

DETENTIONS THE CHANGING SCENE!.

Transvaal Region:

At the time of writing this paper, there are 40 people known to be in detention in the "homelands" and 20 in the rest of South Africa. We are clearly seeing a drop in the number of people being held under the Internal Security Act.

At the present time there is much talk of "change", and, in some quarters there is hope for a better dispensation with the New Constitution.

What do we see happening in present day South Africa?

We see many people unbanned. We see people brought to trial soon after their detention. We see the institution of "Call in Cards" instead of immediate detention. We see Review Boards. We see Minister Le Grange introducing a New Code of Conduct.

BUT on the other hand, we also see, banning orders continue. A consolidated list of "enemies" of the State published. Instead of detention, we see people held for many months as "awaiting trial" prisoners, kept in solitary confinement and refused bail. Failure to respond to "Call in Cards" could lead to detention. Despite Review Boards, Mr. Abel Dube has been in detention under Section 28 (1) of the Internal Security Act since 1982. In October 1983 his case was "reviewed" and the detention was renewed for a further year. We see the criminalising of legal democratic opposition. And then, we saw, the horrifying act of an interrogator placing a gun at Paris Malatji's head and killing him in cold blood.

These forms of repression are not being overtaken by the process of reform. Repression is the final guarantee that the government will implement the Constitution despite widespread opposition. This repression will deal with those who oppose the Constitution and the system of Apartheid.

So, why the drop in the number of detentions? Why the change of tactics?

With the introduction of the New Constitution and the Koornhof Bills the government is trying to promote an image of change. Although the proposed change is another way of maintaining political domination it gives the semblance of reform. The world is watching. It has been suggested that it is due to pressure that people have been unbanned. With this pressure and the pressure of the Detainee Parent Support Committee and the Descoms in focussing international and local

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attention on detention and repression, the government has had to use more so-called "respectable" methods to silence opposition. It is felt, in some quarters, that the Reagan government has put pressure on the South African government as it has had difficulties in justifying its policy of constructive engagement in South Africa. The outright methods of arbitrary detention has become an embarrassment to them. Another worry for the South African government is how to woo the "Indian" and "Coloured" communities. They need to do so to succeed with the New Constitution.

This is creating a conflicting situation. To make it appear that real change is taking place the government is restricted in its use of repression. It is because of this that there has been some space for democratic organisation. The United Democratic Front has emerged and instead of meeting with the usual government response of banning it has been able to develop its organisation in the climate of the government's desire to improve its image. Yet the government feels threatened by the sheer mass support of this organisation and it has to find more subtle ways to repress it. For this reason they are resorting to different methods of repression. Methods not as blatant as indefinite detention.

The following methods of repression are being used to quell opposition. Intimidation Criminalisation of democratic organisation Use of Courts Repression of communities who oppose removal, rent and bus fare increases Clamp down on news and closing of areas of unrest to journalists and concerned bodies

Intimidation is a major tactic used by the police against both leaders and new members of community, student, union and youth groups. These methods are used to frighten people from participating in organisations and take a number of different forms.

The " Call in Card" is being used more frequently. This is a card left at your work place or home asking you to report to a named police station at a given time. You are instructed to bring your passport or National Identity Card with you. You are told to report "in regard to a police matter". The threat is implicit. The "request" does not usually lead to detention, although however, it is alleged that refusal to report would lead to detention. People are questioned, often about the activities of their organisation and many have been pressured to become police informers.

Another method of intimidation is being openly followed by Security Police.

There are an increasing number of raids on houses resulting in intimidation of one's family and friends as well as the person being harassed.

Opponents of the government are also finding themselves coming under attack and pressure from unknown sources. People have received death threats and even more serious actions. Two young activists Norman Moneypote and Brian Mazibuko met horrible deaths. Many homes have been broken into, the windows of both the houses and cars smashed, car tyres slashed. Some have had dead cats left on their doorsteps. There are many other forms of harassment too numerous to mention.

The government is trying to create the public impression that detentions are easing. We have seen 72 reported detentions this year, therefore detentions are ongoing, but we are seeing an attempt to use methods other than detention to stop opposition. One method being used to create this picture is the widespread use of Section 50 of the Criminal Procedures Act.

Section 50 is being used to criminalise opponents of the government. Political detainees are being held under the same section as that used to pick up a suspected car thief or rapist. Security Police harassment becomes blurred with the "combatting of crime". Malatji therefore, becomes a common criminal. Minister Le Grange says the Code of Conduct does not apply to people held under this Act. He said that no code would be introduced for this short term detention, as he considers the provisions concerning detention under this Act to be "adequate".

