

# De Klerk yet to account for his role in apartheid murders

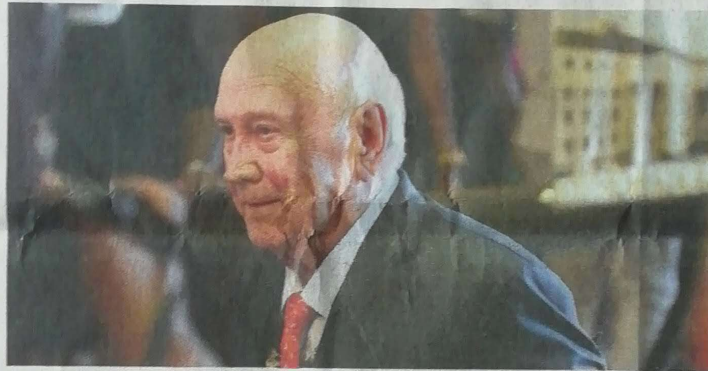
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*Former National Party president has not received immunity for Cradock Four slayings*

## BEAUTIFUL TRUTHS



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APARTHEID president FW de Klerk has not received immunity for acts and omissions in relation to the murder of the Cradock Four or the torture of detainees. | African News Agency (ANA) archives

FW DE Klerk has immunity from prosecution for the crime of grand apartheid. According to the statute founding the International Criminal Court, apartheid was a crime against humanity.

De Klerk received immunity for this crime as part of the deal cut in the early 1990s during negotiations at Codesa, and under the country's interim constitution.

He has not received immunity for acts and omissions in relation to the murder of the Cradock Four, or the torture of detainees.

He became leader of the National Party and president of South Africa in 1989 after a decade in government.

At all times he exercised a criminal common purpose with his party and his government to murderously dehumanise the black population of South Africa through the enforcement of apartheid.

In this he needed and received the support of white South Africans and the security forces.

According to testimony before the Truth and Reconciliation Commission (TRC), the government made the security forces believe that enemies of apartheid had to be destroyed.

Former SA police commissioners testified that most members who

committed gross violations of human rights believed that they were furthering the aims and objectives of their political leaders.

De Klerk was a member of the State Security Council.

This oversaw the national security and welfare systems, which determined every aspect of black people's existence, from living in government-sponsored housing to detention without trial.

A secretariat carried out the council's directives. In March 1985, the council issued a directive to eliminate ("elimineer") Cradock activist Matthew Goniwe.

De Klerk was present at this meeting.

A secretariat member informed the local military commander in Cradock of the council's decision that Goniwe should be permanently removed from society as a matter of urgency.

Goniwe, Fort Calata, Sparrow Mkhonto and Sicelo Mhlauli were murdered by security forces. They were abducted at a roadblock, stabbed and burned.

The TRC never accepted that council members like De Klerk and General Magnus Malan would use words like "elimineer" and "verwyder" (get rid of) if they were not instructions to kill. Why should a court disagree?

A prima facie case for this crime against humanity faces De Klerk.

Evidence also proves that torture was systematically used on political detainees in preserving apartheid. That, too, was a crime against humanity. Sixty-seven detainees perished.

No member of government could have been oblivious to what was being done by police to serve their purposes.

De Klerk can be bracketed with former Chilean military dictator Augusto Pinochet, whom Britain's House of

Lords ruled could be extradited for prosecution on charges of torture perpetrated by his security forces.

The object of our constitutional endeavour was to build a bridge between an unjust past in a deeply divided society and a just, united future.

This was premised upon reconciliation and amnesty for telling it. De Klerk never applied for amnesty. He never fulfilled the prerequisite of making a full disclosure.

The TRC's report, redacted after De Klerk sought a court interdict to restrain its release, revealed that he was less than truthful.

He accepted responsibility on behalf of the apartheid government and National Party, but denied authorising assassination, murder, torture, and assault. The facts belie his assertion.

It might be argued that, for his part in making a peace possible, De Klerk's crimes should be ignored, despite his failure to apply for amnesty as others, black or white, were required to do.

But he remains today on the shore of apartheid, contending still that apartheid was not a crime against humanity. His foundation alleges that to say otherwise is an "agitprop project initiated by the Soviets and the ANC/SA Communist Party allies to stigmatise white South Africans".

These people are burning the historic bridge of reconciliation between black and white, which rests upon mutual understanding and ubuntu.

The time has come for De Klerk to face justice.

*Doney is a legal practitioner and listed counsel of the International Criminal Court*