
AFFIDAVIT OF SHAHIDA PILLAY

I, the undersigned

SHAHIDA PILLAY

do hereby make oath and state that:

- 1 I am an adult female with identity number 521105 0048 089.
- 2 Unless the context indicates otherwise, the facts contained in this affidavit are within my personal knowledge and are, to the best of my belief, both true and correct.

PURPOSE OF THIS AFFIDAVIT

- 3 The purpose of this affidavit is to set out important facts and events that I believe were intentionally deliberately withheld from the first inquest into the death of Hoosen Mia Haffejee, (hereinafter referred to as "Haffejee"). It is my belief that this conduct by the erstwhile South African Police (hereinafter referred to as the "SAP") was aimed at concealing various serious crimes and human rights violations committed against Haffejee during the period of August 1977.
- 4 I wish for these facts to be presented at the re-opening of the inquest for the purpose of establishing the truth as to what happened to the late Haffejee.

THE RELATIONSHIP BETWEEN HAFJEJEE AND I

- 5 Haffejee was my cousin. Both our mothers were sisters. He was two years older than I was. My family and I lived at 200 East Street, Pietermaritzburg. Our maternal grandmother lived at 565 Church Street, Pietermaritzburg. Haffejee resided with his family at 545 Church Street, Pietermaritzburg. We lived in close proximity to each other. Growing up, Haffejee and I shared

a very close relationship. I spent most of my childhood years playing with Haffejee during the weekends. Haffejee would often come over to my grandmothers' home. We schooled separately but because he was the youngest in his family and I, the eldest in our family, we spent much of our time together.

- 6 As a child, Haffejee was considered rebellious by the elders. He was not a conformist and challenged the authority of the elders repeatedly. He would question everything. Elders had to "prove" whatever they wanted him to believe. He loved adventure and would play for hours on the banks of the river where we would look for tadpoles.

POLITICAL BACKGROUND

- 7 Unlike Haffejee, I came from a highly political background. My father Goolam Subedar, identified with the ideologies of the South African Communist Party. He was however, more left wing in his approach and thoughts and was not an active member. We were good family friends with Mr Haniff Bhamjee and Mr Harry Gwala, both of whom were frequent visitors in our home. Dr Motala was also a regular visitor. My father paid a heavy price for his beliefs. During the Sharpsville massacre in the 1960's, he together with Mr Mohammed Habib were arrested and detained under the 90- day- detention- without- trial law at Pietermaritzburg Prison. My father was a tailor by trade. He lost his business and his clients because of his imprisonment. He was the sole breadwinner. He was detained with Drs Motala and Chetty.
- 8 My father was actively involved in marches against Apartheid and its injustices. He was in many ways an "absent father". He was a good father but would be absent due to political meetings. I was very aware of the fact that regular meetings would take place at Red Square in Pietermaritzburg. Mr Harry Gwala would often be present. My father empowered my mother. Whilst both were like "chalk and cheese", he encouraged her to drive. She was one of only a handful of Indian women who could drive. He wanted equality amongst everyone and this included women. He raised us, his five daughters to know that we would not be subservient to men. We were powerful as women.
- 9 Our home itself was not a "Muslim" home. We attended ballet classes, played music and openly displayed artwork which would have then and now, not be considered conservative. Whilst he was respected in the community, many people kept away from him because of his political involvement and arrests by the security branch police.

10 My father also allowed me to be mentored by left wing socialists Kader and Nina Hashim. Uncle Kader would encourage me to read and discuss political literature. Later, Yusuf, Haffejee's brother and I would become members of African Peoples Democratic Union of South Africa, APDUSA.

THE DEVISIVE SECURITY BRANCH

11 The security branch had a cunning way of creating divides between families. In 1970, my father was taken in for question by the security branch. Mr Kader Essack and his wife were questioned extensively. My father was released. When he returned I was told by my very disheveled looking father, that the security branch had informed him that I had given them information against my father. The informant turned out to be a neighbor, an older person who I respected. He had just engaged in a general conversation with me. I had concentrated so much on learning for a Latin test and the questions he was asking me, that I almost walked in front of a moving car. This informant pulled me back and prevented me from being run over. To my knowledge, there was nothing in the conversation that would have led him to believe that I had given information about my father.

12 My parents believed the security branch. I was devastated. It had a huge impact on my life. I was sent away to Durban to live with the Shabir and Moe Shaik families. Kader Essack was sentenced to 12 years imprisonment on Robben Island. I did not testify. I refused to speak to my parents and did not communicate with them for some time. That incident remains with me to this day.

ESTRANGMENT

13 Haffejee and I maintained a close relationship until 1965. I was growing up and so was Haffejee. I had started high school. His visits were infrequent. He was more involved in other things like hunting etc. Two years later, in 1967, he left for India, to study medicine. He could not get place at the university for medicine and later told me that he did not want to waste time, so he opted for dentistry. He studied dentistry at Nagpur University in India.

