

WORCESTER

The further particulars to the indictment (p.79) allege that since September 1984 the UDF and the Western Cape Civic Association organised and intimidation, violence and rioting occurred.

The United Womens Organisation and the Western Cape Civic Association, both affiliated to the UDF, were active in 1984 in the Black township of Worcester called Zwelethemba.

The housing shortage was the greatest problem in Zwelethemba. Nothing had been built since 1954. The streets were bad, the sewage blocked at times and there was no electricity. As against that the rent (including service charges but not water) was only R12,00 per month and had not been increased since 1980. In approximately October 1982 a branch of the Western Cape Civic Association (WCCA) was formed. Like the United Womens Organisation (UWO) it was formed at the instigation of its Cape Town main branch. The housing problems were taken up. In the Coloured township a branch of the Cape Housing Action Committee (CAHAC) took up this issue.

In May 1983 UWO, WCCA and CAHAC sent a delegation to Cape Town to discuss the launch of the UDF national. Trevor Manuel, after its formation secretary of the UDF Western Cape region, called on delegates to work to destroy the new parliamentary proposals and the

Black local authorities. Worcester's UWO and WCCA decided to affiliate to the UDF. On 24 July 1983 the UDF Western Cape region was launched. The Worcester organisations participated. In that month UWO, WCCA and CAHAC organised on a big scale for the national launch of the UDF. In August placards advertising the national launch were put up in Zwelethemba and on 20 August 1983 delegates from WCCA and UWO attended the launch. They registered as affiliates. Exh A.1 p.60.

In December 1983 the UDF held a mass meeting in Zwelethemba. The Worcester organisations participated. Councillors were criticised as being unable to do anything about influx-control and job reservation in favour of Coloureds. Since 1982 councillors had been called puppets.

WCCA met on a regular basis at the house of Mathews Kapa and its leaders attended meetings of its main organisation in Cape Town.

In 1984 the million signature campaign of the UDF was conducted in Zwelethemba by UDF activists from Cape Town. Placards were put up and signatures canvassed on a house to house basis.

In June 1984 at a public meeting called by councillors the councillors were called puppets by the residents who blamed them for the housing shortage.

On 12 August 1984 the UDF held a public meeting in the Coloured township against the elections for the Coloured parliament. The local organisations from the Black township participated. There were UDF speakers from Cape Town. At this meeting it was stated that there would be a further election for councillors.

The WCCA and UWO decided to take action as the councillors were useless. A committee meeting of the WCCA supported by UWO on 13 September 1984 drafted exh ABA.1. The only two councillors who had businesses were councillors Tsobo and Badi. They were taxi-owners. They were therefore singled out for attention.

On 15 September 1984 approximately 200 Black youths amongst whom were Mathews Kapa secretary of WCCA in Worcester and Miriam Moleleke, chairwoman of UWO, distributed pamphlets. The first one (exh ABA.1) is aimed at preventing people using the taxi's of two councillors Badi and Tsobo. They are called sell-outs and "Boers puppets who send away the people from their houses and zinc houses. They betray people with the aim of their own benefits". The pamphlets called for a boycott of the taxi's and residents were called upon to "unite against such oppressive conditions". They were issued by WCCA and UDF. The reasons given for the boycott are false. There was no immediate cause except that in September 1984 the Vaal exploded and the UDF called for boycotts of councillors as early as July 1984. Exh DA.43. Of the other pamphlets exh ABA.2 is an example. It is a

pamphlet by UDF, COSAS, UWO and WCCA against the new parliament printed and published by the UDF Township Area Committee. "The hands of these stooges who are still full of the blood of (five names are mentioned)". "Students are dying". The reverse page contains an attack on the Ciskei and its buses "red with blood". A full description is given probably to enable prospective attackers to identify them. The contents indicates that they were not printed with Worcester in mind as there were no such buses.

After the issue of the pamphlets and the taxi boycotts councillors complained that they were being threatened with death and they resigned.

In an affidavit by councillor Badi made to the police in April 1985 (exh CA.34) he stated that on 15 September 1984 upon his return to Zwelethemba after the pamphlets had been distributed he was threatened by a group of approximately thirty persons that his taxi would be burnt out. Upon his arrival at his home he found that the South African police were guarding it. He resigned as a councillor as his life and property was endangered and as he was dependent on his taxi for his livelihood.

When he gave evidence for the defence he was totally biased against the state and falsely denied the contents of this affidavit. We rejected his evidence for reasons set out in annexure Z.

He testified that the day after the pamphlets were distributed he resigned as a councillor at a meeting of residents where all the councillors announced their resignations.

We reject his evidence of a previous resignation which had allegedly been kept a secret for more than a month. This was a transparent attempt to undo the link between the pamphlets and the resignations.

On 23 September 1984 a petrolbomb attack was launched on the house of councillor Tsobo. No damage was done.

On 14 October 1984 the WCCA met at Crossroads on the issue of the removal to Khayelitsha. The Worcester branch sent delegates.

On approximately 23 October 1984 Tsobo's furniture was taken out of his house and set alight. His house was burnt down. His vehicle was burnt out and he was injured. He fled and was not heard of again.

It is common cause that since September 1984 in Worcester attempts were made to set a councillor's house and vehicle alight with petrolbombs. A group marched to a councillor's house with a coffin saying that this was the councillor's coffin in which he was to be buried.

In July 1985 a class boycott started at the Vusisiswe high school in Zwelethemba in sympathy with the death of Mathew Goniwe the UDF leader in Cradock. The parents held a meeting on 15 July 1985 to express their dissatisfaction but the children disrupted it and that same night the administrative buildings were set alight. UWO and WCCA executive members attended the funeral of Goniwe in Cradock in July 1985.

The defence argues that these events fell outside the scope of the indictment. We have dealt with this argument when Duduza was discussed. The judgment of this court on the admissibility of the video (381/22089) was delivered without the amendment of the further particulars extending their ambit being properly dissected and argued. The previous ruling made before the amendment, was applied. Not much turns on this in respect of Worcester as there is no indication that the violence in July 1985 had anything to do with any named organisation.

The WCCA constitution is much wider than that of a normal rate-payer's association. Its aims are to strive for equal and democratic rights and to seek participation in decision-making in all matters affecting the people of South Africa. It also strives for the recall of the Group Areas Act. The WCCA had branches in the African townships in the Western Cape. The Worcester branch followed the same pattern as other civics in South Africa about which we heard

evidence. Since the advent of the UDF in 1983 contact was broken with the local community council. Co-operation was non-existent. Its demise was the priority.

We conclude as follows in respect of Worcester:

1. There is a direct link between the resignation of the councillors and the threats of violence following upon the inciting pamphlets distributed by WCCA and UWO and their general political activities against the Black local authorities.

2. No finding can be made who was directly responsible for the attacks on councillor Tsobo's house in September and October 1984. It is probable that the general political climate which the organisations and their inciting pamphlets created was a major factor leading to the attacks.

3. There were close links between the UDF and these organisations through their main branches in Cape Town.

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