

**IN THE HIGH COURT OF SOUTH AFRICA
KWAZULU-NATAL LOCAL DIVISION, PIETERMARITZBURG**

**INQ 01/2021
Original Inquest No: 951/77**

In the matter of:

**THE REOPENED INQUEST INTO THE
DEATH OF DR HOOSEN HAFJEJEE**

AFFIDAVIT OF RAYMOND SORREL SUTTNER

I, the undersigned,

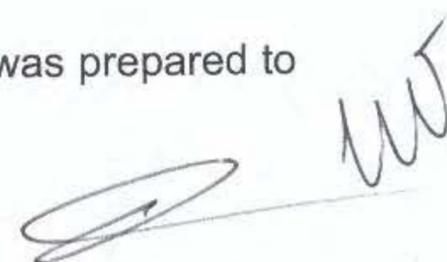
RAYMOND SORREL SUTTNER

1. I am an adult male South African citizen with Identity number 4508295036089. My contact details are known to Anwar Jessop Attorneys the Haffejee family legal representative.
2. I am an Emeritus Professor at the University of South Africa and have held posts at other universities.
3. Save where the context indicates otherwise, the facts deposed to in this affidavit are within my personal knowledge and are to the best of my belief both true and correct.

MY BACKGROUND



4. In the 1970s I was involved in the struggle for liberation against apartheid. Some of this work was illegal under apartheid laws and the police acted against me. I was detained and tortured by the Security Branch in June 1975.
5. In 1971 I worked at the then University of Natal, Durban. During that period, first teaching Comparative African Government and from 1972 law. At the same time, I worked secretly as an underground worker for the ANC/ SACP alliance, mainly distributing illegal pamphlets through the mail until my first arrest in 1975. At that point I was a senior lecturer in law.
6. I tried to prepare myself as much as possible for coping with solitary confinement and physical torture. This preparation helped when I was detained. Terrifying as it was, I was nevertheless on familiar ground and nothing my torturers said or did was surprising.
7. My main preoccupation at the time, apart from surviving, was avoiding the betrayal of my comrades and the liberation movement. Although I was a lone captive, having some idea of what to expect gave me a fighting chance, however slight.
8. On the other hand, there was nothing in my own life experience to prepare me for the ordeal of falling into the hands of a group of single-minded sadists who felt no sympathy for me as a fellow human being. Indeed, I had grown up in a family where violence had no place and I had never personally experienced violence. But I was now in an environment that was based on and sustained by violence.
9. In 1975 I was a young, very idealistic freedom fighter, and I was prepared to

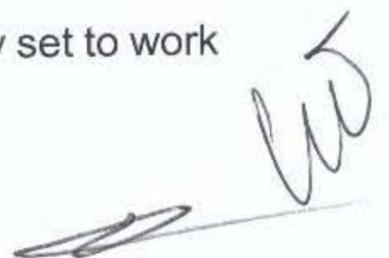


die for my beliefs. I felt a strong connection with all those who had gone before me, and with all those who had faced torture; and I felt a responsibility to the traditions of our liberation movement. That is what gave me strength. That is what made my resistance possible. And that is why I did not simply succumb to torture or lapse into despair. It was my single-mindedness that got me through.

10. Long before my own arrest, I had read and heard about various people being tortured by the South African police, particularly after the banning of the ANC in 1960. When I became involved in illegal activities, I knew I faced the prospect of being assaulted, or even killed in detention. In preparing for my life as an underground cadre, I had met several people who had been brutally tortured.
11. An array of legislation had been developed by the apartheid regime that shielded the police from public scrutiny, and it became routine practice to try to extract information and confessions through various forms of assault. Generally, courts accepted these confessions and refused to give credence to allegations of torture.

MY ARREST

12. The arrival of the security police at one's door was what every political activist dreaded. On 17 June 1975, after spending hours distributing illegal pamphlets in Durban and Pietermaritzburg, I arrived home at about 10 pm to find a group of people blocking my driveway. Momentarily I did not realise who they were. There were about 30 security police officers, and they immediately set to work

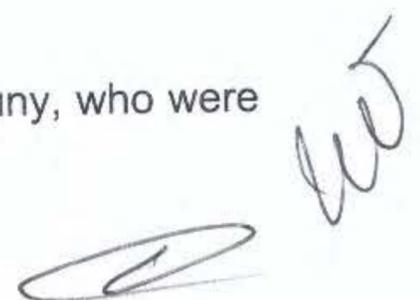


searching through my private belongings in my vehicle and house.

13. This intrusion into my privacy was to become characteristic of my life as a political prisoner for the long years to follow. From the moment I was arrested, there was nothing about me that the state did not want to know or have access to. There was nothing I could shut away from the police and say this is "not your business." The law now gave them unfettered access to every corner of my life.
14. South Africa had laws against assault, but they provided no protection for someone in my situation. I knew I could be held for long periods without scrutiny, without access to lawyers or other people from "outside". Numerous court cases, at every level of the judiciary, had confirmed exclusive access of the police to detainees, even where assaults were alleged. And, as I expected, and soon found, they did abuse their powers.