HAFJEES VISITS TO SOUTH AFRICA

14 In 1970, he returned from India. He would thereafter, return every three years. The first time he returned from India, I have vivid memories of him sitting in our lounge sporting a huge smile. I had just come home from school and I recall him wearing a sweater made of lamb wool, and dark brown pants, caressing our pet cat. It was picture perfect. I recall we conversed about music where he teased me about my thinking that the instrument of the Sitar, featured on a Beatles soundtrack, was phenomenal. He returned the following week with tapes of other music where the Sitar was mainly featured stating that "That is music!".

15 When Haffejee returned from India in 1973, he was a different person. He was now a serious student and according to me, functioned on a different level altogether. He was distant and had undergone a major personality change. He came to see my father and from the tone and secrecy of the discussions I knew they were political in nature.

MY TERTIARY EDUCATION

16 When Haffejee returned from India in 1976, I was already married. I was 22 years old. He was extremely upset that I had married and refused to meet my husband. In 1970, I had passed my matric with exemption, which was a rare achievement for girls in those days. When I approached my father i.r.o financing my tertiary education, he had no money. I was the eldest of five daughters. I had affluent uncles who agreed to fund my law degree at the University of Durban Westville (UDW). This was the university, which the apartheid government had designated for Indian students only. I, very begrudgingly, accepted what I perceived to be "Charity" from my family members. In 1972, there was great political upheaval at UDW. Abram Tiro, a student leader, had made an "anti -government" speech at Turfloop (now University of the North) and was expelled. We all protested against the fact that he was expelled by staying away from university. Other issues weighed in. We all wanted all races to attend the same university. My family members were extremely upset with the decision I had taken. I quit, and took the easiest route and got married. Haffejee was extremely upset that I took the decision to get married. He wanted so much more for me.

MEDICAL TREATMENT AT KING GEORGE HOSPITAL

17 During 1977, I was diagnosed with Tuberculosis (TB). Haffejee, had by this time qualified and returned to South Africa. He was serving his internship at King George Hospital in Durban. Haffejee arranged with Dr Akoo at Northdale Hospital for my transfer to King George Hospital. They were better equipped to treat my TB. I frequented the Northdale hospital in

Pietermaritzburg for three weeks before I went to King George Hospital. This was in February 1977. The ward where I received my treatment was within walking distance from where Haffejee's rooms were. He would come often and check on me.

MADHI GOVENDER

18 I met Madhi Govender (Govender) on separate occasions. On two occasions, she came with Haffejee. She was smartly dressed. Her father was a Mr Palliandi. He was a principal at a local school in Pietermaritzburg. She was a senior nurse that worked in the cancer ward. One could gauge that her training was intense because she donned maroon epaulettes. When he first introduced her, he winked eyes at me. I concluded that this was a romantic interest. I knew what that wink meant. However, he had never discussed her and his romantic interest with me. She, on the other hand, had no qualms in disclosing that she was linked romantically to him. On one occasion he had told me that there would be a party at his flat but that I would only be allowed to join them if I could get a pass out for the weekend. I concluded that Madhi would be at the flat too where she would spend the weekends. She had access to his flat. I was also aware that he went home on weekends. I assumed she stayed over during the week.

19 During February 1977, I spent approximately four months at King George Hospital. I had left behind two small children and missed them. I was transferred to the Infectious Diseases Hospital in Pietermaritzburg to be closer to home. Haffejee would then come over on weekends to see me. During the week, I knew that he was involved with Mobile Clinics as part of his internship. When Haffejee qualified, he went back to being the same old Haffejee I knew whilst growing up. He was happy, jovial and full of fun and laughter again. However, when I was transferred to the Infectious Diseases Hospital I noticed a change in him. He always appeared to be deep in thought. I gained the impression that he saw me more out of duty than wanting to see me out of concern.

MY LAST MEETING WITH HAFFEJEE

20 On the last Friday before the Tuesday that we learned of his death, I met him at my mother's sisters', Aunty Zainub's home. He was with a friend, Shiraz Goor. We all had eaten supper together. At one stage, he said to me, that he needed to talk to me. He left with Shiraz, without speaking to me.

SHEYDA ALLEN

21 I had also during the course of my stay at King George Hospital, met a lady by the name of Sheyeda Allen (Allen). She was not a close friend of mine but I knew her. She came to the hospital to see me and told me that "Haffy", as he was affectionately referred to, told her that I was in hospital. She would visit me often, with friends.

22 Allen came to my house on the day that we learnt that Haffejee had died. She asked me to take her to Haffejee's home. I asked her to wait because I was aware that a private post mortem was being conducted by the family, and no one was allowed. I remember telling her that I had been trying to contact Govender at the Cancer Ward at King George Hospital but that I had been told that she had overdosed. It was then that Allen told me that it was Govender that "burnt" Haffejee with the security branch. She was extremely upset.

23 At the time that I met Allen, she was working at the library at the University of Durban Westville. She was very outspoken in her political beliefs. She was outspoken at protests. She drove a car so I assume that by that stage, she had already completed her studies.

ON LEARNING OF HAFFEJEE'S DEATH

24 I learnt of Haffejee's death on 3 August 1977, a Wednesday morning. Nina Kader simply blurted out to me that my cousin was dead, that he had hung himself. Instinct told me that he was killed for his beliefs. In my mind I knew that he would have never given the security branch any information because he was a fighter, he would have given them a hard time and disclosed nothing. I was shocked when I learned of his death.

