PC-Plus Consultants, was coordinating the ANC's Operation Vula.

Now, as the three lie close to death in Pretoria's H F Verwoerd Hospital, friends of Mr Cruise do not believe the Government should allow them political indemnity.

The owner of PC-Plus, Tam Alexander, this week said the rightwingers had probably made the claims to whip up right-wing sympathy and to try to qualify for indemnity.

**Opposed**

He admitted the company was opposed to apartheid and had ANC members as employees, but this did not make it a front for the movement.

The firm worked for the ANC, but not before it was unbanned and not on Operation Vula. Many other companies, including major banks, had the ANC among its customers, but that did not mean they were fronts for the movement either, Mr Alexander said.

A close friend and colleague of Mr Cruise, Gary Pelser, said he started receiving threatening telephone calls and letters after the bomb blast. He said it took him months to recover emotionally from the ordeal. He did not be-

lieve the hunger-striking trio should be set free.

"I'm strongly opposed to these guys being released. I'm a Christian myself and I feel very strongly in Christianity, but I still believe in justice.

"Still today, it's hair-raising when you hear that guys like these are going to be freed. It's quite frightening. If these guys get released, it will be a poor show as far as I'm concerned.

"You will have to ask what sort of law is in this country if it can be changed to suit anything," he said.

He described Mr Cruise as "a totally innocent man" and a committed Christian who was targeted for death one day by the simple act of answering a telephone call.

On the other end of the line was Henry Martin — a regular customer — who asked Mr Cruise if he could fix one of his computers, he said. A few days later a package addressed to the young man arrived at the office. He was killed instantly when he opened the cardboard box.

Mr Alexander said he narrowly escaped being killed by the bomb — he was helping Mr Cruise unwrap the parcel but then had to leave the room to answer a telephone. Seconds later an explosion rocked the building.

Today, Mr Cruise's father is still trying to come to terms with the act which savagely robbed him of his son — he also lost Nick's mother in 1986.

He felt the decision to release the hunger-striking trio was out of his hands. "It will not bring back my son," he said.

"I firmly believe the police have apprehended the people who they sincerely think killed my son. It does not matter what they do, the matter is out of my hands."

# Go-between for trio carries heavy burden

Star 31/8/91.

253

**W**IM Cornelius is the man who may have to make the final decision whether the three Orde Boerevolk hunger strikers languishing in Pretoria live or die

He is the lawyer representing Henry Martin, Adrian Maritz and Dr Lood van Schalkwyk, who have been without food for 55, 48 and 41 days respectively

The men have resigned themselves to a slow death by starvation, and have given Mr Cornelius the authority to decide whether they may be revived once they slip into a coma

Their conditions for revival are stringent — they may be force-fed only if they are granted indemnity. It will be up to Mr Cornelius to evaluate any further offers which may come from the Government

He must also ensure that no attempts are made to force-feed the men, which would be a violation of their rights under the Tokyo Convention, to which South Africa subscribes

Even if the men's families begged him to revive them, he says he could not do so

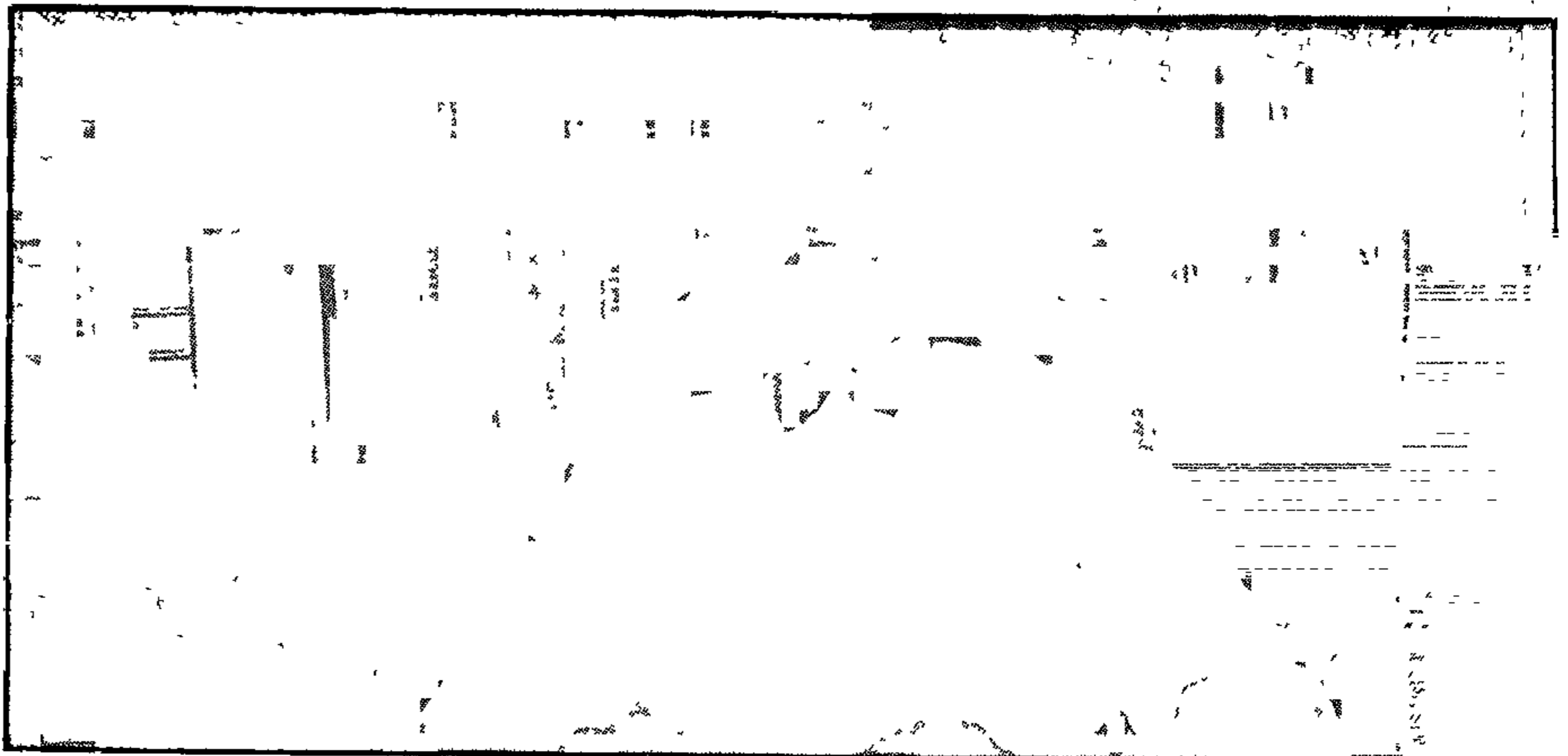
He believes the conditions for their being force-fed have been clearly explained by his clients, but admits that having the power of life or death in his hands is a heavy burden

