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ON POLITICAL
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DEATH SENTENCE CAMPAIGN

As the number of people under sentence of death for political offences grew to at least 32, a campaign got underway in South Africa to save their lives. Launched by the South African Youth Congress (SAYCO), it is supported by the United Democratic Front (UDF), the Release Mandela Campaign (RMC), the National Education Crisis Committee (NECC), the National Union of Mineworkers (NUM) and the Congress of South African Trade Unions (COSATU).

SAYCO launched its campaign at a secretly organised press conference on 8 July attended by their national executive plus representatives of the UDF, the RMC, the NECC, the NUM and the South African National Students Coordinating Congress (NASCO). They declared their aim of pressuring the governments of Britain, the Federal Republic of Germany and the United States of America to intervene on behalf of the 32 with the South African regime. They plan to raise the matter with the United Nations Security Council and the Organisation of African Unity and to collect 32,000 signatures, one thousand for each of those facing the death penalty, in support of their demands.

POLITICAL KILLINGS

All but one of those under sentence of death have been convicted of murder following what SAYCO described as 'political killings', mainly of councillors, policemen and police informers. Simon Ntombela, their publicity secretary, said these 'must be seen in the context of ongoing violence, the source of which is the apartheid system.' Murphy Morobe pledged the UDF's support for 'the 32 patriots' who, in their view, 'are on death row purely for reasons beyond their control' and 'under normal circumstances would have had the opportunity to construct-

ively contribute to the advance of society'. Hazy Sibanyoni of the NUM, three of whose members are under sentence of death, noted that although the regime had 'found it easy to sentence these 32 people to death' they had still not charged anyone for the murder of anti-apartheid activists such as Griffiths and Victoria Mxenge in 1981 and 1985 respectively. Peter Mokaba, SAYCO's president, criticised Western governments for remaining silent about 'pro-apartheid death squads who massacre anti-government activists'.

SAYCO also called for the extension of prisoner-of-war status to captured ANC combatants, a call taken up by COSATU at its recent national congress when it endorsed the campaign. Robert McBride, an ANC combatant, was sentenced to death in April and since 1979 eight ANC members have been executed (*S/Star* 9.10.87; *WM* 10.7.87; *S/Star* 20.7.87).

DEATH SENTENCES

On 24 June, six men were sentenced to death for the murder in Queenstown in December 1985 of a teenage woman accused of associating with a member of the Kwazulu bantustan police. Queenstown was extremely tense towards the end of 1985 following the brutal repression of a highly successful consumer boycott. In one particular incident on 17 November up to fourteen people were reported shot dead by police who had fired on a meeting at Nonzwakazi Methodist Church. (*WM* 13.12.85; *FOCUS* 68 p.5)

The six men sentenced to death were named as Mzwandile GQEBE (22), Wantu SALINGA (27), Lundi WANA (20), Thembinkosi PRESSFEET (30), Mzwandile Roro MNINZI (27) and Monde Trevor TINGWE (23). Their defence lawyers gave notice of appeal and indicated they would then hope to call expert evidence regarding crowd psychology and diminished responsibility. The trial, held in a special session of the Supreme Court in Port Alfred, received no press coverage until the sentences were handed

down and no details of the evidence are available.

In addition to those sentenced to death, a youth of 19 years, Thozamile BACELA, was convicted of murder and sentenced to 20 years' imprisonment. Two men, Xolani NGQOLOWA and Phumlani NQAYI, were acquitted while five others were convicted of assault with intent to do serious bodily harm. For this Ndodana

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South africa

STATE OF EMERGENCY REINFORCED

The renewal of the State of Emergency on 11 June indicated the regime's failure to suppress popular resistance to apartheid. This fact was underlined by President Botha in statements explaining the measures.

Except for the three months between March and June 1986 South Africa has been under successive States of Emergency since 21 July 1985. The Public Safety Act stipulates that a State of Emergency cannot last longer than 12 months. On 10 June President Botha said that a new State of Emergency was required

because 'the same conditions that prevailed [a year ago] still exist today'. (BBC 12.6.87)

In response to a legal challenge to the validity of the new regulations by the Release Mandela Campaign and the *Weekly Mail*, President Botha told the Supreme Court in Pietermaritzburg that emergency powers were needed because what he called the 'ordinary law' of the land, including the far-reaching Internal Security Act, was inadequate to govern the country. (WM 10.7.87)

The Deputy Minister of Constitutional Development said that the State of Emergency was needed to 'maintain peace' while the govern-

ment dealt 'in the long term... with the unrest by creating a system that people would not oppose by rioting' (see *LOCAL GOVERNMENT OVERHAUL* for current constitutional developments). (BBC 13.6.87)

The new emergency powers were in most respects the same as earlier ones (for details see *BOX*). Restrictions on funerals in the Witwatersrand, in Natal and the Eastern Cape, control on movement in a Western Cape township, and new detentions were among the first uses of the new powers. (see *DETENTIONS*)

EMERGENCY POWERS

● **Detentions** Police, troops or prison officers can, without warrant, search premises or detain people for up to 30 days and interrogate them. Detention can be extended without reasons being given for as long as the emergency lasts. There is no right of access to, or information about, a detainee. Detainees may be subjected to restrictions after their release.

● **Control of movement** The police can close off any area and control movement in and out of it. They can restrict people to, or exclude them from, such areas or confine them to their own homes. They can impose curfews.

● **Meetings and protests** Meetings can be prohibited and funerals strictly controlled. The regulations prohibit as 'subversive' any statements advocating or encouraging rent, consumer or educational boycotts, illegal strikes or gatherings, civil disobedience, setting up or functioning of 'alternative' administrative and legal structures.

● **Media** Without prior permission no journalist can be present on the scene of any 'unrest' or any action by any 'security force' (including council police). Photographing or filming such events without permission are prohibited. Unless it emanates from official sources, it is illegal to publish information about a wide range of matters: 'security actions', illegal gatherings, 'subversive' statements, information about detentions or the release of detainees. Even court proceedings concerning the treatment of detainees cannot be reported until they are completed.

No advertisement in support of a banned organisation can be published. No publication can appear with a blank space indicating censorship.

Publications and film and sound recordings can be seized, and the production, publication and import of designated periodicals can be prohibited.

● **Education** Students of state schools and colleges of education need permission to be on school premises or hostels and to take part in non-school activities. They are prohibited from wearing T-shirts with slogans or displaying emblems and from distributing leaflets. Only officially-approved courses and syllabuses can be taught at schools or in hostels.