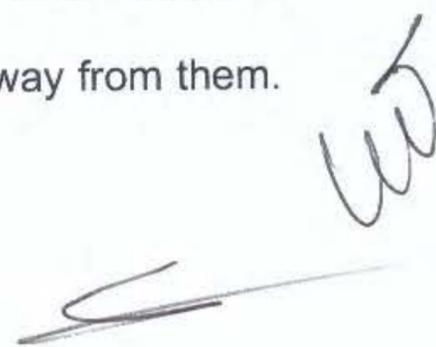
MY INTERROGATION

15. After the police searched my house for some hours, they took me to the Security Police Headquarters, then in Fisher Street, Durban. The offices and rooms were bare since they were used almost exclusively for interrogation.
16. After my arrest, the police may have thought they were onto something bigger than was the case. However, I was caught red-handed, since illegal pamphlets had been seized from my vehicle and house, and my "guilt" in terms of South African law of the time, was easy to establish.
17. My challenge was to alert Jennifer Roxburgh and Laurence Kuny, who were

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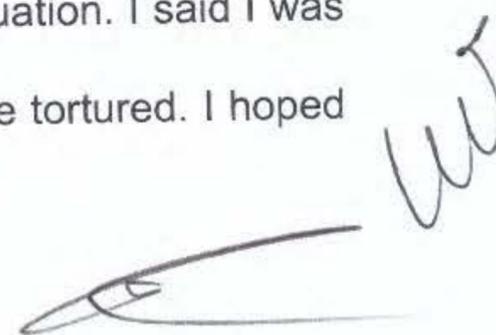
in my underground unit, so they could escape. The rule in these situations was that if a member of an underground unit was arrested, the others should immediately leave the country. On being arrested, we were not expected to hold out indefinitely but to try and find a way of alerting the others and hold out sufficiently long enough for them to escape.

18. The police knew their time was limited. Consequently, they would torture me early in my detention. I did not think of it then, but I held a certain power over them. I alone had the information they wanted. There was nothing they could give me that could persuade me to part with the information. I had no kinship with the torturers. There were no bonds whatsoever. There was nothing they could persuade me to do of my own free will.
19. The Security Branch did not offer me my freedom, nor any concessions if I were to provide the information, which I would not have accepted in any case. They sometimes said, but without much conviction, that I would feel much better if I told the full truth. And they stressed how my career as a university lecturer was ruined, as if that might induce me to talk.
20. I had heard that some people had said nothing for days, only to become so exhausted that they collapsed or were surprised by an outbreak of police violence. I knew that I would be tortured, and it was best to provoke it sooner rather than later — while I had maximum strength to resist. If I waited, my judgement might be impaired, and my resources sapped.
21. I did not try to remain completely silent, but to release information in a manner that avoided betraying my comrades and diverted attention away from them.



One of the most important things was for Kuny and Roxburgh to know I had been arrested. I had no lectures the next day, so my absence from the university would not arouse concern. How was anyone to know of my arrest before the police came upon them suddenly?

22. So, I volunteered some information about a hiding place on the university campus. By acting on this information, the police could no longer keep my arrest a secret. They raided the university, trying to discover where I had hidden some of my pamphlets, and it quickly alerted everyone to my fate. Unfortunately, Kuny and Roxburgh did not use this opportunity to escape and were arrested just two days later.
23. I told the police about what I had hidden at the university while I was under torture, in order to withhold the main information, which was the identities of Kuny and Roxburgh. I concocted an account of my activities, claiming I had acted alone, that there were no other comrades involved.
24. The police questioned me in teams, two or three at a time, with some police hanging around in the background, and sometimes butting in with obscenities.
25. I continually said I did not wish to be rude but I would not answer any more questions. Captain van Zyl, one of the heads of the investigation, replied that I was being *very* rude. I suspected that at some point they would "burst," either losing patience or becoming, or pretending to be, enraged. The assaults would then begin.
26. I wanted, as far as possible, to remain in control of the situation. I said I was not going to talk, and they might just as well take me to be tortured. I hoped

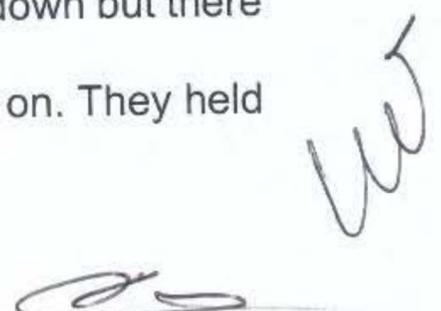
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that I could provoke it then rather than be taken by surprise. Captain Wessels replied laughing: "You believe what you read in the newspapers?"