"It is not a pleasure to do this type of work," he says. The 42-year-old lawyer has to cope with the dread that one of his clients could die suddenly

"You are consumed with waiting virtually on an hour-to-hour basis. My phone rings non-stop

"I'm waiting for the fatal call. I can get the call now which says Mr Martin is in a coma or dead. Or Lood van Schalkwyk has had another serious heart attack. Or Adrian Maritz is in a state of stupor"

The strain shows on his face. When we first meet, he is smiling and slightly



**LIFE-OR-DEATH DECISION:** Pretoria lawyer Wim Cornelius is the man who may have to make the final decision whether the three Orde Boerevolk hunger strikers live or die.

## BRENDAN TEMPLETON

joval as, he walks into his tastefully furnished office. But halfway through the interview, the telephone rings and he is told that Mr Martin is dead

Suddenly, the relaxed atmosphere crackles with tension as he grimly telephones the H F Verwoerd Hospital where the men are being held. No, a policeman tells him, the men are fine. It was a hoax call — one of several the Vryheid-born lawyer has received

How did the news of his client's "death" affect him?

"It hits home the severity of the case. The immediate thing that comes to my mind is the possible political

consequences

"I don't know what the reaction will be, but I'm worried about media reports of various political leaders

"I'm not talking about the well-known leaders like Eugene Terre-Blanche or Piet Rudolph, I'm talking about the CP leaders who have made statements about the possible violence that might erupt

"So it is true that they are being seen as martyrs, and the consequences can be grave. I'm worried about that"

The pressures do not stop when he clocks out at the end of the day

"It is extremely taxing on my wife and children. You are called on in the middle of the night. You are more at hospital than you are at home nowadays and you have to keep a constant watch over them (the hunger strikers).

"You live in an hour-to-hour fear that somebody might slip into a coma. You have these hoax death calls. You have to guard what you say to political figures who phone you.

"You have to be extremely careful of the press. I have approximately 55 to 65 press calls a day"

**W**E MET the day after the Government had finally denied the men indemnity. As the interview wore on, it became clear he was under a lot of strain. Does he sleep well?

"No. I suffer incredible insomnia. I have about four hours' sleep a night

"There's a tremendous amount of work and research to be done

"You have to know the people, and their politics. You have to know what they are aiming at, what they support. The biggest problem we have is the lack of legal precedent (about hunger

strikers) in South Africa," he says

By now he has had plenty of experience in dealing with hunger strikers. He has represented "Wit Wolf" killer Barend Strydom, and Orde Boerevolk members Leonard Veenendal and Daryl Stopforth — all of whom embarked on hunger strikes

He insists he is not a right-wing lawyer. He is a member of Lawyers for Human Rights and has also represented left-wing organisations

"I would attend with the same vigour and diligence to a case of the ANC as I would to a case of the right wing"

He believes the hunger-striking trio have a good argument for indemnity. Despite Government claims that the charges against them need to be processed through the courts first, he says political prisoners have been released without their charges being heard before a court

The Government has also made it clear that it recognises that the men are political prisoners

