

In March 1985 Mafasone (Murphy) Marole spoke in Albany at a CD-CAAR sponsored event, a nyset reception and with state legislators.

At that time I requested a meeting with the J.U. Editorial Board and received a response that they had already <sup>(telephone conversations)</sup> met with 2 South Africans that year.

The next year <sup>1986</sup> when Marole was arrested and charged with treason in S. Africa, I wrote a letter to the J.U. pointing out that they had missed a wonderful opportunity.

I have no copies of my correspondence or phone conversations but I do have the letter I received from Harry Rosenfeld in response to my 1986 letter (See attached.)

Eileen Kawole  
8/31/95



*New York's*  
**CAPITAL NEWSPAPERS**

HARRY M. ROSENFELD, Editor

TIMES UNION • KNICKERBOCKER NEWS

August 5, 1986

Ms. Eileen Kawola  
Corresponding Secretary  
Steering Committee  
Capital District Coalition Against  
Apartheid and Racism  
Box 3002, Pine Hills Station  
Albany, New York 12203

Dear Ms. Kawola:

It's taken me some time to reply to your letter because I needed to search our library to see what our clips showed about our coverage of your organization.

The fact that Newsweek and the New York Times today feature Murphison Morobe in their stories doesn't hold up as a criticism of what we did not do three years ago. A pertinent comparison would have been what other publications did three years ago and what we did.

As you did not make that argument, I infer it is not there to make.

Dan Lynch does not recall saying the things you quote him as saying, but he does not deny that he might have said it. However, taking it at face value, if our editorial board had already met with two South Africans that year, such a response would have been understandable. Our editorial boards tend to concentrate on local and state issues, followed by national and trailed by international. That is a reflection of the kind of newspaper we are and the place in which we publish.

As I compose this reply, I have the top of my desk covered with clips of local stories about South Africa. They constitute two thick files full. More than half seem to me to involve your organization. Our library staff tells me that comparatively that constitutes considerable coverage.

Ms. Eileen Kawola  
Page 2

August 5, 1986

I am not saying that we have always made the right decision and covered or displayed your activities in exact accordance with an absolute standard of news values. Of course we make errors of judgment. But over time, we think the record shows, we have communicated your ideas and activities to our readers.

However, I don't know of any group such as yours in our community that might not feel that we did not cover their particular cause to the degree and with the enthusiasm that the adherents of that group believed warranted.

But as I know you fully understand, our newspapers are not part of these organizations' promotional wings. Rather we represent what we deem to be relevant and necessary to our readers.

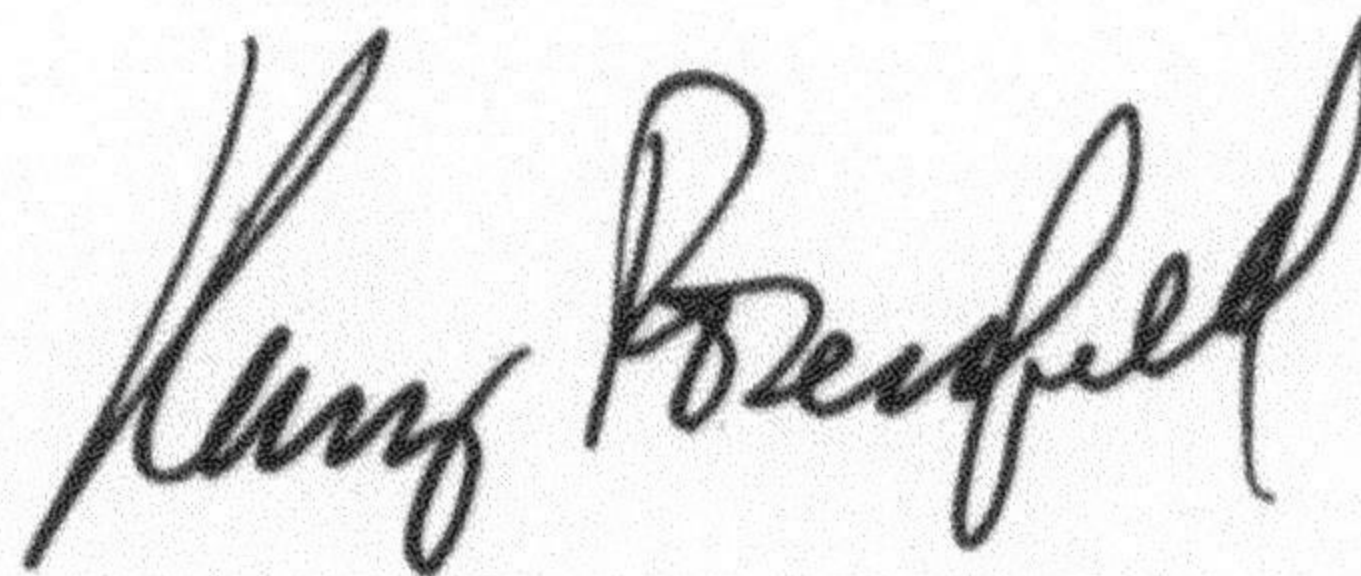
Accordingly, it is difficult to agree with your peroration that our coverage is limited. In addition to all the local coverage, there has been much more emanating from all the world capitals.

As to the charge that our coverage is arbitrary, we agree that decisions are forced by the number of story possibilities and the number of reporters available to cover them. We would not agree, however, that such decisions are necessarily arbitrary.