27. There was a break in the interrogation when they took me to point out the boxes where I had posted pamphlets, so they could retrieve them before they were delivered in the post. Kuny and Roxburgh had, at various times of the evening, posted pamphlets separately. I showed them the boxes I had used, as well as those I thought Roxburgh and Kuny had used, as if I had posted them all.
28. Then we returned to the police interrogation room and again reached a dead end. At one point, Colonel S. C. Steenkamp, then head of the Security Branch (SB) in Durban, came into the room and all the police officers stood up. I was already standing. Steenkamp's lip was quivering as he shouted: "This is serious, man." He twisted my nose and left a few seconds later. This may have been the signal for a change of approach.

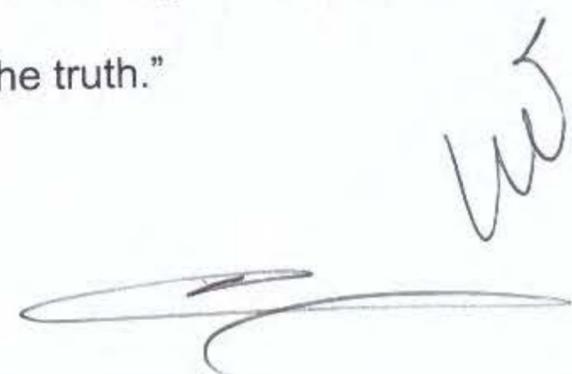
FIRST PERIOD OF TORTURE

29. It must have been in the early hours of the morning that Warrant Officer, (later Colonel) Andy Taylor, a very tall man, entered without his glasses, wearing a white butcher's apron, carrying handcuffs. He took off my glasses and put handcuffs on my hands, saying quietly that I would now be taught a lesson. He then blindfolded me and led me to a lift, which went up a floor or two.
30. I was stripped of all my clothes and made to lie down. One of my arms was put very painfully under my back. I am not sure how I was held down but there were bruises afterwards, possibly because handcuffs were still on. They held

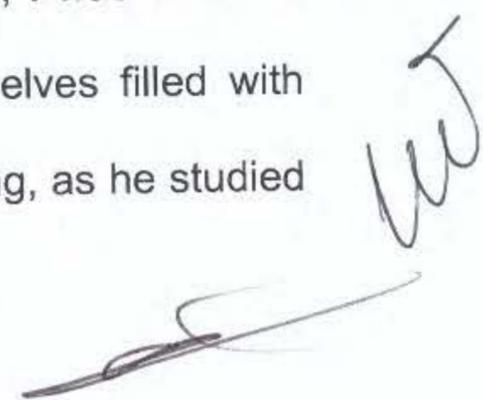


me at various points — by my legs and shoulders, and a cloth was put around my mouth.

31. Electric wires were attached to my penis. A voice, which I later came to believe was that of Captain Dreyer, said in a loud, whining tone that he was some or other rhyming name, perhaps “the monster of Main street.” I cannot remember exactly what he called himself. He said they now wanted to hear *everything*. “You are going to tell us who all your *comrades* are now!” “Comrades” was always sarcastically emphasised.
32. Dreyer, while making some or other obscene remark, pulled out some of my pubic hairs and hair from my head, beard and legs. The electric shocks started, and they blocked my shouting with the gag. They would stop periodically to see whether I would tell them what they wanted. Many obscene remarks were passed, for example: “I want to see him come [ejaculate] now.”
33. They seemed aware of the danger of electric shocks. They wanted me to know that damage or death could result from such torture. Dreyer said: “This is bad for your heart, you know.” They said that my mother and sister had been arrested in Johannesburg — while they continued to torture me, presumably so I would associate torture not only with myself but with my family, who were supposedly also being held. I knew these were tricks used to break a detainee’s resolve and did not fall for them.
34. When the shocks stopped, I would try to burst into talking immediately before they could interrupt. They would respond by jeering and insisting I was lying (which was true) and that I had better “fucking well tell the truth.”

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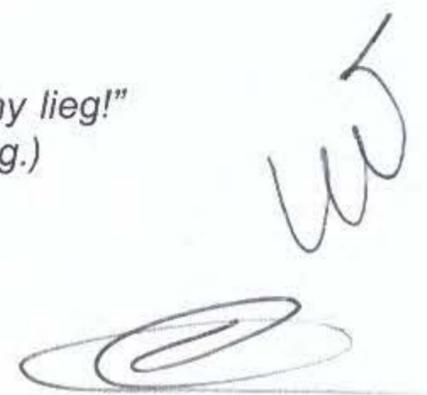
35. Dreyer asked me whether Monty Suttner of Cradock was my father. I replied that my late father, who had come from Cradock, was Bertie Suttner, and Monty was my uncle. Dreyer claimed to know him from Cradock. As the shocks started up again, he said, mockingly: "What would Monty think, what would your father think?"
36. At one point they said: "We must put our kaffirs onto him. Tell him to speak!" Then an African voice shouted: "Tell the truth man! Tell the truth!" The torture continued until about seven or eight in the morning. At times, the cloth inhibited my breathing, though I think its purpose was to prevent my shouts being heard in the street. When they stopped, Dreyer said: "Let's see if you can put on your socks." I could not. I felt very disoriented. He said: "I'll put them on for you." And he did this.
37. I was led away, still blindfolded, down into the lift. As I came out of the lift, the blindfold was taken off and I was standing beside a quite short African man whose fist, displaying a ring on one finger, was clenched towards me.
38. I was taken into a reception room, where quite a few security police, wearing suits, sat with their feet on a coffee table. After a while, I was left alone sitting with my feet on the table, next to Warrant Officer Taylor, now wearing a suit. He commented on my "manners" in putting my feet on the coffee table and this led to an argument between us.
39. A little later, they resumed my interrogation. In the morning, I was taken to Colonel Steenkamp's office. Behind his desk was bookshelves filled with confiscated books of Lenin and Marx. He sat, his lip quivering, as he studied