MEDIA RESTRICTIONS RENEWED

The new regulations consolidated and extended earlier emergency provisions. They also negated a Natal Supreme Court ruling in April which invalidated key clauses affecting the media in the December 1986 regulations. (CT 6.5.87; FT 12.6.87) The retention of these powers came in the context of government threats against the press, and action against journalists through detentions, arrests and trials.

In May the Home Affairs Minister told what he termed the 'revolution-serving' press in South Africa that their 'incitement to unrest' would 'no longer be tolerated'. He also informed foreign journalists that he would not hesitate to act against them if they failed to comply with the emergency regulations. (BBC 26.5.87)

The new regulations relating to the media, like the previous ones, place comprehensive restrictions on access to events and sources of information, and on the reporting of news and its publication. The help conceal the regime's repressive actions and inhibit mobilisation of resistance by outlawing a wide range of statements as 'subversive'.

Since 21 May the Public Relations Division of the South African Police has been the only official source of information on 'unrest' after the transfer of responsibility from the state-run Bureau of Information. (BBC 23.5.87)

CONTROLS ON ACCESS AND REPORTING

Under the emergency regulations no journalist can be present at the scene of any 'unrest' or any action by the 'security' forces without prior permission from the police. The trial of two American Broadcasting Corporation newsmen, Henry BAUTISTA and Willem PRETORIUS, for filming 'unrest' and 'security action' at the University of the Western Cape on 30 April was due to commence on 10 August. (see *FOCUS* 71 p.8; CT 23.6.87)

Newspaper companies and journalists risk prosecution under the Police Act of 1958 by publishing articles on police action, since any slight factual inaccuracy can lead to conviction. An agreement between the police and the Newspaper Press Union provides that there

should be no prosecutions as long as police comment on the events is published. However, Jo-Ann BEKKER - formerly a reporter with the Eastern Province Herald - and the owners of the newspaper were convicted in Port Elizabeth on 19 June of falsely reporting on an incident in February when police fired teargas at a crowd outside a church in a Cradock township. The court found a statement in the report to be untrue because it claimed the police had fired a teargas canister into the church, even though the court accepted that 'teargas entered the buildings quite extensively'. (FOCUS 71 p.8; EPH 20.6.87; Star 24.6.87)

The trial under the same Police Act of Tony WEAVER, a Cape Times deputy news editor, was still continuing in July. In the course of a BBC interview, he quoted eyewitness accounts of police conduct in Guguletu when seven alleged ANC guerrillas were shot in March 1986. (FOCUS 71 p.8; CT 23.6.87; GN 6.7.87)

DETENTIONS AND BANS

The detention, banning, expulsion and harassment of journalists acts as an effective constraint on the reporting of news. Five journalists were in detention on 10 July, three of whom had been held for over a year. Four of them were being held under emergency regulations: Zwelakhe SISULU, *New Nation* (206 days), Mxolisi Jackson FUZILE and Phila NGQUMBA, Veritas News Agency (both 389 days), and Brian SOKUTU, freelance journalist (386 days). Rehana ROUSSOUW (23), a reporter for the *Cape Argus*, was detained for questioning under Section 29 of the Internal Security Act on 15 June. (Sowetan 16.7.87; DN 16.6.87)

Three journalists were banned on 16 May from entering Grahamstown's black townships for three months. Ten foreign journalists were refused new or renewed visas in the eleven months up to May. (CPJ Update May/June 1987; ST 17.5.87; Star 24.6.87)

Police questioned eleven South African and foreign journalists after the car bomb explosions in Johannesburg on 20 May and five after a Cosatu May Day rally in Port Elizabeth. Three journalists assigned to cover the Ermelo mine disaster in April were arrested and charged with common-law offences. The home of a *Star* photographer was surrounded and searched at dawn by about 25 Security Policemen and soldiers on 18 June. (Weekend Post 2.5.87; T 22.5.87; Star 19.6.87; DD 23.6.87)

LOCAL GOVERNMENT OVERHAUL

During the first half of 1987 the government implemented key aspects of its longer-term programme to reshape the political structures of apartheid. The inclusion of town councils in African townships into the newly-installed Regional Service Councils as part of an ongoing restructuring of local government appeared to confirm earlier trends that the regime's attempt to politically accommodate Africans living outside the bantustans would include a gradual upgrading of local authorities.

Although consistently identified as a priority precise details about government policy concerning the long-term political rights of Africans outside the bantustans have not been spelt out. A special cabinet committee was appointed in 1983 to examine the issue. Government officials have since given diverging interpretations about the direction future policy might take. Initially the idea of an 'interstate council' was proffered, which would link the authorities of the various bantustans, and 'provide voting rights for Africans' outside these areas. (*Survey of Race Relations 1982, p.275*)

During this year's whites-only election campaign President Botha stated that the government was contemplating creating independent 'city states' out of African townships. (*see FOCUS 57 p.3*) Earlier in 1985 the authorities had announced that an 'informal, non-statutory forum would be set up in which interest groups and government bodies could participate in discussions' about a future constitutional dispensation to include Africans outside the bantustans. (*IDAF Briefing Papers Nos. 21 and 22*)

At the end of 1986 the latter proposals were further fleshed out with the publication of a *National Council Bill*, to set up a forum for discussion on possible constitutional proposals. In spite of widespread resistance to the proposals, the government stated in May this year that it would go ahead with legislation

to set up a National Council. It later put forward the possibility that elections could be held in African urban townships to elect representatives to the National Council. However, with a few exceptions, key black groups including those on whom the regime has counted in the past – councillors and bantustan authorities – rejected any participation in the council while it had only advisory status. (*Star 5/19.5.87; CT 29.5.87; Sunday Star 31.5.87*).

