

**THE  
AMERICAN  
COMMITTEE  
OF  
JURISTS**



**MONITORING THE CASE OF  
MOSES MAYEKISO**

## MEMBERS OF THE AMERICAN JURISTS COMMITTEE

### GRIFFIN B. BELL

Judge Bell is the former Attorney General of the United States. He now is the chairman of the law firm of King & Spaulding based in Atlanta and Washington. For nearly 15 years he served on the U.S. Court of Appeals for the Fifth Circuit until late 1976. Formerly he was the President of the American College of Trial Lawyers.



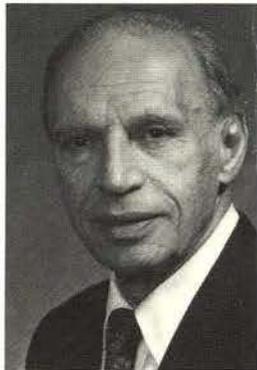
### WILLIAM T. COLEMAN, JR.

Formerly the Secretary of the U.S. Department of Transportation during the Ford Administration, Mr. Coleman is currently Board Chairman of the NAACP Legal Defense and Educational Fund and is a partner in the law firm of O'Melveny & Myers based in Los Angeles and Washington.



### MARVIN E. FRANKEL

For 13 years Judge Frankel served on the U.S. District Court for the Southern District of New York and since 1978 has been in the private practice of law in New York City. He also has been a law professor at his alma mater Columbia University and a prolific writer of legal articles.



### ARTHUR J. GOLDBERG

Justice Goldberg served on the U.S. Supreme Court from 1962 through 1965 following two years as Secretary of the U.S. Department of Labor during the Kennedy Administration. He has served as the U.S. Ambassador to the United Nations and as a law professor, and currently is in private practice in Washington.



### ELIZABETH HOLTZMAN

Following her eight years as a Member of the U.S. Congress representing part of New York City, Ms. Holtzman in 1981 was elected the first woman District Attorney (for Brooklyn) in the history of the city. She served on the House Judiciary Committee during the impeachment hearings of Richard Nixon and on the House Budget Committee and has been an outspoken advocate on women's issues.



## MONITORING THE MAYEKISO CASE

**A** committee of prominent jurists has formed to monitor the treason trial of one of South Africa's highest-ranking labor leaders: Moses Mayekiso, the General Secretary of the National Union of Metalworkers of South Africa.

Mayekiso went on trial in South Africa in October, charged with treason, subversion and sedition. For half a year while imprisoned, Mayekiso and his four co-defendants faced the threat of execution since treason and subversion are considered capital offenses in South Africa.

Already, however, international attention on this case has had an impact as the judge at the opening of the trial ruled out the possible imposition of the death penalty for the five defendants.

The American jurists who will be monitoring the trial include top members of the United States judiciary, legal scholars, veteran prosecutors, a major university president and a prominent corporate lawyer who served as a presidential cabinet member.

The committee was convened at the invitation of Owen Bieber, president of the United Auto Workers union, which has waged an active campaign urging justice in the Mayekiso case. Mayekiso is a former autoworker and his union is the counterpart in South Africa to the UAW.

"We are hopeful that some members of this committee of very impressive lawyers and judges will be permitted to enter South Africa to observe portions of the Mayekiso trial," Bieber said.

One member of the committee visited South Africa in August and acquainted himself with the facts of the case.

The 10 members of the Jurists Committee are widely respected in the United States for their achievements within the legal community and government in recent decades. The UAW hopes to send one or more of the members to South Africa to monitor the lengthy trial of Moses Mayekiso and his four fellow activists, to assess the quality of justice being administered, and to report back to the full Committee and the American public on the proceedings and outcome of the trial.

Following his arrest in June, 1986, Mayekiso was held in prison without being formally charged until January, 1987. His trial and removal from society is widely viewed as an attempt to weaken South Africa's black trade unions, which have emerged as a key effective force opposing the repressive white-minority regime.

The apartheid government alleges that Mayekiso's activities—ranging from organizing rent and consumer boycotts against the town council in the black township of Alexandra to encouraging the South Africa security forces to leave the township—harmed the authority of government and therefore amount to treason.

The facts are, however, that throughout South Africa the residents of these black townships increasingly are unwilling to accept the chronic sanitation and health problems, declining housing conditions, rising crime and similar basic concerns—and that black trade unions as a matter of principle urge their members and leaders to fight for justice in their home communities.

Some activists believe the government now seeks to make an example of Alexandra township by prosecuting Mayekiso, his brother Mzwanele, and three other local activists in hopes of discouraging the further growth of strong civic organizations formed as alternatives to the apartheid town councils.

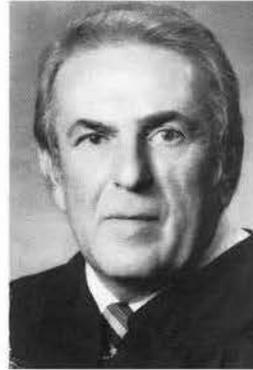
In a genuine democracy, community organizing activities hardly would constitute "crimes"—and certainly none of Mayekiso's actions would warrant imposition of the death penalty, which only recently was ruled out.