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my diary and the most recent issue of *Vukani! /Awake!* (A pamphlet I wrote and distributed in support of the ANC/SACP alliance).

40. "You know what this means!" he shouted, pointing to *Vukani!*. After some discussion of the contents of *Vukani!*, he warned that I had better tell everything otherwise he would order all the people listed in my diary to be arrested and this would be on my conscience. I said, as much as I would regret him doing that, I could not assist him, so he had better arrest them. I knew, of course, this was a bluff.
41. He lost his temper again and I responded with "you might as well arrange for me to be tortured with electric shocks again." Without saying anything, Steenkamp raised his eyebrows as if I was saying something incomprehensible or insane. I was to get this same reaction from Taylor and others. The police operated according to a fiction that if there were any irregularities, these occurred without the knowledge of the senior officers.
42. Interrogation continued, with teams of two men questioning me at a time, and two or three watching and shouting abuse. At times I would say "we decided" by mistake. There was then a chorus of: "Who's we, you fucking Jew?"
43. I would explain that I used "we" interchangeably with "I," as I had noticed some French authors doing. This was greeted with derision.
44. Periodically, people would enter the room momentarily to shout things, such as:

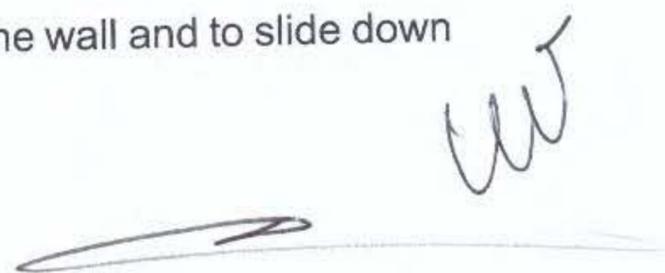
"Hierdie Jood hy lieg. Ek se vir jou, hierdie fokken Kommunis hy lieg!"
(This Jew is lying. I am telling you, this fucking Communist is lying.)



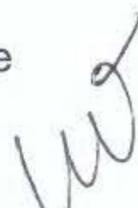
45. At approximately 8pm of the second day — when interrogation with Warrant Officer Taylor and others ceased, Major I. Coetzee, a huge man, whose fearsome appearance was heightened by one half of his ear having been bitten off during a scuffle, said that he had to take me away. I was driven to Durban North police station, where I was booked in.

SECOND PERIOD OF TORTURE

46. I was then taken to a urine-smelling, dusty, dirty cell in maximum security. I was exhorted to have a good night's sleep, so I could tell them "everything in the morning." Major Coetzee had said the same thing in the car on the way to the station.
47. I did not believe I would be allowed to sleep and within an hour heard a lot of shouting and banging and crashing. It was Taylor with another SB officer called "Hendrik" and two or three others (D. King, J. Stumpfer and another person). They took me out of the cell and into a waiting car. "Hendrik" drove, periodically turning to shout obscenities and threats at me. Taylor spent the entire journey in silence with his neck turned towards me, giving me an "icy stare."
48. We went up to the fourth floor of Security Police Headquarters, to a room with two huge floodlights on the table and handcuffs on the floor.
- 48.1. First, I was asked some questions at the table and then made to face the lights, while "sitting" against the wall.
- 48.2. I was forced to keep my back straight against the wall and to slide down