Faced with such wide rejection of its initiatives, the government launched a number of new moves to draw these groups into constitutional discussions. A new post of Deputy Minister in the Office of the State President, in charge of Constitutional Planning was created. He announced a broader agenda for discussion. Anyone could participate in discussions provided they rejected violence. The National Council, the form it would take, and its powers would merely be items for discussion and not, as previously, the compulsory channel for such discussions. (*Star 5.6.87; Sunday Tribune 28.6.87; T 7.6.87*)

Despite these developments other aspects of government policy indicated there would be no departure from the bantustan programme nor any shift from the overall objective of entrenching and safeguarding white domination. Legislation was passed and new bills proposed, giving the bantustan authorities enhanced powers. (*FOCUS 70 p.12*)

REGIONAL SERVICE COUNCILS

At the same time, the inclusion of councils in African townships into the new Regional Service Councils (RSCs) emphasised that they would remain crucial to any future constitutional dispensation. The implementation of the RSCs is part of a longer-term drive to centralise state power and increase military control over key aspects of local government. Under the 1985 *Regional Services Councils Act*, a new structure of government was created linking the existing local municipalities, management boards and town councils in White, Coloured and Indian, and African areas respectively. The

RSCs will be made up of nominees from each of the local authorities in an area and will take over provision of bulk services for entire localities from individual local authorities. Local councils will continue to administer affairs relevant only to the 'population groups' under their administration.

The creation of the RSCs will also provide local government with a new financial base. Employers within the areas under the councils will pay new taxes based on their payrolls and annual turnovers. Councils in African townships for example will no longer be dependent solely on rentals as a source of revenue. As the RSCs will decide how finances are distributed in any particular region, the government sees them as a means of transferring resources from the wealthier white areas to African townships where increased rentals and underdeveloped services have been a source of political discontent. Because major decisions on allocation of resources will now be made at RSC rather than local level, it also hopes that town councils will be removed from the frontline of resistance to apartheid.

The structure of the RSCs greatly increases the centralization of state power. In the past Provincial Councils, under whom White, Indian and Coloured local authorities fell, were elected by white voters. The Provincial Councils have been scrapped, and the RSCs fall directly under Provincial Administrators serviced by enlarged executives, directly appointed by the Cabinet. The Administrators in turn appoint the chairs of each RSC in their area of jurisdiction. The new Provincial Executives, in addition to co-ordinating the RSCs, will have enhanced statutory and executive powers. (*IDAF Briefing Paper Nos. 16, 20 and 22; Star 16.1.87; NN 2.4.87*)

These changes draw local, regional and provincial government structures closer into the ambit of the State Security Council. There is also concern that the RSCs and Joint Management Centres falling under the National Security Management System will be linked as the boundaries of RSCs and sub-JMCs coincide. (*see FOCUS 66 p.2; NN 2.4.87*)

WESTERN CAPE FOCUS OF NEW BOYCOTTS

Renewed protests in May and June in several parts of the country marked the end of a period of apparent quiet in schools, colleges and universities. Pupils had returned to schools around the country at the beginning of the 1987 academic year in January, after eighteen months of often uninterrupted boycotts, and emergency regulations had curtailed protest activity for much of the year.

On 6 May thousands of school children and university students stayed away from classes in protest at the whites-only election (*see FOCUS 71 p.3*). Later in the month activity shifted to the Western Cape. Discontent over shortages of textbooks and overcrowding led to protests at high schools in Guguletu and Langa. Conflict over these and other issues led the authorities to close the school in mid-June. (*WM 8.5.87; CT 25.5.87/10.6.87; City Press 14.6.87*)

Students at several Cape Town teacher-training colleges boycotted classes in protest at the late payment of bursaries, which had forced many students to live on loans. Further action was fuelled by disciplinary steps against 73

teachers who refused to administer exams in the Department of Education and Culture (DEC) schools (i.e. Coloured schools) during the 1985 schools boycott, and by proposed steps against a further 560 teachers who observed the 5-6 May stay-away protesting the whites-only election. There were protests at individual Coloured schools and a city-wide, one-day stay-away at 22 DEC schools on 24 July, demanding the suspension of the disciplinary action against the teachers. (*WM 22.5.87, 24.7.87*)

Repression of student organisation led to action at Coloured schools. At three Bonteheuwel schools there were walk-outs in support of demands for the release of Colleen WILLIAMS (18) who had by the end of May been detained for 11 months, and other detained members of the Bonteheuwel Inter-Schools Congress (BISCO).

School rallies were held to condemn the police shooting of a former BISCO member, Ashley KRIEL (20) (*see DETENTIONS*). The Spes Bona High School in Athlone was closed to prevent pupils from holding a farewell rally for Michael CARSTENS (18), a fellow-pupil who was due to begin an 18-month prison sentence on charges of public violence. Identical

sentences on two other pupils, on similar charges – an unnamed 17 year-old youth and Gregory ARTHUR (21) were earlier upheld by the Supreme Court. (*FOCUS 70 p.8; NN 28.5.87/16.7.87; CT 24.3.87*)

There were also boycotts in other parts of the country. In the Kwandebele bantustan students boycotted classes in protest at the detention of local students, teachers and school inspectors. There were boycotts at an Eastern Transvaal High School, in Grahamstown and in Kwa Mashu. (*Star 7/20.5.87; CT 20.5.87; NN 24.5.87; WM 5.6.87*)

Universities and colleges were also affected by boycotts. (*CT 12.5.87; EPH 25.5.87; DD 6.6.87*)

Even though emergency regulations give the authorities virtually unfettered powers to restrict boycotts, the government indicated in June – on the same day that the emergency regulations were renewed – that it would introduce new (and permanent) legislation to further regulate the movement of pupils, by banning entry to schools for purposes other than lessons, sport and school functions. It also proposed to extend the powers of the Minister of Education and Development Aid to suspend the activities of schools. (*Star 11.6.87*)

DETENTIONS

Hundreds of detainees were released on 11 June when the State of Emergency expired after one year. The immediate declaration of a new State of Emergency and the redetention of many who had been released, left the total number of people in detention only slightly lower than it had been.

At the end of June the DPSC reported that an estimated 3,000 people were still in detention under emergency regulations (about a third of them 18 years and younger). The DPSC pointed out that there had been new detentions since 12 June, the exact number and circumstances of which were not yet known to them.

Throughout the first half of 1987 there was an increase in the number of people detained under laws other than emergency regulations. By the end of May the DPSC knew of 454 people currently in detention (221 under Section 29 of the Internal Security Act, 10 under Section 10 of that act, 62 under the Ciskei National Security Act and 150 under the Transkei Public Security Act). Of the total 102 had been held for 10 months or more. Conditions under the State of Emergency made it even more difficult than usual to obtain information about detentions, and the DPSC stressed that government statistics showed that its records were far from complete (see *LIST*).

