

SEISOVILLE (KROONSTAD)

The further particulars to the indictment as amended (p.79) allege that since February 1985 the UDF, COSAS, AZAPO and AZASM organised and intimidation, violence and riots occurred. On 21 February 1985 accused No 20 actively participated in stone-throwing after a funeral and in general riots in the area.

Short shrift can be made of the allegations against accused No 20. Sergeant Branders on whom reliance was placed by the state in this regard was an unreliable witness and it was proved that accused No 20 did not attend the funeral on 21 February 1985.

There is no evidence of an AZAPO or AZASM presence in Kroonstad apart from some AZAPO T-shirts at a funeral.

Unrest in Seisoville started on 11 February 1985. At the Bodibeng High School schoolchildren started marching to Kananelo High School where children joined singing freedom songs and shouting slogans. The well-worn call for SRC's figured prominently in the march. The children of Kananelo had advance knowledge of the march. It was a pre-arranged thing. The combined schools proceeded to the shopping complex. Shops and vehicles of the police were attacked, shops were looted and burnt. The Mopande Teachers' College was attacked as were the houses of councillors and policemen; motor-cars were set alight.

Some of the rioters wore UDF T-shirts. A combi of the mayor and four tractors of the community council were burnt. Obstructions were put in roads of the township. Two rioters were shot dead. On 13 February 1985 a bus was attacked by a group of 100 with stones and irons. They were repulsed by bird-shot.

There was a serious dispute between the state and defence about the cause of the riots. The state evidence that the children of Bodibeng on the way to Kananelo were rowdy and danced and picked up stones along the way was never challenged. Neither was the evidence that after they were joined by children from Kananelo and their ranks swelled by other people they moved to the shopping complex, attacked the shops and police vehicles and looted the shops and set some alight. Only then did the police act with tear-smoke.

It came as somewhat of a surprise when two years later we heard for the first time that the police were now accused of having caused the riots in Kroonstad. The defence witnesses then alleged that at Kananelo High School the police fired tear-smoke at the peaceful marchers, which led to the riots. Apart from the fact that this does not explain why the property of councillors, the community council and the teachers' training college were attacked, the defence witnesses were so poor and their evidence so contradictory that it is summarily rejected. We refer to annexure Z. It is not necessary to summarise all the contradictions.

The funeral of one of the rioters, Joseph Matches, took place on 18 February 1985. In the crowd UDF, AZASO and AZAPO T-shirts were worn, there was a banner "We are not fighting to bury our heroes. Yes to SRC's". The Amandla sign was given, freedom songs were sung, the police were taunted. This funeral was organised by UDF activist Denis Victor Bloem and attended by accused No 20 and Patrick Lephunya of the UDF. Accused No 20 was the main speaker. He spoke at the house of the deceased and also at the grave. Restrictions laid down by the magistrate for this funeral were blatantly ignored. Some defence witnesses testified that in his speech accused No 20 spoke out against violence. It is not clear whether he limited his objection to indiscriminate violence. It is not necessary to determine this issue as these witnesses were so untrustworthy that no finding at all can be made on the contents of accused No 20's speech. At this funeral there were UDF and COSAS banners. The police evidence is that when the time laid down by the magistrate for this funeral was exceeded they had to act and after two warnings tear-smoke was used to disperse the crowd.

On 21 February 1985 the other deceased Papi Makoko was buried. Bloem was again in charge. - The pattern was repeated. There were freedom songs, Amandla slogans, banners of COSAS and UDF and the crowd had to be dispersed by the police. A Black man was wounded who later died. His name was Wolf.

On 27 February 1985 Wolf was buried. At this funeral catapults and dust-bin lids were distributed amongst the mourners. A group of approximately 300 people threw stones at the police and two petrolbombs were used. Approximately one to two hours later five police houses were petrolbombed simultaneously.

Four councillors resigned. The house of councillor Nkomonde who was amongst them had been set on fire during the riots.

There is a dispute about what happened at the funerals on 18 February 1985 and 27 February 1985.

Accused No 20 alleges that there were no affiliates of the UDF in Kroonstad. There is, however, a reason for this, it is that as there was no Free State region there could be no affiliates.

Kroonstad was the home town of accused No 20. Denis Bloem may be called the UDF's representative in Kroonstad. He organised widely in Seisoville to get people to join the UDF. He sold UDF T-shirts in his shop. He and accused No 20 wore them at the funeral and UDF banners were present where he was Master of Ceremonies. It was generally known that Bloem had been detained by the police for his UDF activities. Bloem closely associated with accused No 20 who gave him the necessary UDF propaganda material which he distributed in Kroonstad. Bloem also visited the UDF offices in Johannesburg and obtained UDF T-shirt

there. He also obtained from the SACC copies of Saspu National and The Eye for distribution in Seisoville. He specifically invited accused No 20 to speak at the funeral of 18 February 1985 to popularise the UDF. This accused No 20 proceeded to do. Bloem had a note-book in his possession containing the telephone numbers of UDF leaders. He also had a UDF banner made with the UDF logo and "Kroonstad branch" and "Forward to peoples power" on it.

The fact that there was a UDF presence in Kroonstad and that the funerals of riot victims were UDF arranged and conducted for UDF propaganda purposes does not necessarily prove that the UDF was behind the riots. The state therefore sought to convince us of the involvement of UDF affiliates.

There was an organisation for scholars called Maokeng Students Organisation (MASO). Maokeng is the Black township of Kroonstad of which Seisoville is a section. According to Bloem MASO was formed in January/February 1985. There was a close relationship between Bloem and one of its leaders Paul Maluka. Miriam Sebetoane testified that she heard of it two to three weeks after the riots started but understood it existed prior to 11 February 1985. It concerned itself with SRC's and other school problems. She was elected on a committee of this organisation in May 1985. They discussed becoming a branch of COSAS but did not get that far. This witness was lying on this point.

She wrote in exh CA.28 "My leader is Mandela. My defence force is Umkhonto we Sizwe and my school organisation is COSAS and my teacher is UDF." This document was only found on 28 August 1985. It does not prove that COSAS existed at the relevant time.

The state relies on Saspu National of March 1985 (exh AAC.55 p.4) which refers to the formation in Kroonstad of a joint organisation of COSAS and AZASO students from three high schools and a training college to fight for democratic SRC's. The homes of COSAS members had been petrolbombed, the article states. This article may be admissible on a limited basis, but it does not prove that COSAS already existed in Seisoville on 11 February 1985 though it lends some credence to such a notion. The banners at the funerals also have some weight.

The state relies on exh C.110 a paper entitled "UDF and the Black Local Authorities" dated February 1985 and found in the UDF offices Johannesburg. It claims as a victory of the UDF and its affiliates in local areas the resignation on 20 February 1985 of four councillors of Seisoville. In the absence of any evidence about a UDF campaign against Black local authorities in the area and in the absence of proof of the existence of any local affiliate we cannot afford this statement much weight.

We conclude as follows in respect of Seisoville:

1. It is proved that the funeral of 18 February 1985 and probably the two others were exploited by the UDF for political propaganda purposes.

2. The riots in Seisoville were caused by the scholars of Bodibeng and Kananelo High Schools and were related to a call for SRC's.

3. It is probable that Maokeng Students Organisation (MASO) had a hand in the organisation of the march but there is no proof of COSAS involvement. The relationship between these two organisations was not explained.

4. We cannot determine why the property of the councillors and the council was attacked. It is probable that the resignation of the councillors was caused by these attacks.

5. There is no proof of UDF involvement leading to the riots.

DELMAS TREASON TRIAL 1985-1989

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