However, your letter seems to seek to enlist us in your efforts to propagandize our community to your particular viewpoints, and to do that in our news pages. That we are not prepared to do. We strive to limit our support of causes to our editorial page.

In sum, while deficiencies in coverage surely have occurred, I don't think that it could be fairly said that our readers have not been informed about South Africa.

Sincerely,



HMR/b

cc: Joseph T. Lyons  
Daniel Lynch

the Capital District Coalition Against Apartheid and Racism, Albany, N.Y.  
presents:

Mafasone Marobe, United Democratic Front,  
on tour of the U.S., who will speak about the  
current situation in apartheid South Africa



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### WHAT IS APARTHEID?

Apartheid South Africa is a society which denies basic human rights to over eighty percent of the total population. Under the apartheid system, the white minority has total control of the country. Blacks are not allowed to vote, to buy or sell land, to move freely or to work or live where they choose. Their lives are totally controlled by the Afrikaner government which is determined to preserve its own superiority.

### WHAT IS THE UNITED DEMOCRATIC FRONT?

In August, 1983, a multi-racial coalition, the United Democratic Front (U.D.F.) was formed in South Africa. It was formed to oppose a new constitution (dispensation) which was put forth by the apartheid regime. The government of South Africa tries to convince the world community that reform is under way. One such "reform" was the establishment of a new constitution. This "reform" was really just another move by the government to further entrench the status quo. Under the new constitution, limited representation was granted to mixed race and Asian peoples but the whites maintained final control - and the Black majority was totally excluded from any participation.

The United Democratic Front, a broad based coalition made up of over 700 organizations representing labor, student, womens, religious, civic and youth groups, led the opposition to the new constitution. After the constitution became law, the U.D.F. continued the struggle against apartheid. Their major objective now is to rally all anti-apartheid forces to work for peaceful change.

In the last few months, South African government authorities, recognizing the broad following of the U.D.F., has begun to repress this legal organization. U.D.F. offices have been raided and most of the top U.D.F. leadership has been arrested.

### WHO IS MAFASONE MAROBE?

Mafasone Marobe, who will be speaking in Albany, New York on March 25, 1985, is on a two week tour of the United States from South Africa. Marobe is a member of the Executive Regional Committee of the United Democratic Front and is Secretary of the U.D.F. - Transvaal Region, South Africa. He coordinated the signature campaign in the Transvaal against the parliamentary elections. Marobe is also an organizer for the General Allied Workers Union (a U.D.F. affiliate).

In the 1970's, Marobe was elected to the Executive Committee of the Soweto Youth Council. He was a member of the now banned Soweto Student Representative Council in 1976. He was defendant in the Sedition Trials and sentenced in 1977 - Marobe served six years on Robben Island.

The purpose of his tour in the United States is to talk to the American people about the U.D.F. and about what is happening in South Africa right now.

If you have any questions about this program, please call (518) 436-0562

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(over)



## S. African Apartheid Foe Brings Struggle to Area

By STEVE NELSON  
Gazette Reporter

ALBANY — If Mafason Morobe returns to South Africa, it is likely he will face arrest, imprisonment and possibly worse for his opposition to the apartheid system of his homeland and his leadership in the multiracial United Democratic Front.

After all, 16 leaders of his group, which claims to seek a peaceful end to South African apartheid, already have been jailed on charges of treason, a crime for which the penalty is death. Morobe is the 17th, the rural secretary of the Transvaal region for the UDF, a coalition of more than 600 organizations, according to Vera Michaelson of the Capital District Coalition Against Apartheid and Racism.

There are other signs that suggest the 29-year-old Johannesburg resident is a marked man. South African police, he said, photographed him as he was boarding a plane to bring him to the United States for an "emergency" five-city tour to inform Americans of the latest wave of arrests, resistance and repression in his country. "I was followed right up to the airport. There were photographs taken of me at the airport," Morobe said in heavily accented English.

Since he arrived, Morobe said he learned that South African security police had visited his home at 3:30 a.m. last Tuesday "looking for me." Apartheid permeates every aspect of a black South African's life. On his passport, Morobe is not identified as a South African citizen; instead, he is identified as "Tswana."

"That's my language, not my nationality," he said.

For the moment, Morobe said he has set aside thought of the danger of returning home in order to bring to the American public the bigger problems of the black population of South Africa. The young South African needed only to point to yesterday's newspapers to illustrate the tragedy of a country in which 88 percent of the population is without even the most basic human and political rights.

Nineteen people killed last Thursday when police opened fire on a crowd of blacks in Langa Township. Ten more have been killed since then by police and marauding blacks in the Langa and Kwanobuhle Townships.

In the past year, roughly 250 people have died in township violence prompted by growing dissatisfaction with the poor living standards and lack of political rights for blacks.

Despite the outbreak of violence, the UDF, Morobe claimed, remains committed to seeking a peaceful end to apartheid. "I think for change to come, there must be a combination of factors. As to whether violence is going to play major role in that, I think that is for posterity to judge," he said, following a morning press conference in the Legislative Office Building. "As long as I can see organizing my people within the limited confines of the law, I will continue to do so."

Morobe offered no guarantees that vio-

lence will not prevail as the only way to effect greater change in his country.

"We've [UDF] tried our best to keep ourselves within the very narrow confines of the law. We are really in a difficult situation," Morobe said.

What is needed from the American people is a strong and unified denunciation of President Ronald Reagan's policy of "constructive engagement" in dealing with the apartheid system.