The powers of detention under the new emergency regulations were similar to those of the previous regulations. However the 'security forces' – the police, army and prison service – were given the power to detain for up to 30 days without a warrant and without giving reasons. The Minister of Law and Order retained the power to extend the detentions indefinitely until the end of the State of Emergency. A slight easing of the conditions of detention resulted from changes in the regulations of 26 July, making the status of detainees closer to that of awaiting-trial prisoners. (*Star* 27.6.87)

TWO SHOT BY POLICE

Two men alleged to be guerrillas were shot dead by police and troops in circumstances which were unclear.

● **Ashley KRIEL** Twenty-year-old Ashley Kriel was shot dead in what police claim was a 'skirmish' which developed as they 'tried to disarm and arrest him'. Three men and a woman were detained for interrogation and later released by police. Ashley Kriel, a founder of BISCO (Bonteheuvel Inter-School's Congress), had been active in community organisations since the age of 14. In 1985, following nationwide schools boycotts, Kriel left South Africa to join the ANC army Umkhonto we Sizwe. (*NW* 16.7.87)

According to police reports, Kriel died from a bullet fired by his own weapon during a struggle with police who were trying to disarm and arrest him. A private pathologist's autopsy report, however, maintained that Kriel was shot in the back at point-blank range. The pathologist, commissioned by Ashley Kriel's family, found deposits of powder deep in a bullet wound in the small of his back. He considered this 'proof positive' that Kriel was shot from behind at point-blank range. He also found what may have been an imprint of the muzzle circling the wound. A 3cm laceration, which could have been caused by a blunt instrument such as a truncheon or a revolver, was identified on Kriel's forehead. The abrasion on his right upper arm and left shoulder were typical of 'someone being gripped in a struggle of some kind' according to the pathologist. The right

side of his head was bruised.

The post-mortem ended without a date having been set for an inquest (*WM* 24.7.87; *GN* 25.7.87).

● **Mnenduna VANDA** An alleged ANC guerrilla was reportedly shot dead on 21 December last year by Transkei bantustan police on the border between Lesotho and the bantustan at Tele Bridge. His death was only reported in the press in May this year, with the circumstances of his death still not fully established. According to a Mr W who was with him at the time, but whose name the police would not disclose, when they approached the border Vanda said his passport had expired. He said he would therefore walk across the border at a point where no documents would be required. While Mr W was waiting he was approached by Transkei bantustan soldiers who accused him of 'terrorism' and demanded that he strip. He was taken back to the border gate where he was shown Vanda's dead body with a bullet wound in his chest.

Mr W informed Vanda's family on 1 May 1987 and they were able to trace the body to Sterkspruit with the help of the family lawyer. The body was later exhumed for burial in Peddie. Colonel Welsh Mejibi of the bantustan police, when asked to comment on the matter, said that Vanda had been a suspected guerrilla, but refused to comment any further 'because this is a security matter'. (*NN* 25.6.87)

BANTUSTAN DETENTIONS

● **Kwandebele** In a continuing clampdown on anti-'independence' forces, police detained at least eight people on 3 July. Four people were arrested at the residence of Chief David Mapoch, whose family has been one of the forces resisting 'independence'. Those detained were Mavoti MAHLANGU, Cimamlilo MAHLANGU, a Mr SKOSANA and Gabisile MABONA who is married to Cornelius MAHLANGU, detained on 28 May as he left the British Consulate in Johannesburg after briefing Western government representatives. Three other people were also detained on 3 July at the offices of the Ndundza Territorial Authority. On 4 July John MTSWENI, manager of a shop belonging to Cornelius Mahlangu, was detained.

James and Cornelius MAHLANGU were charged with public violence and incitement, and were released on R2500 bail. (*FOCUS* 71 p.4; *Southscan* 8.7.87; *Star* 16.7.87)

● **Venda** In what press reports referred to as 'a clampdown on activists', Venda bantustan authorities detained a number of people during May and June. Newspaper reports named three detainees: Tshililo LUVHANI, who was taken from his work at a bank in Thohoyandou; Thizwilondi Victor MUTHIEWANA and Mushathi MATSHATSHE, a government clerk. All were detained on 22 June and were held under legislation allowing detention for up to 14 days. (*S* 25/27.6.87)

Adolphus MASITHI, a lay preacher with the United African Apostolic Church, whose detention was reported in the previous issue of *FOCUS*, was released without being charged on 27 June. (*FOCUS* 71 p.5; *S* 25/30.6.87)

COURT APPLICATIONS FOR RELEASE

Lawyers trying to use the courts to free detainees held under The Internal Security Act have met with mixed results.

The lawyers of **Claudia MANNING** (20) were unsuccessful during May in arguing that no person acting reasonably could possibly conclude, as the police said they had, that she

was involved in assisting the ANC. However a fortnight after the Supreme Court in Durban ruled that the detention under Section 29 of the Internal Security Act was valid, she was released without charge. (*FOCUS* 71 p.5; *DN* 1-20.5.87; *Star* 20.5.87; *DN* 6.6.87)

The parents of **Ashraf ADAM**, President of the Students Representative Council of the University of Durban-Westville and **Ketan GORDHAN**, an organiser of the Natal Indian Congress, brought an urgent application in June for their release from detention under Section 29 of the Internal Security Act.

Following a court ruling two years ago, police have had to give reasons for detaining people under this law. However, a number of released detainees had signed affidavits indicating discrepancies between the reasons given by police for their detentions and what the police had actually interrogated them about. It was reported that lawyers would be disputing the truthfulness of the account police had given of their reasons for the arrest of Adam and Gordhan. Adam's detention, according to the police, was because he had been recruited to an underground cell of the ANC responsible for providing accommodation, transport and logistical support to 'trained terrorists'. However in a note smuggled out to his lawyers Adam said that in the six weeks since his detention he had not been asked about these matters, but rather about a trip to Harare as part of an SRC deputation to meet the ANC.

Gordhan was released from detention on 24 June, the day the case was set down to be heard in the Durban Supreme Court, and the matter was postponed until 5 August. (*Sunday Tribune* 21.6.87; *WM* 26.6.87)

INQUESTS

● **Lucky KUTUMELA** A Lebowa bantustan magistrate found 10 policemen responsible for Kutumela's death in detention. Although the findings on the cause of his death were referred to the Attorney General for further investigation, available evidence points a finger at police assaults during interrogation. (*CT* 10.6.87)

According to a doctor's report Kutumela, who died at 5 am on April 5 last year, nine hours after the alleged assault, suffered multiple internal bleeding and cerebral concussion. He received 41 sjambok lashes on his body, as well as a number of blows inflicted by a blunt instrument, and injuries to his head. Two fellow detainees testified that Kutumela was in pain and had difficulty in breathing. Their calls for medical attention during the night went unheeded.