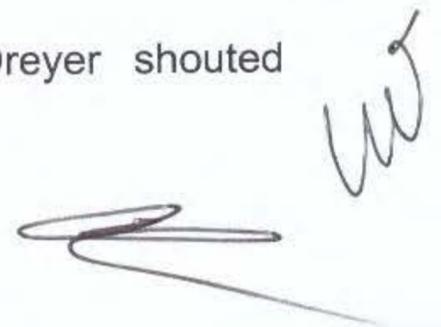


- to a sitting position without my calves touching the back of my thigh muscles.
- 48.3. My arms were stretched out in front of me, and I had to balance what they called "my bibles" on each arm.
- 48.4. They placed Marx's *Capital* on one of my arms and a work of Lenin's on the other.
- 48.5. I was not very fit at the time, so it did not take long to feel great pain and exhaustion.
49. When I dropped the books or fell to the floor, additional volumes were put on my arms. Drawing pins were put on the floor to force me not to fall. Occasionally, I was pulled up by my beard or by the hairs of my head. At one point, Taylor slapped me repeatedly on both sides of my head because I "sat" too low. They also stamped on my toes. I was threatened with being "fucked up" properly. They also threatened to put the "kaffirs" onto me.
50. When I protested that I couldn't think, crouched as I was, they swore at me. Eventually they allowed me to "rest", lying on the table, flat down, with my head uncomfortably raised, so that I could read from "my bible." Since my neck muscles were in great pain, I couldn't read clearly. I can still remember, however, what it was: Engels's introduction to *Capital*.
51. I still did not tell them what they wanted, which led to various threats. One SB member said they would get a rat and put it on my stomach under a pot, so that it had no way of escaping other than eating into me. "Hendrik" said that when they put the "kaffirs" onto me I would really be "fucked up." He would sometimes hold a match in front of my eye while speaking. Remarks were



repeatedly passed about my being Jewish, which predisposed one to criminality and communism in the eyes of the police. It was claimed that I had extensive relations with women, and even worse, in their eyes, with black women.

52. Some of those present did little more than hold my legs on the table or occasionally point a threatening finger when I dropped the books on the floor or read *Capital*. One would clap his hands next to my ears and keep on making inane remarks, such as: "He wasn't born. He happened."
53. At times, one or two of the police would fall asleep and it was left to the others to continue the barrage of obscenities and to pile further books on my arms. As morning approached, I was exhausted. I was made to sweep up their cigarette ends with my hands, then ordered to remain on my knees and bark like a dog at the moon.
54. On the second morning after my arrest, I was left for a short while with an Indian SB officer, Captain Naiger and an African SB whose name I do not know. Captain van Zyl came in and remarked that they should get me some breakfast, which never came. I had not eaten since lunch the previous day.
55. The interrogation resumed. By this time, they had been through a lot of material found at the university. These papers, and ones from my house, were produced, with the police asking for explanations of abbreviations and codes.
56. They were still not satisfied. I was taken to Steenkamp again. There were more threats. Then questioning continued. At one point in the afternoon, both Captain Dreyer and Major Coetzee interrogated me. Dreyer shouted

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repeatedly, and at one stage kicked my shins, shouting, "You must speak, hey!" Major Coetzee grabbed me tightly by my elbow, already swollen from the encounter with the electric shocks and I was made to "sit" again against the wall.

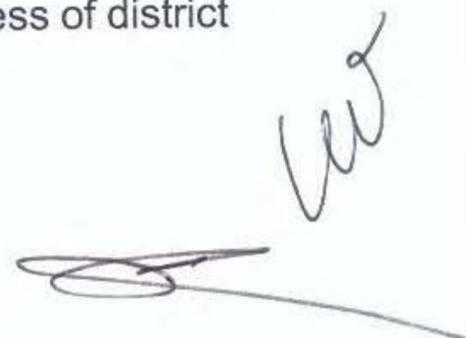
57. They must have already arrested Kuny and Roxburgh, perhaps that evening, judging from their questions and the atmosphere of jubilation. From then on, I was not tortured, although there was always the threat that it could start again.

58. Interrogation continued, though it was more in the nature of mopping up the case and trying to find out what I knew about underground activities in other parts of South Africa. Steenkamp again called me in, saying he knew that I was friendly with certain Cape Town people, so I had better tell them who was producing illegal pamphlets there.

VISIT TO THE DISTRICT SURGEON

59. I think it was on the third or fourth night that they left me undisturbed in the police cell. I could not sleep. Police cells are very noisy. And when one has been tortured, some of what one hears is interpreted as a terrible fantasy. My cell was made for about 12 prisoners. It had a dirty flush toilet and water from a tap above shoulder level. I slept on a dirty mat covered by a filthy blanket.

60. I had an asthma attack and the next morning was taken to the District Surgeon, Dr Buchan, for an examination. I had not expected to be seeing a doctor, but to go straight to security police headquarters for more "medicine." What sort of opportunity was this? I had read of the obsequiousness of district



surgeons in relation to the SB and had little hope of my situation being remedied. In fact, I felt a sense of fear.