The policy amounts to nothing more than tacit reinforcement of the white minority government's unyielding adherence to the institutionalized segregation and repression of blacks in South Africa, he said.

"All it [the Reagan administration] seeks to do is apologize for the South African government," Morobe said. "It is for the American people to prick their consciences and see through the smokescreen." That smokescreen has enabled big corporations to take advantage of the natural resources and the cheap labor afforded by the apartheid system of repression, he said.

"It's an opportunity to take advantage of the exploitation of our people," he said.

Divestment is a solution Morobe said he could not discuss because talk of it is prohibited by South African law.

Support for divestment did come from other circles yesterday. Gov. Mario Cuomo discussed not doing business with companies with a financial stake in South Africa in a speech before a group of human rights activists at the Empire State Plaza convention center yesterday. (See story, Page 10)

Morobe shook off charges that the UDF operates under direct orders from the Soviet Union.

"Our instructions come from the very bowels of apartheid itself, not from Moscow," he said flatly.

Morobe yesterday brought his call for solidarity to a breakfast at the Mount Cavalry Baptist Church in Albany; to a labor reception at the New York State United Teachers headquarters on Wolf Road; to a public program last night at the Wilborn Temple on Jay and S. Swan Streets in Albany.

## S. African decries Reagan policy

By Mary D'Ambrosio  
Staff writer

3/25/85 - tu -

Jailed for two months after his last stint in the U.S. in late 1984, black South African leader Mafason Morobe returned four months after his release to again tell the American people that the Reagan administration has it all wrong about South Africa.

Morobe, who also goes by the surname "Murphy," met with labor and the press in Albany

● Gov. Cuomo protests President Reagan's message./B-7

Monday and spoke to about 100 people at Albany's Wilborn Temple Monday night as part of a three-week tour on a conditional passport.

While in the U.S., he learned that South African government security police had visited his home at 3 a.m. one morning looking for him, he told the audience.

Morobe's organization, the United Democratic Front, has faced increasing persecution from the white minority ruled government since summer, and 16 of its leaders have been jailed, according to a release from the Capital District Coalition Against Apartheid and Racism.

"I almost had to sneak out of South Africa — although with my passport," Morobe said. He said he was relentlessly photographed as he moved through customs and boarded the plane at the airport.

"At stake is not only my life, but millions of others," Morobe said, adding that he made his speaking trips because he felt obligated to use his education and ability to reach Americans with his concerns for his homeland and compatriots.

“At stake is not only my life, but millions of others”

— Mafason Morobe



Morobe once spent six years in jail on sedition charges, and served jail "detention" without being charged in October and November of 1984, after a September visit to the U.S., he said.

Now Morobe, who, in khaki pants and a soft wool sweater, spoke levelly for more than an hour about horrors many Americans had heard before, faces "great personal danger" upon his return, said Naomi Jaffe of the Capital District Coalition.

Saying he was barred by law from openly urging that foreign investors divest themselves of interests in companies that do business in South Africa, Morobe argued only that it was a "fallacy" that blacks would be hurt by the pullout of American business interests.

"Blacks cannot be any worse off," he said.

The policy of so-called "constructive engagement" — indirect investment in South African firms — is not limited to the nation's borders, he said. It has "got its tentacles even beyond Preto-

ria, it has its chains linked up all over the world," he said, citing Indonesia, the Caribbean and Central America.

Morobe decried President Reagan's tolerance of the South African government.

"We are faced with a man who has no regard whatsoever for human life," he said of Reagan.

He cited U.S. covert aid to Nicaraguan contras with the parallel aid to the El Salvadoran government and said: "I think we are faced with a hypocrite."

"I'm sorry — he's still your president," Morobe said in mock apology. "But I think the truth is important once in awhile."

Apartheid — South Africa's policy of racial segregation — he said, creates "an extremely lucrative market for business."

He said the UDF does not advocate a government that makes policy based on race. Its aim, he said, was peace, not terrorism.



## Cuomo is considering divestment in S. Africa

By Marc Humbert 3/25/85

Associated Press

Gov. Mario Cuomo was cheered Monday by hundreds of civil rights leaders when he said "we're proceeding with the development of a state program of divestment in companies that do business in South Africa."

Moments later, however, the Democratic governor told reporters that he still hadn't made a final decision about a program to yank state funds out of companies that do business in the racially segregated country.

During his address to the civil rights leaders, Cuomo said the "recent deaths of unarmed black South Africans ... only reinforces our determination to make sure no part of our public funds supports the travesty of apartheid."

While the mention of a divestment program drew sustained applause from the audience attending the "state of human rights in New York state" conference, Cuomo told reporters after the speech it still had to be determined if the investment of such public funds contributes to the South African policy of racial discrimination.

Cuomo, often mentioned as a possible candidate for his party's 1988 presidential nomination, said he expected to receive a report soon from a task force he has investigating the South African divestment issue.

"I have a desire for the state to be on record against apartheid," said Cuomo after his speech. "I'm saying I'm not sure what form it should take."

Later, the governor said he "stood by every word" of his speech and "what that speech says is exactly what we're doing."

The governor said he had chosen his words carefully for the speech. He said he expected to make a decision on the "complex issue" of divestment after he and the state Legislature agree on a new state budget for the fiscal year that begins April 1.

The governor said those against divestment claim it would hurt black South Africans more than it would help.