The District Surgeon, Dr J E Kruger, maintained that people seldom died of the injuries suffered by Kutumela and as such he did not regard them as terribly serious. He said that swift medical attention would have saved Kutumela's life. (*Star* 9.6.87; *FOCUS* 70 p.11)

● **Andries RADITSELA** A Johannesburg magistrate ruled on the 12 June that Raditsela died from head injuries sustained after he 'accidentally slipped and fell from a police truck while detained'. Eyewitness accounts were dismissed as contradictory.

Although the court made no finding on negligence, the magistrate argued that 'a good deal of criticism could be levelled at police conduct from the time of Mr Raditsela's arrest to the time he was removed from hospital hours later – already unconscious'. (*MS* 13.6.87; *Star* 23.6.87; *FOCUS* 64 p.4)

● **Peter NCHABELENG** The hearing was still continuing in July into the death of Peter Nchabeleng (59) in police custody. (*Star* 23.6.87; See *FOCUS* 70 p.11)

DETAINEES — Additional to previous FOCUS lists

Approx. date	Place	Name (age)	Details (where known)
2.5.87	Johannesburg	PULE, Abraham	ISA 29
6.5.87	Durban	GORDHAN, Ketan 'Ketso'	ISA 29. <i>see COURT APPLICATIONS</i>
10.5.87	Grahamstown	DESAI, Ashwin	ISA. Lecturer Rhodes University. Detained 11.8.80 (<i>Focus 31 p. 5</i>)
15.5.87	Butterworth	NOAH, Putuxolo	TPSA. Lawyer
18.5.87	Johannesburg	MOTLANA, Albert	ISA 29
31.5.87	Johannesburg	MNISI, Peter	Wits Univ. BSS. Unconfirmed: taken from meeting
9.6.87	Newcastle	Alleged ANC guerilla & 9 others	ISA 29. Explosions in Newcastle area; arms find
11.6.87	Johannesburg	ROUSSOS, Mike (31)	ISA 29. SARHWU Education Sec.; Rel. 13.7.87
11.6.87	Soweto	2 'ANC guerillas' & 2 others	ISA 29. Shootout (3 men killed); arms found later
12.6.87	Mdantsane	CHITHEKO, Vivian	NSA 26
12.6.87	Mdantsane	DANGALA, Fezile	
12.6.87	Mdantsane	MDAYO, Mbulelo	
12.6.87	Mdantsane	NOKUZOLA, Moses	
15.6.87	Cape Town	ROUSSOUW, Rehana	ISA 29. <i>Argus</i> journalist (<i>see MEDIA RESTRICTIONS</i>)
24.6.87	Venda	LUVHANI, Tshililo	ISA 29. Shootout on 11 June. Some 'trained locally' ISA 29. During hospital psychiatric treatment. (<i>See FOCUS 61 p.2</i>) ISA 29. Farieda and Gadija daughters of Rugaya Farieda married to exiled ANC member in Botswana Wentzel previously det. and tried (<i>FOCUS 58 p.10</i>) Exiled brother allegedly involved in 1981 on Sibasa police station ISA 29. Shoot-out (<i>see Ashley KRIEL opposite</i>) ISA 29. Teacher ISA 29. UCT student ISA 29
24.6.87	Venda	MUTHEIWANA, T V	
Rep.25.6.87	Soweto	Several unnamed people	
26.6.87	Durban	SONI, Shirish	
29.6.87	Cape Town	KHAN, Farieda (26)	
29.6.87	Cape Town	KHAN, Gadija (32)	
29.6.87	Cape Town	KHAN, Rugaya (62)	
29.6.87	Cape Town	Unnamed juvenile (16)	
29.6.87	Cape Town	WENTZEL, Trevor (26)	
29.6.87	Cape Town	SCOT, Leon (28)	
29.6.87	Venda	MATSHATSHE, Musathi	
10.7.87	Cape Town	Unnamed woman & 3 others	
20.7.87	Western Cape	JURGENSE, Donovan	ISA 29. Teacher
20.7.87	Western Cape	MARKER, Aadiela	ISA 29. UCT student
20.7.87	Western Cape	SEMAAR, Kariema (20)	ISA 29

FURTHER DETENTIONS — Not previously reported in FOCUS

The police are not obliged to disclose the names of people held under the Internal Security Act. They may not become known for many months — if at all. Most of the names below were in a list published by the DPSC of people still in detention at the end of March. All were detained under the Internal Security Act (Section 29 unless otherwise stated) or laws in force in bantustans. Apart from these — all detained between November 1986 and April 1987 — monitoring groups listed at least another 965 names of people detained under the Internal Security Act before November 1986 not published here for lack of space.

