

thoroughness. The task was given to the head of the CID, Major General Stoffel Buys. The good general did not disappoint his political masters. Before his investigation was complete, Buys told *Rapport* that Timol had jumped. The atmosphere in room 1026, the general declared, was the "most relaxed atmosphere imaginable in such circumstances". He explained: "Ahmed Timol was sitting calmly in a chair. There were security men with him. At one stage two of them left the room. Mr Timol suddenly jumped up, aimed at the door. A security man jumped up to intercept him, but the Indian then stormed to the window and jumped through it. He was not scared or injured by anybody at any stage."

The *Sunday Times* noted this peculiar statement by the general, wryly observing: "One wonders why General Stoffel Buys, head of the CID, bothers to continue with the official inquiry he is conducting into the death of the political detainee Ahmed Timol, considering that he has already given his finding in advance to a Nationalist Sunday newspaper." When approached for comment by the *Rand Daily Mail*, Buys was less than friendly. "Why don't you approach me first instead of going off at a tangent and blackening everybody? You have done your damndest and already thrown dirt," he told a reporter.

The magistrate found that the investigation had been impartial, as Buys was not after all a member of the security police. But the vast majority of the people of South Africa, and many throughout the world, found it difficult to believe that Timol had died for the reasons given by the security police. Doubts were even expressed by supporters of the apartheid government.

In accordance with standard procedure, an inquest was held. The Timol family were represented by Issie Maisels and myself appearing for the police was Fanie Cilliers, who later became an eminent senior counsel; the evidence was led by PAJ Kotze, the senior public prosecutor. He regularly appeared in political trials in the Eastern Cape and the Transvaal, and was later the chosen magistrate to preside over the Neil Aggett inquest.

The magistrate, De Villiers, was an official who had done the ordinary run-of-the-mill criminal cases in the district and regional courts. Together with most of his colleagues, he did not enjoy a reputation of tending to disbelieve police officers.

Fanie Cilliers came to Maisels and me to say that he considered it his duty to bring our attention to the fact that the police had handed him a document, with instructions to use it, but he had refused to do so. The document appeared on the face of it to have been issued by the Communist Party of South Africa. Written in disjointed Marxist jargon, the document advised detained members of the communist party to complain of ill-treatment and assaults that did not happen, and to commit suicide rather than betray their comrades. The last paragraph was even more self-serving for the police propagandists.

It had obviously been drawn up for the purpose of the inquest to explain Essop's supposed malingering and Timol's suicide. It read: "Rather commit suicide than betray the organization. ... Vorster and his murderers will not halt our people when we have comrades like Archbishop Hurley, Rowley Arenstein, Vernon Berrange, Isie Maisels, MD Naidoo, George Bizos and others who have been fighting with us since the days of Rivonia."

Fanie Cilliers did not say that he believed it was a forgery — he could hardly have said so because only his clients really had an interest in forging such a document — but indicated that he considered this last paragraph defamatory, and since his colleagues were involved he felt that he should not make it public. We thanked him for his consideration. The name of a leading Catholic bishop coupled with a group of lawyers known for their participation in the defence of political activists must have been in-

congruous even to the forgers.

At the inquest the police told their tale. It was Lieutenant Colonel van Wyk who read the documents seized in the car, and concluded that Timol was in contact with the central committee of the communist party then exiled in England and was in command of the "main unit" in South Africa. He was thus of "inestimable value" to the police.

"What this man was guilty of," Van Wyk explained at the inquest, unmoved by the legal principle that a person was innocent until proven guilty, "was being head of a main unit of the communist party. He roneed certain pamphlets and was found in possession of other unlawful documents. He knew how to make pamphlet bombs. In other words, this saboteur had been party to the jettling off of bombs which released pamphlets and at the same time activated tapes. He was also in contact with the communist party in Britain." Asked what else, Van Wyk added for good measure, "I can say that as a self-confessed communist he was involved in a plot to bring about revolution and mass murder in South Africa." Van Wyk had his man.

Given the importance of their catch, the police decided to keep Timol in the security police offices at John Vorster Square. In the past, they explained, communists had escaped from prison or cells, including some whom Van Wyk himself had arrested, such as Harold Wolpe and Arthur Goldreich, the absent main co-conspirators in the Rivonia Trial in which Nelson Mandela and others were sentenced to life imprisonment. Timol was extensively interrogated by a number of police officers, often for over 12 hours each day. Although Van Wyk was in charge of the interrogation, he was assisted by captains Richard Bean, JH Gloy and JZ van Niekerk.

On the night before his death, Timol was guarded by security police sergeants Bouwer and Louw, who testified that he slept well; it was warm and he slept in his underwear. At one point they even gave him some of their coffee while the two of them played cards. They both kept watch while their charge slept, or so they claimed. Sleep deprivation was common in the security police's interrogation repertoire, and was usually overseen by policemen who were not integral to the questioning process.

I thus put it to Bouwer, "If the intention is that a person should sleep, it seems strange to me that two people should have to guard him ... The office was not a very comfortable place for three persons to spend a night?"

"It is 10 by 18 paces," he replied. "It would not even pass municipal regulations. Why was it necessary for two sergeants to spend the night in the room?"

"It is usual for two guards to guard a prisoner. I think this is a regulation."

"It is a pity it was not kept when Mr Timol jumped from the window."

Whether or not Timol had slept, his interrogators found him co-operative the following morning, supplying them with names and addresses. The interrogation session that day, October 27, was the most productive, judging by the notes kept by the police.

"If you compare your notes written on the 27th," Maisels put it to Gloy, "with those of the two previous days, it is incomparably more than the notes written on the two previous days, put together. On this, the last day of his life, he seems to have answered a large number of questions, which you recorded. He seems to have been more co-operative on the Wednesday than ever before." "Judged from the documents it does look that way, but is not really the case. On the two previous days we did not take comprehensive notes. He made hundreds of denials."

Gloy's answer confirmed Maisels's question. If Timol was more co-operative, as seemed the case, what had happened that day, or the previous night? "Even if a man is unco-operative initially, he might talk more once we have got his confidence," Gloy tried to explain. "This was our aim with Timol."

The police had been trying to establish who the three men referred to in Timol's documents as "Quentin, Martin and Henry" really were. Gloy and Van Niekerk were interrogating Timol on just this point that fateful afternoon. Gloy was happy to declare that it had been an

**The argument
of suicide
prompted by
betrayal was
hauled out time
and again as the
state sought to
justify why
apparently
well-adjusted
men would take
their own lives**