## MEMBERS OF THE AMERICAN JURISTS COMMITTEE



### DAMON J. KEITH

For the past 10 years Judge Keith has served on the U.S. Court of Appeals for the Sixth Circuit. A former President of the Detroit Housing Commission and Chairman of the Michigan Civil Rights Commission, he has won dozens of public service awards and holds more than 20 honorary doctoral degrees.



### ABNER J. MIKVA

Judge Mikva since 1979 has served on the U.S. Court of Appeals for the District of Columbia. Previously for 10 years he served as a Member of the U.S. Congress representing north Chicago, serving on the Judiciary and Ways & Means Committees. Judge Mikva currently also teaches law at Georgetown University and is the co-author of a textbook on Congress.



### ELEANOR HOLMES NORTON

Professor Norton serves on the faculty of the law school at Georgetown University. She is the former chair of the U.S. Equal Employment Opportunity Commission. An authority on affirmative action, labor law, race and sex issues, she also serves on the Board of the Rockefeller Foundation and other institutions.



### STEPHEN REINHARDT

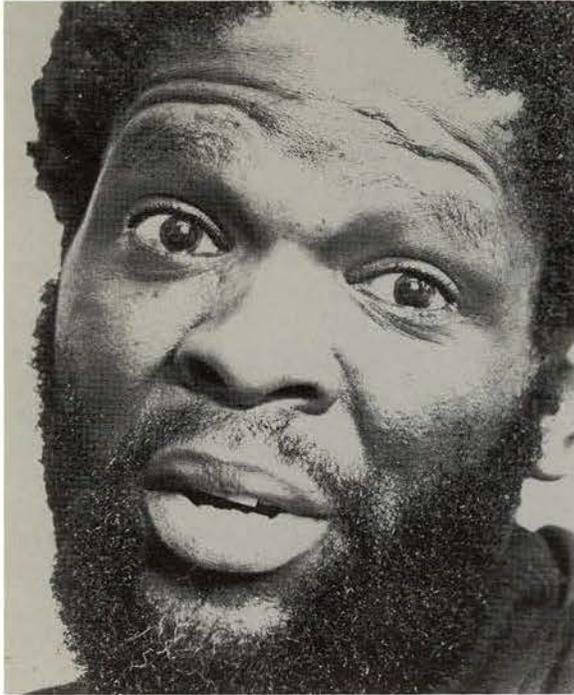
Since 1980 Judge Reinhardt has served on the U.S. Court of Appeals for the Ninth Circuit. Previously he was a partner in a Los Angeles law firm where he also was President of the Los Angeles Police Commission. Judge Reinhardt served as the Secretary of the 1984 Los Angeles Olympic Organizing Committee and currently is a member of the executive committee of Yale Law School.



### BENNO C. SCHMIDT, JR.

In 1986 Benno Schmidt became the 20th President of Yale University. Formerly the Dean of the Columbia University Law School, he is a legal scholar specializing in constitutional law and American law concerning mass communications and the history of race relations. President Schmidt also has been a frequent author and public communications moderator.

## Moses Mayekiso



The UAW over the years has helped the independent black trade unions in South Africa—particularly those in the automobile and metalworking sectors.

These unions are standing up to injustices not only in the workplaces but in the communities where their members live. The UAW has launched a campaign in the United States to focus maximum international pressure on behalf of justice for Moses Mayekiso and the four others charged in his case: Paul Tshabalala, Richard Mdakane, Obed Bapela and Mzwanele Mayekiso.

The committee of 10 distinguished jurists is deeply concerned by the disturbing principles underlying South Africa's apartheid system and emphasized by the Mayekiso case. They intend to monitor the case carefully as it proceeds over the coming weeks.

The Jurists Committee realizes that the Mayekiso case raises critical questions about fundamental issues of justice in South Africa—such as whether the alleged actions of this prominent labor leader and community activist occurred and whether the charges truly constitute treason, subversion and sedition.

Indeed, the facts of this case—in which a popular South African was arrested and detained without being charged for six months and denied access to attorneys—go straight to the roots of the term “justice” in South Africa.

Citizens in every nation who place value on concepts such as “equal justice” and the “rule of law” have acute interests in not only the outcome of the Mayekiso case itself, but in the manner in which it proceeds. The Mayekiso case is an unparalleled test for South Africa's legal system beneath the international spotlight.

While each nation has established its own laws, there are international standards of the “rule of law” for all civilized societies—which South Africa, in seeking economic and political cooperation from its allies, still claims unsuccessfully to be.

Of special concern to observers is the administration of justice in a nation which practices apartheid, under which blacks are denied numerous freedoms essential to democracy.

For years it has been argued that the judicial system in South Africa serves to counter some of the worst excesses of the apartheid system—that the judicial process provides some safeguards or counterbalances for the black majority.

The Jurists Committee will assess the extent to which “justice” and the “rule of law” can prevail for the black majority still repressed by the white minority in South Africa.



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