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# S. African Apartheid Foe Brings Struggle to Area

By STEVE NELSON  
Gazette Reporter

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"All it [the Reagan administration] seeks to do is apologize for the South African government," Morobe said. "It is for the American people to prick their consciences and see through the smokescreen." That smokescreen has enabled big corporations to take advantage of the natural resources and the cheap labor afforded by the apartheid system of repression, he said.

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## Cuomo Proclaims, Then Qualifies Anti-Apartheid Divestment Policy

ALBANY (AP) — Gov. Mario M. Cuomo was cheered yesterday by hundreds of civil-rights leaders when he said, "We're proceeding with the development of a state program of divestment in companies that do business in South Africa."

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The governor said that he had chosen his words carefully for the speech. He said he expected to make a decision on the "complex issue" of divestment after he and the state Legislature agree on a new state budget for the fiscal year that begins April 1.

The governor noted that those against divestment claim that it would hurt black South Africans more than it would help them, while many black leaders from this nation as well as from South Africa argue that it would help eliminate apartheid.

Of the 500 companies that New York State's \$23 billion public employees pension fund has investments with, about 100 do business in South Africa, according to state Comptroller Edward V. Regan. Regan, who has not estimated how much money the state has invested with those 100 companies, has said that while he opposes apartheid, he doesn't believe divestment would be in the best interests of the pension fund of which he is sole trustee. Regan also claims that divestment could hurt the companies involved, many of which employ people in New York State.

While Regan has issued statements decrying apartheid, Cuomo said that he wanted "something more than a statement" when it came to official state policy.

Cuomo used the speech to again blast President Reagan for what the governor said was the Reagan administration's policy of "dragging its heels on the renewal of the Voting Rights Act" and "dismantling the programs that offered people in our ghettos some hope of escape."

Calling Reagan's policies "retrogressive," Cuomo said they allow the United States, "in the name of geo-political considerations" to "decry human rights violations in the Soviet Union while we excuse a massacre of black South Africans."

\* \* \*  
The state Division of Human Rights awarded more than \$3.7 million to victims of discrimination in the 1983-84 state fiscal year, Douglas White, state human rights commissioner, told the annual conference on civil rights. White said that amount was 23 percent higher than the previous year.

The division also reported that for fiscal 1983-84 there was an 11.9-percent drop in complaints filed with the state office — from 7,067 down to 6,223. White said that was due largely to improved economic conditions in the state.

"When more people are working and there are fewer layoffs, there are fewer people who believe they have been discriminated against unlawfully," said the commissioner.

As in years past, race discrimination (37.8 percent) and sex discrimination (28.2 percent) topped the list of reasons cited in discrimination complaints. Age was cited as the factor for 17.9 percent of the complaints.

And while the division has no legal power to order settlements in discrimination cases involving gays and lesbians, officials said the agency began accepting such complaints in 1984 and is attempting to work out voluntary settlements. Division officials said that they have received 17 complaints charging such discrimination in the private sector.

## South African: 'We are not alone'

By BRUCE SCRUTON

Knickerbocker News Reporter

Mafason "Murphy" Morobe had to "sneak" out of his own country, although his travel papers do not acknowledge he is a citizen of South Africa.

When he returns shortly, he faces a possible prison sentence and probably police harassment. The harassment, he told a crowd at the Wilborn Temple in Albany, has already begun.

The Capital District Coalition Against Apartheid and Racism sponsored the talk.

"About two weeks ago, the secret police entered my home at 3 a.m.," he said Monday night. "They probably had heard I was home from overseas."

He is not allowed a South African passport, only travel papers, since a

passport would "acknowledge citizenship."

Such is the plight of a political activist in South Africa. "We are faced with a monster which has painted itself into a corner and will try everything it can to get out of that corner," he said.

Soft-spoken and quiet, Morobe, who is on a five-city tour of the United States, said for many years it seemed to blacks that "the cries of our people were like cries in the wilderness. We now realize there is some movement beginning to take place and we are not alone."

In his hour-long talk at the Wilborn Temple in Albany, he said, "The wealth of the country (South Africa) has become the monopoly of the minority" and the time has come "to respond to the state's repression, the denial of

rights, the systematic killing of the soul of the nation."

He said the South African government had said different races could not live together, but "the UDF is in the process of proving that (apartheid) is a fallacy. More and more young whites are joining the UDF; more and more young whites are refusing to join the apartheid army and going to jail for it."

Unlike some other blacks from South Africa in this area who are advocating revolt, Morobe said his group was working for peace and "to build a new

South Africa government which will not consider another man based on his color; will not consider another man based on his religion; will not consider another man based on his creed."



MAFASON MOROBE  
... 'faced with a monster'

# Pretoria Ends Its State of Emergency

Continued From Page 1

about which we feel very strong-

Members of the opposition United Democratic Front said the lifting of the emergency decree "in no way reduced the severe repression directed against legitimate extraparlimentary opposition."

Some of the detainees released today, moreover, accused the police of employing brutal measures during their detention, including the so-called "backdoor treatment," whereby prisoners are purportedly suspended from a broomstick, swung around and beaten. The detainees were said to include blacks, people of mixed-race and Indians.

#### Comment From Botha

President P. W. Botha announced earlier this week that the emergency, imposed last July 21, would be lifted because the nation's political violence, which claimed more than 1,150 lives in 18 months, had eased.

Political commentators here suggested that Mr. Botha, under pressure from Western governments and credit bankers to show evidence of political leniency, had used the lifting of the state of emergency to seek diplomatic advantage in his relationship with potential Western allies.