- 13-20.11.86 Newcastle
MAKHUBU, Joe Siphso *Worker*
MATHE, Abraham
MSIBI, Simon *Worker*
NDLOVU, Meshack
NKOSI, Patrick
NTULI, Moses *Worker*
NYAWO, Samson
SIKHOSANA, Gabriel *Worker*
SITHOLE, Basil
TSHIKA, Phineas
- 20-27.11.86 Durban
MKHIZE, Henry K
NHLUGULELU, Rambo
NSIMBANDE, Robert
ZULU, Kehla Philip
- 2.12.86 Krugersdorp
MANGOPE, Robert *AZANYU*
- 7-12.86 Durban
LANGA, Themba P.
MAHARAJ, Fishy
MAKHANYE, Themba
MBATA, David
MUTWA, Zanele
SISHI, Vusumuzi *Carpenter*
WILLIAMS, Raymond
- 13.12.86 Soweto
MNGADI, Thandi Dr *Soweto CA*
- 23.12.86 Durban
MAKHATINI, Sandile *Pupil*
- 30.12.86 Sasolburg
MALINDI, Joseph *Zamdela YCO*
- 1.1.87 Pretoria
BHOYA, Gregory *ISA 31*
- 1.1.87 Durban
KHANYILE, Andrew *Pupil*
KHANYILE, Kenilworth *Pupil*
KHANYILE, Vusi Leslie *Pupil*
- MADONSELA, Wesley
- 1.1.87 Heidelberg
MAKHUBA, Thomas *Ratanda CA*
MATJITJE, Zachias *Ratanda CA*
NKOSI, Daniel *Ratanda CA*
NKOSI, Obed *Ratanda CA*
PAAKIE, John *Ratanda CA*
- 14.1.87 Sebokeng
MOTUBATSI, Edward *Vaal CA*
- 15-22.1.87 Durban
DAVID, Mandla Siphso
HADEBE, Bonga H.
HLENGWA, Rodney *Pupil*
KHUMALO, Mandla
MCHUNU, Dumisane B.
MANQELA, Thulasizwe
MAVUNDLA, Thami *Pupil*
NGOBESE, Blessing
NGOBESE, Khumbuzile
NGOBESE, Khumbuzile
NGOBESE, Thembinkosi
NGUBO, Mvusi
NINELA, Blessing *Worker*
PHEWA, Alan
PHEWA, Leslie Bheki
PHEWA, Sikhumbuzo
SHANGASE, Stanley
ZUMA, Prince T
- 21.1.85 Johannesburg
DLAMINI, Ben Jabulani
MALEHO, Tsietso *SANSCO/RMC*
- 27-9.1.87 Durban
MAVUNDLA, Linda
MSELEKU, Makhosazana *Pupil*
NGOBESE, Dumisane
NGOBESE, Sabelo S
- 29.1.87 Pretoria
MOROTOB, Sam *S/A'ville YO*
- 29.1.87 Soweto
SEHERI, Alex
- 1.2.87 Durban
BHENGU, Norman
FILANDE, Ricky
GORDAN, Ketso
GUMEDE, Ntombazane
HADEBE, Mandla
HADEBE, Zithulele
KHUMALO, Barnabas T.
KUMENE, Sifiso
LUTHULI, Mduduzi
MABASO, Terence
MADONSELA, Reggie
MAFEKENG, Jacob
MAPHUMULO, Nhlanhla
MATHENJWA, Lindani Ray
MDLETSHI, Raymond W.
MHLONGO, David
MKHUBU, Joe
MPOFANA, Lucky Doctor
MPOFANA, Squili
NGCOBO, Mbuzi
NKHONZA, Vincent
ZUNGU, Bongani
ZUNGU, Bongumusa
- 5-15.2.87 Soweto
BUTHELEZI, Sthembiso *Student*
DLAMINI, Siphso *Soweto YCO*
HLOMUKA, Albert *Soweto SCO*
SIBEKO, Mildred P
ZWANE, Charles *Soweto SCO*
- 27.2.87
MCITEKA, Stuart
- 1.3.87 P'maritzburg
MAJOLA, Babo
MDUNGE, Siphiwe
MOEKENA, Mandla
ZUNGU, Ningi
- 4.3.87 Durban
MAHARAJ, Rajesh
- 18.3.87 East London
BOTH, Ntombazana *Border CC*
METELE, Toto *Border CC*
- 24-9.3.87 Durban
DLAMINI, Nthombazani
MBANJWA, Cecil
MOETI, David
MSEKA, Dumisane L
- 27.3.87 Springs
MATHUNJWA, Vincent
- 10.4.87 P'maritzburg
BLOSE, Thembankosi
DLADLA, Lunga
DUBA, Zwelibanzi
DUBE, Jabulisa
GCABA, Thabani
KUZWAYO, Rikki
MADUNA, Koki
MAGWAZA, Bhapo
MASIKANE, Bonga
MASIKANE, Sbu
MKHIZE, Sakhiseni
MTAKA, Kapa
MTHEMBU, Khaba
MTHEMBU, Zamokwakhe
NGCOBO, Thulani
NGUBANE, Bongani
SIYAKA, Fanyana
- 15/23.4.87 Durban
GOBA, Gladys
HLOPE, Happy
JOKWENI, Tryphina
- 23.4.87
NDAM, Vusumuzi 20
- 24.4.87 P'maritzburg
MOLOKO, Siphso

ABBREVIATIONS

Laws: ISA — Internal Security Act (Sections 29,31); NSA — (Ciskei) National Security Act; TPSA — Transkei Public Security Act
Organisations: AZANYU — Azanian National Youth Unity; BSS — Black Students Society; CA — Civic Association; CC — Council of Churches; RMC — Release Mandela Campaign; NIC — Natal Indian Congress; S/A'ville YO — Saulsville/Atteridgeville Youth Organisation; SANSCO — South African National Students Congress; SARHWU — South African Railway & Harbour Workers Union.

POLITICAL TRIALS

CHAUKE AND OTHERS

Two men from Soshanguve have been sentenced in the Pretoria Regional Court for participation in the ANC's armed struggle. The trial received very little press coverage and details about the accused varied from one report to another. At the first court appearance in October 1986 they were named as Robert CHAUKE (25), Sibusiso Sehele MASUKU (22), Herbert BHOYA (19) and a youth of 15 years. Chauke was later described as a high school teacher and the others as school students. Only Chauke was allowed bail. In one report the fourth accused was named as Progress SONS but by the time of the full hearing only three defendants were involved.

The men were allegedly involved in the planting of a landmine and a hand-grenade attack on a policeman's home (both in June 1986 in Soshanguve), and also the establishment of an arms cache. It seemed that Bhoaya and Masuku carried out the actions while Chauke was implicated in recruiting for the ANC.

The Detainees Parents Support Committee (DPSC) newsletter for April/May reported that Masuku was convicted of 'terrorism' and sentenced to 10 years' imprisonment. Bhoaya received five years, while Chauke was acquitted. (*BBC 10.10.86; S 25.2.87; NN 12.3.87; DPSC Report May 1987*)

MONTIEDI AND OTHERS

A major trial in the Heidelberg Circuit Court ended with the acquittal of all the accused on the principal charge of 'terrorism' under the Internal Security Act. Four of them, however, were sentenced to effective prison terms of six months, in addition to the long period they had spent in custody awaiting trial.

The 12 defendants were all residents of Duduza and the charges, of arson, attempted murder and malicious damage to property, in addition to 'terrorism', arose from the severe repression in that area during 1985. This background, of a community already suffering from long-term deprivation and appalling living conditions under attack from police and vigilantes, has featured in a number of recent trials. (See *MOTAUNG AND OTHERS* and *MAZIBUKO AND OTHERS: FOCUS 70 p.6*)

Amongst the accused was Joseph THOBELA (54), chair of the Duduza Parents Crisis Committee (DPCC), whose two daughters were killed in a petrol bomb attack on their home in May 1985. According to the indictment the accused were responsible for numerous attacks on police and public property which followed the funeral of Patricia Sonto Thobela, the local Congress of South African School Students (COSAS) branch secretary.

