

ACCUSED NO 10 (BAVUMILE HERBERT VILAKAZI)

The allegations against accused No 10 set out in the indictment as amplified by further particulars are as follows. He attended the founding meeting of the VCA on 9 October 1983 at which he was elected area representative for zone 3. During August 1984 he held two meetings at his house in zone 3. On 24 August 1984 he was present at a joint meeting of activists of areas 3 and 7 where arrangements were made for a mass meeting on 26 August 1984 which he advertised by loudspeaker, attended in the Roman Catholic Church Small Farms and addressed. At this mass meeting he was elected on the zone 3 Area Committee. Accused No 10 identified with the aim of the UDF to overthrow or endanger the government by violent means by co-operating with the UDF and as member of a body affiliated to the UDF and which actively co-operated in the Vaal Triangle against the government and Black local authority to destroy the latter. He was part of the management structure of the VCA which was affiliated to the UDF and thereby became part of the UDF Transvaal and participated in its meetings, planning and organisation. These are the allegations against accused No 10.

Accused No 10 was at the launch of the VCA on 9 October 1983 where he was elected area representative for zone 3. His duties were to get an Area Committee going. He did nothing, it seems.

He attended the UDF's Peoples Rally in Lenasia on 29 October 1983 (exh V.19) and had no objection to the speeches or songs.

He attended a number of committee meetings of the VCA executive initially and participated in the organisation of the Anti-Election Rally of 27 November 1983 for which he had the pamphlet (exh AN.15.8) printed.

At the end of November 1983 he attended and spoke at a VCA meeting in Bophelong to found an Area Committee there. The theme of his speech was Black local authorities and a boycott of the election.

On 10 December 1983 accused No 10 and Sahluko attended a MARS seminar. Exh C.32. They were instructed in the drafting and printing of pamphlets for propaganda purposes.

Accused No 10 and Johnny Motete represented the VCA at the annual general meeting of the UDF in Port Elizabeth from 17 to 18 December 1983.

Accused No 10 attended the funeral of Jabu Shabalala in May/June 1984.

Since the first week of July 1984 he did not attend executive committee meetings of the VCA.

Belatedly accused No 10 took steps to initiate an Area Committee for zone 3 by holding meetings in his house in August 1984. Reverend Mahlatsi speaks of two and accused No 10 of four between 14 and 23 August 1984.

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On 21 August 1984 a joint meeting of committees of zones 3 and 7 was held in accused No 10's house. Accused No 10 handed to Esau Raditsela paper for pamphlets which had to be printed.

Accused No 10 attended the meeting of 24 August 1984 at the house of accused No 17 to plan the programme of the mass protest meeting on 26 August 1984 and accused No 10 proposed that the committee for zone 3 be elected at that meeting.

On 25 August 1984 accused No 10 arranged for Mahlatsi to convey the loudspeaker and pamphlets on 26 August to advertise the meeting in zone 3 and Evaton. He gave Mahlatsi R10,00 for petrol.

On the morning of 26 August accused No 10 and others advertised the meeting. He supplied the pamphlets which he had obtained from Esau Raditsela. He shouted by loudspeaker: "You have chosen councillors that misuse your money for their own profit". (Much the same theme he had had in 1983 in the pamphlet exh AN.15.8).

At the VCA mass protest meeting of 26 August 1984 he addressed the audience. He called the councillors dishonest, referred to the resignation of councillors at Ratanda and called on councillors to resign. He accused the police of duplicity and started a song. He was elected vice-secretary of the zone 3 Area Committee at this meeting. This was quite a come-down and must have shaken him. He left the Vaal for Natal.

From 29 August 1984 to 4 September 1984 accused No 10 was at Botha's Hill in Natal.

On 4 September he returned, met accused No 8, No 17 and Edith Letlaka and attended a meeting with Frank Chikane. On 6 September he drove to Johannesburg to fetch the pamphlet (exh AN.15.3) from the UDF's office. On 8 September he obtained the pamphlet (exh AN.15.7) and distributed it.

What is evident from the above summary is that accused No 10 is an enthusiastic starter who does not finish. He flagged in his task to found a zone 3 committee. He was full of enthusiasm for the 26 August 1984 meeting yet left the scene when it came to action. It may well be that he, like McCamel, foresaw that the stay-away and march would lead to violence.

However that may be, we are not convinced that he fully endorsed the stay-away and march resolutions after they had been passed. His actions belie that.

~~As far as the UDF is concerned we find the same pattern. After~~  
an initial burst his enthusiasm petered out. We do not know what discussions he attended at Port Elizabeth and cannot find that he was aware of the UDF's aim to destroy the Black local authorities by mass action in order to render South Africa ungovernable.

We find that the state has not proved its case against accused No 10.

Accused No 10 is found not guilty and discharged.

## **DELMAS TREASON TRIAL 1985-1989**

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