A risk for Mr. Botha was that, by freeing the last remaining detainees, he might be returning to political activism those same figures whose detention he felt necessary to enforce what now seems a vain attempt to restore normalcy in this troubled land.

Mr. Botha has already made clear, however, that South Africa's already harsh security legislation will be revised to enable the police and army to confront protests and violence and thus to counter any potential threat from his adversaries.

Equally Mr. Botha made clear that the police and army units have become a familiar sight in many of the country's segregated black townships would continue to patrol there.

The emergency decree, imposed after months of violence and hundreds of deaths, gave security force officers of all ranks power to arrest people without charge or trial and search buildings without warrants. All security force personnel were indemnified against legal action arising from their enforcement of the emergency.

During the emergency, the authorities banned television cameras,

sound recorders and photographers from covering violent protest or riots.

Louie Nel, the deputy minister responsible for information, said in a statement today that, while such restrictions have fallen away, the police would continue to seek to control reporters "in terms of existing legislation." Under laws introduced last year, the police may order reporters to leave black townships at any time.

The emergency was formally lifted by a notice in the Government Gazette that canceled it in 23 districts around Cape Town, Johannesburg and Port Elizabeth.

#### Released Without Warning

But even before the Gazette was published, prison warders began releasing detainees around midnight, apparently without prior warning. The release did not affect those held under separate security laws and who remained in prison. Their precise numbers were not immediately known.

The anti-Government Detainees' Parents Support Committee, referring to President Botha's promise of revised security legislation, said in a statement: "It now seems we are about to enter an era of intensified political

repression through a supercharged security legislation that will confer permanent emergency powers though the back door."

The committee is a major civil rights body that has sought to monitor the destinies of those held under the emergency without charge or trial and sometimes in solitary confinement.

A group of 74 former detainees from the United Democratic Front — the biggest nonparliamentary opposition movement in the country — said shortly after their release today that their detention had not reduced their opposition to the Government.

"Many detainees continue to languish in prison under security laws," the group said in a joint statement. "This tempers our joy in being released and reunited with our families."

"The declaration of the state of emergency aggravated rather than curbed the upheavals in our country," it said. "The Government and its collaborators must fully share the blame for the present state of affairs."

As at earlier times since last July, released detainees told of experiences varying from seeming indifference by their captors to accusations of torture during interrogation.

## 2 Anti-Apartheid Leaders Are Arrested

By JOHN D. BATTERSBY

Special to The New York Times

JOHANNESBURG, July 22 — Two key officials of the anti-apartheid United Democratic Front, the biggest internal grouping resisting white rule, were arrested by the South African police early today in a pre-dawn sweep.

Murphy Morobe, the acting national publicity secretary of the Front who has been working underground for more than a year, was detained in Port Elizabeth on the eastern seaboard along with the Front's acting general secretary, Mohammed Valli Moosa.

Civil rights lawyers, who confirmed the arrests, said they were considering applying to the courts for the release of the two men.

The four-year-old United Democratic Front, which claims a multiracial membership of more than two million, has been severely hampered by the intimidation, assassination and detention of leading officials.

### Program Aligned With A.N.C.

Although the Front rejects the use of violence to achieve its goals, it follows a political program closely aligned to the outlawed African National Congress, the main guerrilla-backed group that is fighting to end white rule.

On Tuesday, a group of 40 mainly Afrikaans-speaking South Africans returned from a ten-day visit to West Africa where they held talks with officials of the banned group in a bid to prepare the ground for negotiations between the white-dominated Government and exiled black nationalists.

The state-controlled television showed brief scenes of neofascist demonstrators that turned up at Johannesburg airport to jeer at the negotiators. The broadcast was followed with what was described as a documentary on the group portraying it as a "Marxist-terrorist" organization bent on the violent overthrow of the state.

Mr. Morobe, who went into hiding when a nationwide state of emergency was declared on June 12, 1986, had emerged as a key figure in keeping the spirit of anti-apartheid resistance alive in the face of state repression.

third explosion in South Africa's second-biggest city in as many days, the police said.

No injuries were reported, but the blast badly damaged the terminal, blew a hole in the roof, and shattered

windows, according to the police.

The device, planted in a women's lavatory in the departure terminal, exploded just after hundreds of passengers had left the airport on a night flight to Johannesburg.

### Predecessors on Trial

Although the United Democratic Front is not formally outlawed, it has functioned largely as an underground organization under the emergency laws.

Mr. Morobe has made several public appearances since he went into hiding, and his picture has appeared alongside signed articles advocating a non-racial democracy in South African newspapers.

He has emerged to hold news conferences, and last weekend he addressed the first national congress of the 750,000-strong Congress of South African Trade Unions, the militant union federation that has been spearheading anti-apartheid action in recent months.

The other person arrested today, Mr. Valli Moosa, was in custody for the first three months of the year as one of an estimated 25,000 people that have been held without trial under the emergency decree. Mr. Morobe and Mr. Valli Moosa hold their posts temporarily while their predecessors, Patrick "Terror" Lekota and Popo Molefe, are tried for treason.

### Angry Reaction

Mr. Morobe was detained for six weeks during the first state of emergency, declared in 1985, after apparently being trailed by security forces in downtown Johannesburg.

Civil-rights groups, trade unionists and youth organizations reacted angrily to the detentions tonight and vowed that detention and repression would not dampen resistance to apartheid.