A number of the defendants were members of the DPCC or the Duduza Civic Association (DCA) or former members of the now banned COSAS. The state alleged a loose conspiracy involving these organisations but was forced, after a defence challenge, to provide more details of the exact nature of the offences allegedly committed by the accused.

In May it was reported that charges against Thobela had been withdrawn. Alexander Lebogone MONTIEDI (36), chair of the DCA and Simon NGWENYA (25) were acquitted. John Nhlanhla BUTHELEZI (23), Elias SIKHOSANA (20), Victor SIBIYA (22) and Meshack MASHININI (20) were all convicted of assault and sentenced to six months' imprisonment with a further 12 months' suspended. Richard SIBIYA (21), Bonakele THUTHU (26), Vusimusi Jeremiah MJALI (22) and

Mfanyana Robert HLATSWAYO (21) were convicted of theft and were discharged after being cautioned. Archie MBATHA (22) a local COSAS leader, was convicted of malicious damage to property for which he received a wholly suspended nine-month sentence. (*NN 5.2.87; Star 11/13.2.87; Work in Progress, February 1987; DPSC Report April/May 1987*)

ESAU AND OTHERS

One man was sentenced to life imprisonment on 12 August and eight others to sentences ranging from 25 years to 3 years. When Cecil ESAU and 14 fellow accused entered the dock of the Cape Town Supreme Court on 21 April, the main charge was one of 'terrorism', rather than the charge of treason which had been suggested at earlier court hearings. (*FOCUS 69 pp.6,7*) With Esau (35), a law student and former worker with the Churches' Urban Planning Commission, were Lizo Bright NGQUNGWANA (26); Theminkosi MZUKWA (26), a former shop worker and trade union secretary; Joseph NGOMA (28), a welfare worker with the elderly; Temba TSHIBIKA (38); Sazi VELDTMAN (32), a post office worker; Mthetho MYAMYA (35), a social worker; Joseph MKHUHLWA (31), a railway worker; Anderson NCIVATA (34), a labourer; Reed MACOZOMA (26), a carpenter; Quentin MICHELS (24) and Neville van der RHEEDE (26), both teachers; Gladwin MABENGEZA (36), a scooter-driver; Cyril NTABENI (36) and Norman MACANDA (29).

The accused faced alternative charges of membership of the ANC, participating in its activities or furthering its aims. The charges arose from the alleged operation of a number of ANC cells in the Western Cape area under the overall control of Ngqungwana, Accused No 1, who was described as Western Cape military commander for the ANC's armed wing Umkhonto we Sizwe (MK). The group's activities included armed actions as well as importing arms and ammunition. Most of the accused had been in custody since April 1986.

The court heard details of the arrest of the men, many of whom were assaulted or tortured. Newspapers had not published details previously for fear of breaching the Police Act. However, in March Veldtman underwent an operation on his ear drum, reportedly because of injuries sustained at the time. A police witness implicated in the assault would only admit that Veldtman suffered an eye injury after being tackled by two policemen.

Myamya was forced to lie on the floor. He was interrogated by one policeman while another pinned his head to the ground with his boot. Afterwards his clothes were soaked with blood. The court heard how some twenty residents at Langa hostel were thrown out of their beds, interrogated and assaulted in an attempt to find Mkhuhlwa who lived there. Michels was tortured by having a tyre inner-tube placed over his nose and mouth and water thrown over his head. He was subsequently electrically shocked. Ngqungwana was strangled with a belt, kicked and hit with a gun butt. Mzukwa initiated a 'trial within a trial' to challenge the admissibility of a statement made after being punched and threatened with 'necklacing'.

The trial came to an abrupt end on 20 May when 13 of the defendants changed their pleas. The remaining accused, van der Rhee and Tshibika, were acquitted. Six pleaded guilty to 'terrorism': Ngqungwana admitted being the regional MK commander; Mzukwa admitted two hand-grenade attacks in 1985 - on Langa police station and on a Casspir; Ngoma ad-

mitted undergoing military training and planting two mines at Mowbray railway station in 1986 to mark May Day; Veldtman, Michels and Esau admitted transporting, storing and hiding arms and explosives.

Ngqungwana was sentenced to life imprisonment. Mzukwa and Ngoma were each sentenced to 25 years, Veldtman to 15 years and Michels and Esau each to 12 years. Ntabeni, Macanda, Mabengeza and Myamya were given three years for not reporting people they had reason to suspect were 'terrorists'. Mabengeza and Myamya were also given another five years for assisting with transport and possessing an AK-47, respectively. Mkhuhlwa, Ncivata and Macozoma were given five years for storing a limpet mine.

Many of the men chose to give evidence in mitigation of sentence and made powerful declarations about their reasons for joining or supporting the ANC in its armed struggle.

All of the accused outlined their experiences of oppression under apartheid. Many of them, as school students, had lived through the nationwide uprising of 1976. Ngoma and Michels both told of seeing school friends shot dead during peaceful protests.

Macozoma was sacked from Murray and Roberts in 1984 for participating in a strike, while Mzukwa, who contracted TB when cleaning boilers at Athlone power station, told of attempts by his employers to avoid giving him back pay. Mzukwa was eloquent in condemning the system under which his mother, a domestic servant, had no time for her own family as she was compelled to rear her employers' children 'who grew up to shoot my mother's own children in the townships'. He described his years in the ANC as the happiest in his life: 'Because we had committed ourselves to working for freedom, we already felt better. We were no longer slaves. We were now fighting for the freedom of our people.'

The convicted combatants described the ANC's policy of avoiding civilian casualties wherever possible, a view supported by expert defence witness Professor Colin Bundy. Ngqungwana declared: 'I do not believe this should be made an issue by the state which itself daily injures and kills unarmed defenceless civilians'. (*CT 20.1.87; CT/DD/Star 22-29.4.87, 21-23.5.87, 4-12.6.87; NN 22.1.87, 19.3.87, 15/23.4.87, 11.6.87; Grassroots, March 1987; South 23.4.87, 18.6.87, 23.7.87; WM 30.4.87, 29.5.87, 5/12.6.87; WA 5.6.87; Sunday Tribune/CP 14.6.87*)

HANS AND OTHERS

Three men were sentenced in the Cape Town Regional Court on 21 July to an effective term of one year's imprisonment - three years with two years suspended each. Mbuyiselo Samuel HANS (28) of New Crossroads, Zandisile MAYILE (29) of Guguletu and Sekelele PINDANI (33) of Kuils River were originally charged with 'terrorism' alternatively furthering the aims of the ANC by acting as its office-bearers or members. A second alternative count alleged they provided assistance to a combatant and were recruited into the ANC and given military training by him.