Shortly before the national launching of U.D.F. Ms. Amanda Kwadi was detained under Section 50 of the Criminal Procedures Act. together with Mrs. Albertina Sisulu, U.D.F.'s Transvaal President, and others. Within 48 hours Ms. Kwadi had been charged with unspecified offences under the Internal Security Act. Like many held this way, she was refused bail, and sat waiting trial for several months. She was finally acquitted through lack of evidence. The net result was effective preventive detention under the guise "Criminal Charge". Furthermore the Security Police could distance themselves from the episode. Meanwhile she had been effectively neutralised from her activities for several months. The question that must be raised here is; What is the role of the Attorney General's Office in this type of trial and what is the relationship between the Attorney General's office and the Security Police?

In the past year many people have received stiff sentences for what one would see as minor offences. Many people were sentenced for banned literature. To site a few examples;-
 Sister Bernard was sentenced to 12 months imprisonment--8 mths.suspended for 5 years.
 Mr.T.Ramanala was sentenced to 2 years imprisonment
 Mr.J.Thloloe was sentenced to 2 1/2 years imprisonment, he won his appeal but had spent a total of 18 months in jail before he won his appeal.
 We have seen people receiving jail sentences for having an A.N.C. slogan scratched on a tin mug...the wearing of a black, green and gold dress... possession of alleged A.N.C. tapes etc.....
 Mr.Moloi 2 years jail, 1 year suspended
 Mr.Ntshiwa 3 years jail, 18 months suspended for 5 years. Held in custody from August until released on R3,000 bail pending his appeal.
 Ms.D.Setloke acquitted of wearing the dress of many colours.

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Thus we see that by holding activists without bail or passing heavy sentences the government is able to achieve the same results without using long periods of detention and banning orders. This is their attempt to meet the call for "charge or release". Are we satisfied that people are being charged and sentenced for so-called "crimes" that in any other country would be legitimate opposition? The Detainee Parent Support Committee and other Detainee Support groups have been persistent in their call for the scrapping of the existing Security Legislation. This call should be taken up by all progressive organisations and people.

We are also aware of the rampant repression of community based protest. In the past year there has been community opposition to rise in bus fares, rent hikes and from communities under threat of removal.

In Lamontville there was violent confrontation between the community and the police. The community was protesting against rent increases and the assassination of their leader, Mr. Msizi Dube. Horrifying reports emanated from the tightly sealed off area. Finally opposition members of Parliament went to investigate the unrest in situ. They collected well substantiated statements from the community which they put before Parliament. It was alleged that police tied children to the bonnets of their cars as protection from angry crowds. Four people, two of them children, were reported to have died. Residents alleged police assault or having witnessed police assault, and some of having had teargas fired into their homes etc. The repression united the community and made the people more militant in their demands. There was a march on the administration board offices and these were later set alight.

There are many other cases of police trying to control the communities, e.g. Alexandra Bus Boycott where the people were protesting the increase in bus fares, and the many communities such as Magopa, Driefontein, Daggakraal etc. Once again the State used their might to control protest and opposition to removal.

Last year's emergency situation in the Ciskei due to the actions of the Ciskei police in attempting to break the bus boycott, was criticised in many quarters. It was reported that 90 people lost their lives, many were wounded and hundreds were detained and tortured by the vigilantes. S.A.A.W.U. the trade union was banned. People were detained by the South African police in East London and handed over to the Ciskei police. These actions lead us to question the extent to which the government is passing the more brutal aspects of controlling mass organisation onto the Bantustan government. Here one must also consider what is happening in Venda, the death of Samuel Tshikhudo, and the hospitalisation of other detainees there.

Another effective control is the use of the Protection of Information Act. This act makes it an offence for a person to publish or use information which, to quote: he knows or reasonably should know, relates to a security matter or the prevention or combatting of terrorism". This section of the Act has had the effect on newspapers of self censorship when reporting on detentions, arrests and other security matters. They await confirmation from the police before reporting on these matters. It is potentially the most dangerous piece of security legislation because it allows detention to go unreported and therefore unmonitored.

Taken into the context of the change of tactics, it can be seen that detention under the Internal Security Act has lessened. At the same time repression, harassment, intimidation and threats continue unabated. The State is determined to curb democratic opposition but, sometimes, in a more subtle way.

However people who suffer from these controls -- pass laws, migrant labour, removal, loss of citizenship, starvation and with no voice in the decisions of their daily lives, will continue to oppose whatever the cost to themselves. They will not be silenced.

A.Coleman

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