THE LAWYERS' COMMITTEE  
FOR CIVIL RIGHTS UNDER LAW  
1400 'Eye' Street, N.W.  
Washington, D.C. 20005  
(202) 371-1212

# ACTION ALERT



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## SOUTH AFRICAN GOVERNMENT CHARGES UNITED DEMOCRATIC FRONT LEADERS WITH HIGH TREASON

Sixteen prominent South African political leaders will be arraigned in court on charges of high treason on March 29. The accused are influential members of the United Democratic Front (UDF), or of organizations affiliated with the UDF. The prisoners include Mrs. Albertina Sisulu, one of the three National Presidents of the UDF; the Rev. Frank Chikane, one of the four Vice-Presidents, as well as Head of the Institute for Contextual Theology in Johannesburg; Dr. Essop Jassat, the Patron of the UDF and the President of the Transvaal Indian Congress (TIC); Curtis Nkondo, another UDF Vice-President and the Chairman of the Release Mandela Committee; and three high officials of the South African Allied Workers' Union (SAAWU), Thozamile Gqweta, Sam Kikine, and Sisa Njikelana.

In South Africa treason is a capital offense. The seriousness of the charges as well as the likelihood of a lengthy and costly trial are indicative of the South African Government's determination to break the UDF through the victimization and harassment of its leaders.

The UDF was launched as a national organization in August 1983 to coordinate opposition to the new constitution introduced by the ruling white Nationalist Party (NP). The proposed system of government excluded the participation of the 73 percent black (African) majority and gave only limited participation rights to the country's Indian and Coloured (mixed-race) population. A continued white monopolization of power was guaranteed through the ethnically separate, tricameral parliamentary structure and the nature of the new executive presidency.

The primary objective of the UDF was to campaign against the constitutional changes and work instead to achieve a unitary, democratic and non-racial state in South Africa. In particular they spearheaded a boycott of the elections, which were scheduled for August 22 and 28, 1984. Within a year of its formation the UDF claimed to have the support of more than 600 affiliated organizations of all races, including the NIC, the Federation of

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The Lawyers' Committee for Civil Rights Under Law is a private tax-exempt non-profit organization dedicated to securing total acceptance of the concept that all Americans are entitled to equal rights under law and that lawyers carry out their responsibilities to help solve serious modern problems through processes of the law. The Committee was formed in 1963 at the request of the President of the United States.

LAWYERS' COMMITTEE FOR CIVIL RIGHTS UNDER LAW

South African Women (FEDSAW), SAAWU, the Islamic Council of South Africa, and the Council of Unions of South Africa (CUSA).

The tactics employed around the election boycott were peaceful and open, and ultimately highly successful, despite considerable police harassment. Only 18 percent of the eligible Coloured and Indian voters actually went to the polls.

On August 21, on the eve of the elections, the government made its first major strike against the UDF. The security police arrested its leading members, along with individuals from other organizations which had actively opposed the new constitution. All were held initially under Section 50 of the Internal Security Act, No. 74 of 1982, which permits 48 hour detention incommunicado. They were thereafter served with preventive detention orders imposed by the Minister of Law and Order under Section 28 of the same act.

The detention orders were made valid for 6 months. However, by simply serving a new notice on the detained person, the detention may be extended indefinitely. The review procedures are entirely internal, and the detainee is denied the right of legal representation before the review committee.

In addition the arrested activists were confronted with a permanent ban against any future involvement in political organizations. As persons held under Section 28 of the Internal Security Act their names were now entered on a "Consolidated List" maintained by the Director of Security Legislation. The Minister of Law and Order has the power to prohibit a listed person from participating in any organization designated by him, or from practicing as a lawyer in the court of any division of the Supreme Court. Five of the seven people who were detained on August 21 in Durban were lawyers.

On September 7, 1984, an application was brought in the Natal Provincial Division of the Supreme Court on behalf of the seven detainees held in Natal requesting that the court set aside the detentions under Section 28. The application for release was made on the technical grounds that the notices had failed to set forth the reasons for detention as specified under the Internal Security Act. The Minister's written order had simply stated that he was "satisfied" that each detainee "by acts and utterances" alone and in collaboration with others had "attempted to create a revolutionary climate" in the country and so endanger "the maintenance of law and order." In no case did he specify which acts and utterances by individual detainees had threatened law and order.



LAWYERS' COMMITTEE FOR CIVIL RIGHTS UNDER LAW

In an unprecedented decision the court ruled that the notices were invalid and ordered the release of those detainees within the provincial jurisdiction of the court.

The Minister of Law and Order, in response, reissued the detention notices against the released men, with an additional sentence stating that in his opinion no further information relating to his reason for the detentions could be disclosed without detriment to the public interest. In the meantime the released detainees had gone underground. Five of them subsequently sought refuge in the British Consulate in Durban.

Two separate applications, funded by the Southern Africa Project of the Lawyers' Committee, were brought in the Supreme Court of South Africa's Natal Provincial and the Witwatersrand Local Divisions on behalf of 17 Section 28 detainees. The applications challenged the reissued detention notices on substantive grounds: that the Minister did not have sufficient reason to detain the activists under Section 28. Both applications asked for a decision on the merits, and asked for the Minister of Law and Order to give evidence regarding the alleged activities justifying the detention orders. The legal points raised were critical: the power of the court to interpret statutes in favor of individual liberty and to limit the scope of arbitrary ministerial power.