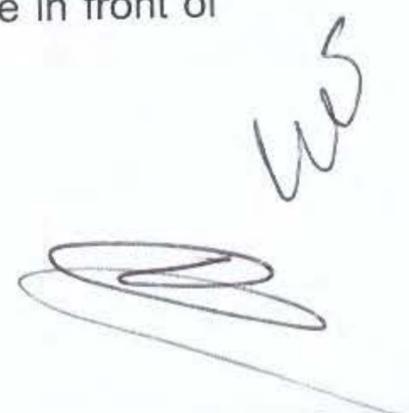
61. Steenkamp was waiting, grim-faced, at the surgery. I interpreted this as a warning. I feared to mention my torture. I had no idea how much longer I would be in police hands, or what they could still do to me. I did not want to provoke further assaults. So, I was silent. I was alone with Dr Buchan, however, while he examined me from top to toe, noting various injuries. I did not volunteer information or a true explanation of their cause, since I was not sure what consequences would follow. I thought I still had a long time to spend with my captors. I also had no reason to regard the doctor as independent. Buchan noted a series of injuries, starting with bruises and cuts on my legs. When he asked how they had been caused, I answered that I had fallen or must have bumped myself.
62. I thought Buchan would realise what had happened, since my answers were like the glib police explanations of deaths in detention. For example, "slipping on soap" and the like caused injuries of detainees. There was a scratch on my penis from the electricity. I said I didn't know how it had happened. Buchan noted that the bruising on my elbow was very recent since it was only starting to form.
63. Buchan gave the report of my injuries to Colonel Steenkamp. I do not know if he kept any record of it for himself. Nor do I know what Steenkamp did with the report. Throughout this interaction, Steenkamp adopted a threatening posture towards me.

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64. Looking back on this visit to the doctor, I do not think I handled it correctly. I was wrong to adopt a stance of helplessness, to accept that there was no redress. I failed to fight for my rights as a human being. I concentrated on getting by, not giving away certain things, and in so doing, surrendered my right to be protected from assault. But I felt very intimidated at this time. It is a paradox that I was able to hold up under torture, refusing to provide vital information, but could not complain to a doctor — nor had I devised a strategy to deal with the situation.
65. Some years later, during my second term in detention, I did take certain steps to protect myself. By that time, I had spent time in prison with other prisoners and better understood how to defend what legal rights we had. I learned to use the strategies at my disposal better than I had the first time around.

FURTHER INTERROGATION

66. After the visit to the doctor, I was returned to my cell. I think this was on a Saturday. At about 5pm that night, I was fetched from the police cell. I heard Colonel van Niekerk outside the gate of the security cell saying: "Vanaand gaan ons daardie Jood 'n pak slae gee!" ("Tonight, we are going to give that Jew a hiding!") I was subsequently interrogated until 1am the next morning.
67. I was driven to security police headquarters, where I was taken to Colonel Steenkamp, who was sitting in front of his desk. He told me to sit on the floor at his feet, "because of the difference in our ages." He then assured me I would not succeed in my aims. He would "crush" me. I would die in front of

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him. He would hate to use "KGB methods" but would have to if I did not tell them everything.

68. I was very nervous throughout the interrogation. At one point, I could not stop quivering. My hands were shaking like leaves. I did not know whether they meant to torture me again. At the end of this session, I was returned to Steenkamp. He said he was satisfied I was not telling them all that I knew. He said he had a responsibility. And while I was a Communist, he was a Christian, with moral principles. His final monologue ended with his telling them to "vat hom weg!" ("Take him away!"). I was taken back to Durban North police cells and allowed to rest.
69. I remained in the cells at Durban North Police Station for six weeks until 3 August 1975 when I was charged. Throughout this period, I was allowed very little exercise, possibly an average of five minutes a day for the entire detention period, with no exercise at all on most days. At the same time, I was insufficiently inventive in devising exercise regimes within the cell — something I would learn to do during my second spell "inside."
70. I was allowed no reading matter at all, not even the Bible, which is normally provided to detainees. The lights were left on in my cell all the time. It was hard to sleep, because police would periodically come to check on the cells, after opening a courtyard gate very noisily. Then the outer and inner cell doors were opened — all making a terrifying, crashing noise. At the time, I took all of this to be conventional police station noise. I learned later that some of it was "specially arranged" for me.



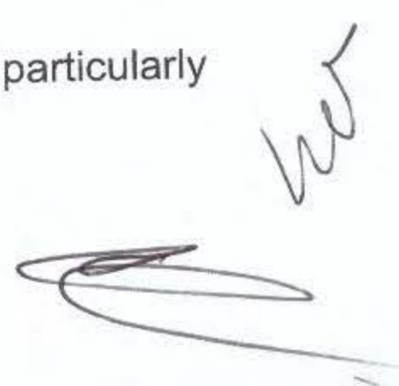
THE DETENTION EXPERIENCE

71. There is little that is comparable to finding oneself in the hands of the South African security police. You know they have already tortured and killed many people. You know this precludes any sense of human kinship between you and them. You are surrounded by these people, and have no access to family, friends or lawyers. The security police were a law unto themselves. They decided when and what you eat, whether you were allowed books to read, and how much exercise you got.
72. You look into the eyes of these people and sometimes there are glimmers of humour (perhaps, of sadistic humour) and other faint signs of humanity. In some cases — such as that of Colonel Taylor, who tortured me — all remnants of human feeling were obliterated by years of abuse, systematically practised upon fellow human beings.
73. These people guarded you. They stood in front of you, at your side, and behind you. You never knew what they were going to do next, whether a blow was about to fall and from what direction it may come.
74. There was nothing you could do unobserved by them, nothing you could do without their permission. What limited washing was allowed was a luxury, and they would not permit you to wash until they finished their intensive interrogation and torture. Sleep was out of the question — until they completed their business.
75. There was much crudity, and violence was always in the air. Yet the police also tried to maintain a contradictory self-image. They would like to appear to



