

Schoolboy is guilty under Red Act

Staff Reporter

A JOHANNESBURG magistrate said yesterday that anyone who read the books and wrote the poems that 18-year-old Clarence Hamilton did, could never plead ignorance.

The magistrate, Mr W. F. Krugel, found that a pamphlet written by Clarence, a schoolboy, was intended as a literal call for violence. He found Clarence guilty on two charges under the Suppression of Communism Act. Clarence had pleaded not guilty.

One of the charges was that he possessed formulas for making explosives and petrol bombs. The other related to the drafting, publishing and/or printing of a pamphlet aimed at encouraging feelings of hostility between the White and Black races, and at bringing about change in South Africa by means of violence.

Mr Krugel said yesterday he had studied the pamphlet carefully. The analysis of Mr J. C. van der Merwe, head of the Department of Political Science at the Rand Afrikaans University, coincided in all respects with the analysis of the court.

At a previous hearing, Mr Van der Merwe told the court the pamphlet contained a blatant call to bring about change in South Africa by violent means.

The writer not only listed grievances, but advocated change by unlawful means, said Mr Van der Merwe. It was clear the advocated acts would lead to disorder and the serious disruption of Black-White relations.

Mr Krugel then referred to a book found under a cushion on a settee in the lounge of Hamilton's home in Noordgesig. This contained formulas for making

hand grenades and petrol bombs.

He would never have found that the possession of these formulas on their own fell within the ambit of the Suppression of Communism Act, but seen in the context of the case as a whole, it did.

He referred to poems by Clarence Hamilton and to two other books, "The Year of the Young Rebels" by Stephen Spender and "Social Change", by La Piere found in a bookcase in the lounge.

After reading extracts from the book, mainly about the student unrest some years ago, Mr Krugel said: "A man who is interested in books like these and who writes poems like Hamilton has done, certainly has no hope of convincing the court that what he wrote in the pamphlet was intended metaphorically. He did not act in ignorance. He intended to obtain reaction to what he had written."

Many of Hamilton's poems referred to violence and "blood on the wall", he said.

The pamphlet, which Mr Krugel read out, was in three parts, addressed to "students", "teachers" and "people".

It referred to education "only fit for peasants", told teachers it was about time they were not here to please "Whitey", referred to this growing war of Black and White and ended: "Like in Mozambique, power will come via the gun."

Hamilton will be sentenced on October 29. Bail of R250 was allowed to stand.

139 held in sustained crackdown

By CLIVE EMDON

THE Security Police are known to have detained at least 139 Blacks under the Terrorism Act in the past 14 months in a sustained crackdown on certain Black organisations.

Fifty-nine people are being held under the Act without being charged; 25 are facing charges under the Act; 51 who were detained have been released; three have been convicted under the Terrorism Act and one recalcitrant witness has been sentenced to four months' jail.

The organisations are the South African Student Organisation, Black Peoples' Convention, South West Africa People's Organisation, Anti-Coloured Representative Council and National Youth Organisation.

Most of their top officials have been detained or charged under the Terrorism Act, while some have been released by the police.

Also detained in the past months have been a number of people connected with Black theatre groups.

Most of the 59 known to be held in terms of Section 6 of the Terrorism Act are in solitary confinement without access to lawyers, family or friends. A few have been allowed family visits.

None of these people have been charged. Some have been in detention for nine months, while most have been arrested since August.

They include 27 people, mainly top Swapo members held in connection with the murder of Chief Elifas of Owambo in August. Seven people are due to face charges under the Terrorism Act in Windhoek today in connection with the murder.

So far three of the 139 people held in the past 14 months have been convicted under the Terrorism

Act. David Seleane, Westle Ngalo and Eric Molubi at separate trials, were each sentenced to five years' jail, the mandatory minimum sentence.

A recalcitrant witness in the Molubi trial was jailed for four months.

Of the 25 people facing charges under the Act, 16 have not yet been brought to trial though they have made court appearances in Johannesburg. Nine Saso and BPC leaders, part of the original group of 13, detained in August and September last year after the pro-Frelimo rallies, have been on trial since August.

Of the 51 people known to have been released from detention 11 were held incommunicado for a year or more and 13 others for five months.

Six of those released were immediately put under banning and restriction orders for five years. They are Mr Menziwe Mbeo (detained 149 days), Mr Pimzile Majeke (164 days), Mr Mapetla Mohapi (173 days), Mr Revabalam Cooper (188 days) and Mr Steve Corolus (154 days).

The sixth person, Mrs Bridgette Mabandla, from Durban, was detained with her husband, Mr Lindelwe Mabandla (already banned), for 170 days.

● On November 13 Raymond Suttner was jailed for 7 years, six months, under the Suppression of Communism Act, and this week Breyten Breytenbach was sentenced to nine years under the Terrorism Act.