On October 8, 1984, the Natal court rejected the application and declared the detention orders valid. A similar decision was made in the Witwatersrand application. A consolidated appeal, also funded by the Southern Africa Project, was brought against these decisions. It was unsuccessful.

During this period the men who had sought refuge in the British Consulate, Archie Gumede, George Sewpershad, M.J. Naidoo, Mewa Ramgobin, and Billy Nair, and a sixth man Paul David who had also been served with a preventive detention order, appealed to the governments of the United States and other western countries for assistance and sanctuary. Their request was denied.

Sewpershad, Ramgobin and Naidoo left the British Consulate on October 6. They were immediately rearrested.

On December 10, 1984, the preventive detention orders were withdrawn from Essop Jassat, Aubrey Mokoena, Curtis Nkondo, Naidoo, Ramgobin and Sewpershad, and they were each charged with high treason and remanded in custody for trial. Two days later Gumede and David, who had left the British Consulate with Nair on the 12th of December, were rearrested and similarly charged.

LAWYERS' COMMITTEE FOR CIVIL RIGHTS UNDER LAW

Using his powers under the Internal Security Act the Attorney-General issued a certificate ordering the court to deny bail to the eight men. Any person arrested on a charge of treason (or several other scheduled offenses) can be denied bail under Section 30 of the Act if the Attorney-General considers it necessary in the interests of the security of the state or the maintenance of law and order. A court has no power to set aside such an order. Nevertheless an appeal was lodged against this directive.

Most of the remaining UDF leadership were swept up in police raids on February 19, 1985. The security police searched the homes and offices of UDF members and affiliates, and confiscated documents and records. Further arrests were carried out later in the month of February. By then eight more individuals had been charged with treason: the Rev. Frank Chikane, Thozamile Gqweta, Sam Kikine, Prof. Ismail Mohamed, Isaac Ngcobo, Sisa Njikelana, Cassim Saloojee and Albertina Sisulu.

Again bail was denied in each case. Furthermore, the appeal against the previous refusal to grant bail was finally decided in early March, in the negative. All courts have been barred from considering this matter. The net effect of this decision has been to remove the UDF leadership from political life for many months, a situation which will be exacerbated if the trial, which may not actually begin until July or August, were to drag on for a year or more.

High treason, usually considered to be the ultimate political crime, is becoming a common offense in South Africa. In the 20 year period between World War II and 1979 there occurred only one treason trial, the famous Treason Trial of 1956-61 in which the 156 accused were all acquitted for lack of evidence against them. At the Rivonia Trial in 1963-64, where life sentences were imposed on top African National Congress (ANC) leaders like Nelson Mandela and Walter Sisulu for specific actions against the state, the charge was sabotage not treason. Again the state did not attempt to use the charge of treason against the Black Consciousness student and community leaders whose two-year long trial ended in December 1976.

The pattern began to change in 1979 where 12 ANC members were convicted of high treason in a single trial in Pietermaritzburg, Natal. From 1980 through the end of 1983, 37 people were tried for treason in 15 different trials, with the sentences imposed ranging from four to 24 years imprisonment. Three of those convicted in 1983 were subsequently executed.

The flood of treason trials reflects a major change in the way in which the state is handling political cases. It is now

LAWYERS' COMMITTEE FOR CIVIL RIGHTS UNDER LAW

charging people with treason for actions that previously would have led them to being charged with lesser statutory offenses. Individuals, some of whom have not been involved in any acts of violence, are now being charged with treason. For example, in 1983 Barbara Hogan was convicted of high treason solely for being a member of a banned organization. For that she was sentenced to ten years imprisonment. The range of activities encompassed by the charge of treason now seems to include any form of opposition to government policies, whether violently or non-violently expressed.

The sixteen men and women who have been charged with high treason and will appear in court on March 29 are all leading non-violent opponents of the South African Government. Many of them have been detained without trial on several occasions, often for long periods, and subjected to torture. Some have been restricted under banning orders. Despite the extremely serious nature of the charge against them, they have not been given any information concerning the crimes they have allegedly committed. They have been denied bail by the Attorney-General, who will be the prosecutor in their trial, a clear violation of internationally-accepted standards of due process. Once again the South African Government is using the appearance of legal procedure to wipe out a popularly-supported opposition movement. Even if the UDF leaders are acquitted or charges are finally dropped, they may well have spent three years in prison (having been refused bail) simply for effectively representing the popular will of their communities.

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On March 29 the charge sheet will be read, and possibly the pleas may be taken and the trial date set. The trial is not expected to begin until July or August. The Southern Africa Project, which has been involved since August 1984 in assisting the defense of the UDF leaders, has been requested to assist in this final stage. The Project considers their fate to be an urgent priority. Accordingly we are soliciting funds to finance their defense at the upcoming trial. Checks can be sent to the following address:

"The UDF Treason Trial Defense Fund"  
Southern Africa Project  
The Lawyers' Committee for Civil Rights  
Under Law  
Suite 400  
1400 'Eye' Street, N.W.  
Washington, D.C. 20005

Please earmark any contributions specifically for "The UDF Treason Trial Defense Fund." All contributions are tax deductible.

# The New York Times

NEW YORK, SATURDAY, MARCH 8, 1986



Murphoen Morobe, center, one of 327 detainees released by the police, being greeted yesterday in Johannesburg. Associated Press

## SOUTH AFRICA ENDS EMERGENCY DECREE

Last 327 Detainees Set Free  
— Police Brutality Alleged

By ALAN COWELL

Special to The New York Times

JOHANNESBURG, March 7 — South Africa rescinded its state-of-emergency decree today and released what it said were the last 327 of almost 8,000 people detained since last July, when the decree went into effect.