It has granted them indemnity against charges of possession of explosives, firearms, ammunition and tear-gas which are all causally linked to the charges of attempted murder and murder arising out of the Blood Street and Durban bombings

Mr Cornelius is getting strong support from the ANC and the South African Council of Churches (SACC)

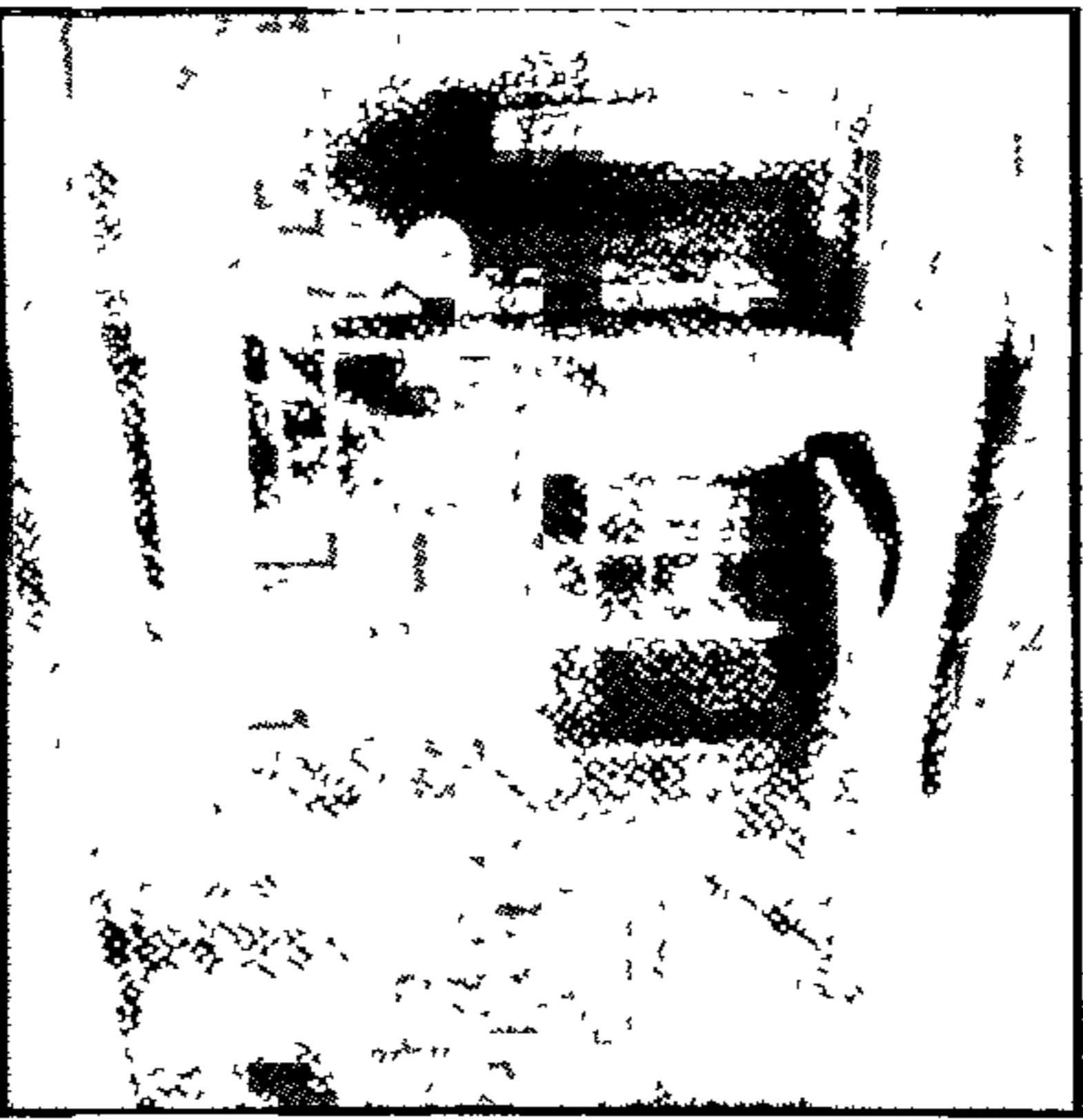
"I'm impressed by the attitude taken by the ANC and by Reverend (Frank) Chikane of the SACC, who has phoned to express his deep concern," he says.

But still, the final decision, once the men fall into a coma, will be his

"I don't want any loss of life. I just want someone to listen to what the hunger strikers are saying"

**NEWS**

# The deadly bomb two Orde Boerevolk men say they sent



**FLASHBACK:** 37 Crant Ave, Glenwood, where a bomb blast killed Nick Cruise.



**DEBRIS:** Interior after the parcel booth exploded at the Durban computer company P.C.Plus.



**COMPUTER:** A forensic expert with the damaged computer, where the bomb had been placed.



**COLLEAGUES:** A tearful Gary Pelsier, who worked with Mr Cruise, is consoled by a friend.