be civil servants who would serve under any government. They were just doing their job. That is why there was an elaborate pretense that torture and violence was practised without the knowledge of the senior officers, or while they were off-duty, since they would never approve of it.

76. Being a captive, and subjected to torture, robs you of the capacity to make natural responses to situations. Normal pride in one's beliefs cannot be displayed unconditionally. One is in the belly of the beast. It will devour you if it so wishes. It is vital to preserve yourself from the worst of its ravages — not at any cost, but certainly at some cost.
77. I had written revolutionary pamphlets. And they were meant to inspire the oppressed majority to rise up against apartheid. In detention, I was asked to explain just what I meant by all of this. My interrogators were war criminals, people who practised extreme human rights violations as part of their daily work. Our liberation movement had taken up arms against them in self-defence. How could I explain *this* to them? What value was there in arguing with these people?
78. I did not repudiate what I had written, but obviously was not in a situation in which I could proudly defend my views. I was prepared to be *klapped* (Afrikaans word, meaning to hit) but did not invite unnecessary blows. That is why I did not protest when ordered to "bark at the moon." (See paragraph 53 above.).
79. Anti-Semitism was an obsession with the police. For them, being Jewish was a crime in itself, predisposing a person to political "criminality" and particularly



to Communism.

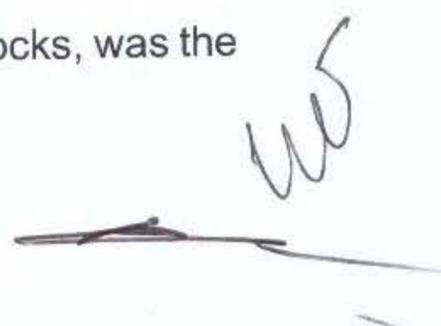
80. What then did their threat of putting “the kaffirs” onto me really mean? Despite my perception that there was no kinship between the torturers and myself, the white torturers, in their reference to the “kaffirs,” may have assumed a kinship with me. I may have been in jail for taking up the struggle of the oppressed black majority, but they still claimed me as a fellow white who would fear, as they did, the thought of “the kaffirs,” the barbarians at the gate, the hordes waiting to be let loose on “us.”
81. With my white captors, reason allegedly had a place. What they wished to convey to me was that there was a threat that went beyond reason; and this was “the kaffirs,” a type of primeval force. This was supposedly in contrast to the nuanced violence of the sophisticated police, who turned the electricity on and off, usually stopping just short of mortal danger. Such behaviour was supposedly rational. The violence of “the kaffirs” was, in contrast, a basic, unthinking violence.
82. In a sense, the police were responding to my polite refusal to talk, by saying that I should tell them what they wanted to know quickly — before the chance of rational communication became impossible.
83. So, on the one hand, there was a sense of *dissociation* from me as “a Jewish Communist” — representing, to the police, the worst of the worst type of white treachery and betrayal. But on the other hand, there was also an *association*. The police calculated that their racist associations between Africans and primeval violence would strike a chord with a fellow white.



84. I had prepared for detention. Yet, in detention, uncertainty is of the essence. There was a large unknown. One does not know what is going to happen. One knows it will be terrible, but there is great anxiety because of unawareness and what that entails. People say that every detention is different. It may be short. It may be long. It may result in a trial. It may not. It may entail torture. It may not. But it is always traumatic.
85. Even when one has been tortured, one does not know whether it is over, when the torturers will come back and what they will do next time.

AFTERMATH OF MY TORTURE

86. I was tortured more than 45 years ago. I did not have the opportunity to be de-briefed by a psychologist. Instead, I was imprisoned for another eight years.
87. I have written accounts of my abuse in what seems to some people to be a fairly detached style. I am beginning to wonder, now, whether I have ever come to terms with this episode in my life. I wonder whether I have sufficiently “worked it through,” and now understand and acknowledge the character of the violation and the damage it has done.
88. My torture was widely known to have occurred, but it was never publicly acknowledged until 1997, when former security police Colonel Andrew Taylor applied for amnesty [AM4077/96] for torturing me — though he provided a relatively shorthand account of what was actually done. Nevertheless, Taylor’s statement, that certain unnamed people administered electric shocks, was the



first public acknowledgement that this ever happened at all. He died in December 1997, before his application to the amnesty committee had been heard.

