

Work in Progress:

to the state, he entered into a conspiracy with SACTU which furthered the aims of the ANC. This would render him guilty of the Internal Security Act charge.

Verdict: Not guilty. Presiding magistrate W Rosch found that Fine's activities were not of an inherently 'terroristic' nature. To gain a conviction under the Terrorism Act, the state therefore had to prove his guilt, rather than Fine prove his innocence. The state had failed to do this.

As far as the Internal Security Act charge was concerned, the magistrate found that SACTU was involved in both legal and illegal activities. However, there was no evidence before him that Fine was involved in its illegal activities, nor that the information he had passed on furthered the aims of the ANC.
(Johannesburg Regional Court, 09.11.81).

Rogério Chamusso (32).

The accused, a Mocambican citizen, was charged with murder, Terrorism and Sabotage. The state alleged that he underwent ANC military training in Mocambique and Angola between 1979 and 1981; sabotaged an Escom substation in Witbank on 23 October, 1981; was in possession of explosives, ammunition, a Makarov pistol and limpet mines; murdered Abraham Mans and Hendrik Booysen near Ogies on 23 October, 1981.

An unidentified youth told the court that he had worked for Mans and Booysen and was present when Chamusso came looking for work on 23 October. He said that he saw Chamusso follow Mans into a caravan, which Booysen was already inside. The youth claimed that Chamusso then shot into the caravan several times.

During the course of the trial, Chamusso pleaded guilty to the Terrorism Act charges, admitting that he had undergone military training, blown up the Escom sub-station, and been in possession of a limpet mine. However, he denied murdering Mans and Booysen.

The defence contested the admissibility of a statement made by Chamusso before a magistrate. It was claimed that the magistrate had not explained the implications of making a statement to Chamusso. In

addition, Chamusso claimed that he was deprived of water by security police, and this induced him to make the statement. The presiding judge finally ruled that the statement was not admissible as evidence against the accused.

In his evidence, Chamusso told the court that he had decided to join the ANC after his wife and child had been killed in the SADF raid on the Maputo suburb of Matola. He claimed that he was a South African citizen, not a Mocambican, and that his correct name was Patrick Shange.
Verdict: Guilty of Terrorism, but not guilty on the murder charges. The evidence of the only eye-witness to the murders was found by the judge to be unreliable.

Sentence: The state asked the judge to impose the death sentence, or imprisonment of 40 years. Chamusso was sentenced to 10 years for undergoing military training, 12 years for sabotaging the Escom sub-station, and 6 years for possession of explosives. Because certain of these terms are to run concurrently, the effective sentence is 24 years imprisonment.
(Pretoria Supreme Court, 06.12.82).

Abel Mazala(33).

The accused faced a main count under the Terrorism Act, with two alternative charges in terms of the Explosives, Arms and Ammunition Act. The charges emerged from a live hand grenade of foreign origin allegedly found in his garden.

Raymond Dlamini, in giving evidence for the state, told the court that the accused, alias Siphon Mandela, had told him that he had been trained in the use of weapons in various African states. According to his evidence, Dlamini then called the police and told them of Mazala's claim.

Verdict: Guilty.

Sentence: Mazala, who had been in custody for 14 months, was sentenced to 6 years imprisonment.
(Johannesburg Regional Court, 20.09.82).

Stanley Radebe (27), Ephraim Mthutheze Madalane (24), Ernest Lebana Mahakalala (23), and Innocentia Nankululeko Mazibuko (20).
Charge: The accused face charges relating to the South African