Despite the action, the police may still detain people without charge and search their premises. But the security legislation that enables them to do so is said by police officers to require more bureaucratic procedures than the emergency decree. The security legislation also permits some access by lawyers to certain detainees, while the state of emergency did not permit contact with legal representatives.

### Concern From Washington

In another move, South Africa ordered the expulsion of three representatives of CBS News, one of them an American, after the network broadcast footage of a mass funeral in a township from which television cameras were formally banned. [Page 3.]

In Washington, a State Department spokesman welcomed the lifting of the state of emergency, but expressed concern about the expulsion of the CBS employees, saying "our support for freedom of the press is a fundamental prin-

Continued on Page 3, Column 1

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## S. Africa releases detainees



Murphy Morobe, publicity secretary of the United Democratic Front, is greeted by well-wishers in Johannesburg, South Africa, after his release from detention today when the government freed hundred of people held under emergency regulations. Story on Page 18A. AP photo

# Frees 300 as P.18A emergency ends

By Brendan Boyle  
United Press International

JOHANNESBURG, South Africa — The government today lifted a 7-month-old state of emergency and opened jail cells, releasing about 300 prisoners — the last held under the sweeping powers given police in a bid to end bloody racial violence.

A proclamation ending the emergency in administrative districts where it was applied was published today in the official *Government Gazette*.

More than 7,800 people had been detained under emergency provisions since President Pieter Botha invoked the state of emergency July 21.

The proclamation also lifted a Nov. 2 order that barred television cameras from the scenes of black riots and subjected print reports to severe restrictions.

A senior government official said, however, police would continue to use "their normal powers" and would not confirm that reporters would now be allowed to enter riot-torn ghettos.

A possible indication of the government's attitude was provided, however, by the expulsion today of three CBS television crewmen a day after their network showed footage of a funeral this week from which cameramen were banned.

CBS anchorman Dan Rather said the film was obtained "outside South Africa" and a CBS spokesman in Johannesburg said the local crew had no idea how the film was acquired.

No official reason was offered for the order, which requires the three to leave South Africa by Tuesday. Home Affairs Minister Stoffel Botha agreed to meet the reporters Monday to review the decision.

The press curbs were first imposed in areas under the state of emergency, but an additional order later extended the restrictions to any district affected by rioting. It was not clear today whether this order remained in force.

Police spokesman Maj. Steve van Rooyen in Pretoria said some 300 of

the 329 people still being detained without charge under emergency rule were freed today. He said a few prisoners subsequently charged with criminal offenses were not released.

The overriding immediate reaction among blacks, however, was a cynical assumption that Botha was seeking to win political points in the West without sacrificing the iron control enjoyed by his government's security forces.

The opposition United Democratic Front said the effect "will be that a de facto state of emergency will exist throughout the country."

A number of the newly freed prisoners immediately renewed their demands for an end to apartheid — the government policy of racial discrimination — and political oppression.

Among the freed prisoners was Ismail Momoniat, detained July 21 when emergency rule was imposed.

He said he and 73 others newly freed prisoners allied with the United Democratic Front were moved Thursday night to police stations in their home districts and were released after midnight.

Momoniat issued a statement on behalf of himself and the other 73 prisoners saying: "The lifting of the state of emergency does not resolve the fundamental problems of our country."

More than 1,200 people have been killed in a two-year black uprising against white rule and apartheid. Some 780 blacks were killed — more than half of them by police — during emergency rule.

Some 4,000 people have been detained in the past 18 months under non-emergency security laws that permit them to be held indefinitely without charge. Police said people detained under the security laws would not necessarily be affected by the lifting of the emergency.

The state of emergency gave police, soldiers and prisons officials immunity from prosecution for excesses, sweeping powers of search and arrest and rights to seal off black ghettos, impose curfews and order news blackouts.

state.

# Apartheid protesters targeted

## South African police arrest leaders

Washington Post

JOHANNESBURG — South African security police appeared Friday to move toward a complete shutdown of the country's largest anti-apartheid coalition, the United Democratic Front, by arresting its treasurer and at least five officials of its affiliates for questioning, the organization said.

Azhar Cachalia, the front's treasurer and its only senior national official at the operational level not already in detention or forced underground, was released Friday afternoon after questioning. Such interrogations sometimes are a prelude to detention under the emergency regulations of the permanent Security Act.

Cachalia was taken from his home by plainclothes police after he issued a statement expressing concern over a police crackdown on the alliance, according to his lawyer and family members.

Cachalia's arrest and interrogation followed two days

the arrest of two other senior front officials: Murphy Morobe, publicity secretary, and Mohammed Valli, general secretary, both of whom were detained in Port Elizabeth on Wednesday. They are still in jail.

Morobe had been sought by the police since the national state of emergency was declared on June 12, 1986, following months of escalating civil unrest that left more than 2,300 persons dead.

In his statement, Cachalia said 75 percent of the estimated 3,000 South Africans currently in detention under emergency regulations are affiliated with the front, a statistic that he said represents a "systematic and sustained assault at all levels of our membership."

Of the original 19 national executives named in April 1985, the only members not in detention, in exile outside the country or underground in South Africa are Cachalia and Co-Presidents Archie Gumede and Albertina Sisulu, wife of imprisoned African National Congress leader Walter Sisulu.

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