89. This is an extract from Taylor's formal application:

INCIDENT 7 (*Assault — Raymond Suttner*):

"The aforesaid was, I think, a lecturer at Natal University and was detained for the promotion of ANC activities through the distribution of pamphlets. He was assaulted with the open hand during interrogation by myself, although I do not remember exact details. Other members that I recall who were involved in this were a Captain Dreyer. These are the only members that I think were present and might have assaulted him, although similarly to what is stated above, I am unable to supply exact details as to who did what although I do admit that I did hit Suttner with the open hand. He was also tortured by electrical shock, which was applied through the dynamo of a telephone, which when wound, caused electrical shock to him."

[Extract from Amnesty Application of Colonel Andrew Russell Cavill Taylor (who died of cancer before the application could be heard), supplied by South Africa's Truth and Reconciliation Commission, Durban, April 1, 1997.]

90. I did not complain of torture at the time that it occurred, because the police might have simply intensified their abuse. And afterwards, it would have been difficult to prove.
91. When I was formally charged, after having spent six weeks in detention, I was ready to raise the matter in court. However, my legal team advised that this would be unwise, as I was not giving evidence under oath, but merely providing an unsworn statement from the dock. They reasoned that such a claim of torture could not be tested under cross-examination and would be treated as suspect. They said this had happened in a previous case — that of Sean Hosey.

92. Given the conditions of the time, this may well have been the case. As I have already mentioned, the tendency of the courts was to disbelieve most claims of torture, whether they were made in or out of the witness box.
93. Besides, there was no way of proving that I had been tortured. I was blindfolded for much of the time, and I had no witnesses to call.
94. So, I did not raise the matter in court. Then I was forced to be silent for eight years while in jail. On being released, I could not speak a great deal about what had not been raised in court. It was as if this incident had not happened at all, and it remained almost totally unacknowledged.
95. However, after his release, Kuny wrote an unpublished account of his prison experiences, which also notes how I was tortured for withholding information from the police. It was then, paradoxically, that the first official, public acknowledgement of my abuse came from one of the torturers, that of Colonel Taylor, to the TRC, referred to in paragraphs 88-89 above.)
96. The following is an extract from Laurence Kuny's unpublished account of his prison experiences (written after his release from detention in 1975):

"The guards there told me of him [Raymond]. As I didn't appear the hardened Communist in their eyes they spoke freely to me.

"Raymond had not been treated like me. His light was kept on twenty-four hours a day — with no chance of it being turned off. He was left in his cell for longer periods than I. One guard told me that whenever he visited his cell, he would slam the door open to wake him up, when this man was on night duty. Raymond obviously didn't sleep. The guards disliked Raymond. They tried their best to make life unbearable for him. I'm not guessing this, the guards told me to my face.

"I was a potential state witness so they dared not show their true colours to me; kid glove treatment was reserved for me. Some readers may think prison was bad enough for me, it was hell, but compared to others it was paradise..."



CONSULTATION WITH A MAGISTRATE

97. While I was in detention, I was able to see a magistrate, on two separate occasions, both times in the security police offices. I felt South African magistrates were "in cahoots" with the government and saw no point in trying to get any remedy from them. They told me they were responsible to the Minister, and just mumbled two or three questions and wrote "yes/no" answers on small pieces of paper. I knew of numerous cases in which people complained to magistrates, but nothing happened. Naturally, I was suspicious.
98. My doubts seemed confirmed by a case of the time, in which a judge referred to "wild allegations" of detainees being routinely tortured. General M.C.W. Geldenhuys, the then head of the Security Branch, even claimed that "Moscow" had ordered detainees to make these allegations.

POLICE ACTED WITH IMPUNITY

1. The police knew the courts would back them up, so they could do what they liked, and administered torture to an extreme degree, stopping just short of death. Sometimes they went too far and detainees, such as anti-apartheid activists Joseph Mdluli, Dr Hoosen Haffejee and Bayempini Mzizi who were killed in detention.
2. Members of the police hierarchy steadfastly supported their junior colleagues. A certain Lieutenant Senekal told me that an interdict could not stop them from torturing us. The police felt they were invincible. There was no real check on



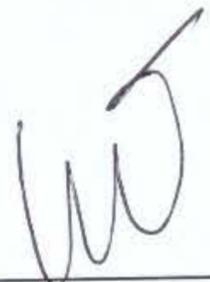
their power. In many instances, they were free to act completely outside the law.



RAYMOND SORREL SUTTNER

The Deponent has acknowledged that he knows and understands the contents of this affidavit, which was sworn to before me and the deponent's signature was placed thereon in my presence at Johannesburg on this the 20th day of **August 2021**, the regulations contained in Government Notice No R1258 of 21 July 1972, as amended, and Government Notice No R1648 of 19 August 1977, as amended, having been complied with.

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FULL NAMES:

DESIGNATION:

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