SUICIDE, HAFFEJEE'S WOUNDS AND ISLAM

25 I know that Haffejee would never have taken his own life. In terms of Islam, this is unacceptable and Haffejee knew this. He loved life. I also concluded that he would never have taken his own life, because of his reaction to me when I attempted suicide. I attempted to gas myself after I was married. I was then taken to Uncle Mo's(Moe Shaik) for recovery. Haffejee came to visit me. He laughed as he asked me:" If you wanted to kill yourself, why did you not ask me?. I could have given you an injection?" I concluded that he was not making fun of me but was attempting to make me comfortable by making fun of my actions. I cannot imagine that he would have sustained the injury on his head and face by committing suicide.

26 When Haffejee's body was brought to his home, I saw the body very briefly. We were not allowed to touch his body. I recall someone just uncovering his face and neck. I was shocked. I stood at a point where I saw his head and hair. To me it was "clumped" with dried mud or blood. I remember asking myself if they dragged him in mud. His mouth, to me looked as if in a grimace. His mouth, when I moved to the other side of his body, appeared opened and his teeth looked broken to me. I saw what I thought was bruises on his face, on his eyes in particular. It looked like his eyes were bluish purple. There was blood on the sheet. Everybody was hysterical and crying.

27 Govender did not attend the funeral. I never saw her again. Allen visited the Haffejee family often.

28 I am aware that the private post mortem was conducted at the home of Haffejee. I saw Dr Biggs, Dr Motala and an attorney Mr Morgan Naidoo go to the side of the Haffejee household home. Dr Biggs and his wife Bunty visited the Haffejee household often. They were liberal whites. This area was cordoned off during the post mortem. No one was allowed to go to that area whilst the post mortem was being conducted. The body was brought home a little before lunch. The post mortem lasted into the late hours of that evening.

29 When I saw Haffejee's body after the post mortem and after it had been bathed, I noted that a dark reddish brown paste (of sandalwood) had been applied over the top of his head. There was also a face paste applied. It looked bluish grey and to me, accentuated his injury rather than hide it. I could still see the bruises because I had seen them for a few seconds and knew what I was looking for.

THE REVERBERATING EFFECT OF HAFFEJEE'S DEATH ON OUR FAMILY

30 The death of Haffejee affected everyone. Relationships, marriages, friendships fell apart. The worst effected was probably Haffejee's mother. She just wanted answers as to what happened to her son. Yusuf Haffejee, in my opinion, assumed the identity of Haffejee. To me, it seemed as if he was taunting the security police by wearing glasses that Haffejee wore, or dressing the way he did, or by sporting a thick moustache like Haffejee did. He became very secretive. Haffejee's mother would cry and ask me as to why Yusuf behaved that way. She was not aware of the injuries sustained by her son. One day, she was looking for something and found the photographs taken during the postmortem by either journalists or independent

photographers. She was overwhelmed with what she saw. She was a broken woman and died that way.

31 Yusuf joined APDUSA and became the treasurer. His family suffered tremendously because of the changes he underwent. Haffejee's death destroyed the family and the family unit. It had a devastating impact on everyone. I suffered a mental breakdown and was hospitalized. Whilst I experienced my own issues, the horrendous death of Haffejee was the final straw.

32 Haffejee was a kind man. When he studied in India, he shared a flat with a few students. Once they had completed their studies, they vacated the place and the lady that had performed daily chores for them was left without an income. Haffejee realized this and continued sending her money after he had completed his studies. We only realized that he had done this when she wrote to him telling him that she had not received the money.

That is all that I wish to state.

I know and understand the contents of this declaration.

I have no objection to taking the prescribed oath.

I consider the prescribed oath as binding on my conscience.

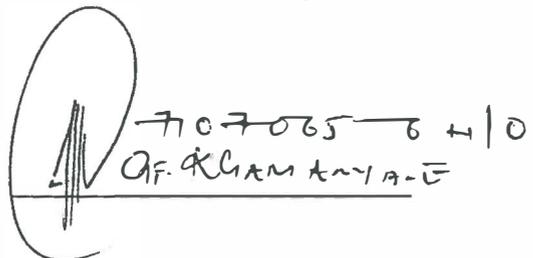


DEPONENT

Thus signed and sworn to at JOHANNESBURG on this 20 day of JANUARY 2018

The Deponent having knowledge that he knows and understands the contents of this affidavits, that it is both true and correct to the best of his knowledge and belief, that he has no objection to taking the prescribed oath and that the prescribed oath would be binding on his conscience.

ORGANISED CRIME CRIMES AGAINST THE STATE
PRIVATE BAG X 1500
2018 -01- 20
SILVERTON 012/
DIRECTORATE FOR PRIORITY CRIME INVESTIGATION



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ORGANISED CRIME
CRIMES AGAINST THE STATE
PRIVATE BAG X 1500
2018 -01- 20
SILVERTON 012.
DIRECTORATE FOR PRIORITY CRIME INVESTIGATION