On the second day of the trial they pleaded guilty to one count, under Section 54 (4) (c) of the Internal Security Act, of failing to report to the police the presence of a suspected guerilla. Hans admitted accommodating a man known as Lungile who told him he had received military training from the ANC. Both Pindani and Mayile admitted meeting Lungile, who was detained shortly afterwards. (*CT 21/22.7.87*)

DEATH SENTENCES

continued from p.1

MATSHOBA, Andile MBUQE, Sonwabo KWAZA, Bandile XELO and a youth of 17 were each sentenced to 18 months of which 12 were suspended. (DD 25.6.87 GN/WM/Star/CT 26.6.87)

The most recent death sentence to be made public was passed on Bekisizwe NGIDI, a Soweto school student of 19 years. He was convicted of murdering a policeman on 25 April 1986 when a large crowd of some four hundred schoolchildren attacked a police sergeant while on his way to work. Sergeant Mpedi Mokhotlane was armed with a pistol and rifle but these were taken from him after he fired at the youths.

The indictment alleged that the students were hunting the killers of fellow students killed by a Soweto gang. However, a press report at the time said the killing occurred as 'police and troops battled with youths and halted a march on a court' where 15 other students were appearing in connection with the death of another policeman the previous week.

Ngidi was originally charged alongside Bernard 'Bennet' NKABINDE (19), Sello Philip KWELA (26) and David NGOMEZULU (19). However only the first two appeared with him in the Rand Supreme Court in May 1987. On 14 May Ngidi was convicted of murder while Kwela was acquitted on charges of murder, robbery with aggravating circumstances and malicious damage to property. The lesser charges related to theft of the policeman's weapons and the stoning of his car. Ngidi was acquitted on both subordinate charges but convicted on a reduced charge of common theft. No mention was made of Nkabinde in the press report.

Ngidi made a confession after his arrest which he retracted in court, saying it had been extracted under duress. However, Justice Spoelstra ruled it admissible. The evidence showed that a large number of students were involved in the death of the policeman. Kwela was acquitted on the grounds that the state had not proved its case against him even though the judge said the court was not convinced that, as he claimed, he was at school during the incident. (Tel/Star 26.4.86; Citizen 29.5.86, 26.6.86; Star 25.9.86, 15.5.87; CP 17.5.87; S 9.7.87)

SHARPEVILLE APPEAL

In June it was announced that on 10 September the Bloemfontein Appeal Court would hear an appeal by Mojalefa Reginald SEFATSA and five others sentenced to death with him. The Sharpeville residents were convicted of the murder of a Lekoa councillor killed during a mass rents protest in the Vaal Triangle in September 1984. The six, who include Theresa RAMASHAMOLA, the only woman amongst the 32 threatened with execution, have been on death row since December 1985.

In June President Botha was granted the 'freedom of the city' by the Lekoa Town Council which administers Sharpeville. The councillors are so unpopular with their constituents that they live in a specially-constructed and heavily guarded compound. The Vaal Civic Organisation distributed a pamphlet during Botha's visit with a number of demands including the freeing of the six Sharpeville residents. A rent boycott inaugurated in Sharpeville in 1984 remains effective to this day. Sefatsa's brother was among those interviewed who called for the abolition of rent. (S 3/11.6.87; WM 5.6.87)

MOTAUNG AND OTHERS

The trial in the Pretoria Supreme Court of 11 Duduza residents charged with the murder of

an alleged police informer Rosaline Maki Skhosana killed during a funeral in July 1985, ended on 24 June with the conviction of nine accused and life sentences for three of them.

Some Duduza residents believed that Skhosana played a part in the deaths of four youths killed in the township in June 1985. A number of COSAS members were killed or maimed when hand grenades they had been given exploded prematurely. Six of the survivors were recently sentenced for illegal possession of arms (see MAZIBUKO AND OTHERS Focus 70 p.6). At the time local residents believed that some of the youths were killed in cold blood by the police after changing their minds about going to collect the grenades.

Throughout 1985 Duduza residents suffered police occupation and repression and a number of activists were killed in petrol bomb and vigilante attacks in which police and councillors were implicated. Skhosana was killed at the funeral of four victims shot dead by police on 5 July 1985, in an incident in which the police masked themselves with balaclavas.

Skhosana was believed by some Duduza residents to be having a relationship with Detective Sergeant Msibi who played a key role in the identification and arrest of nine of the accused. Msibi and some 120 other policemen were forced to leave Duduza in August 1985 because of their collaboration with the apartheid authorities. The defence led evidence to show that the defendants and other Duduza residents held after Skhosana's death had been seriously assaulted by Msibi and other policemen.

The state's case relied heavily on a video recording of Skhosana's death shown by the South African Broadcasting Corporation (SABC), which was admitted as evidence in spite of defence objections. (FOCUS 70 p.8) Foreign reporters expressed concern at the use of the video, which was recorded by a foreign crew and sent overseas from Johannesburg by satellite. It was apparently copied by SABC and submitted to the court. A teacher at a school for the deaf was called to lip-read the words spoken in Zulu on the video by five of the accused. She alleged they called for Skhosana to be burnt. Two days later the witness returned to the court but refused to testify. She was formally convicted under the Criminal Procedure Act, warned and discharged. Justice Hartzenburg ruled that her evidence should be ignored.

At the end of the prosecution's case the defence asked for the discharge of Jacob TSHABALALA (22) and Lydia MOKOENA (24) saying the state had provided no evidence implicating them in Skhosana's killing. Both denied being present and said they had been wrongly identified on the video. Tshabalala told of being slapped across the face 15 times by Msibi. The defence's request was refused and the accused began to give evidence in their defence. Seven of the accused who admitted assaulting Skhosana but denied murdering her were: Linda Alexander HLOPHE, Daniel MBOKWANE, Sannah TWALA, Lorraine Zanele SOBUZI, Solomon MOTOSOAGAE and two youths. The remaining accused, who made no admissions, were Matlakala Elizabeth MOTAUNG and Phineas MASEKO.

In their evidence the nine accused told of their behaviour at the funeral and the combination of circumstances which led to their participation in the attack. Some of them knew the people being buried, others felt hatred for police and police informers because of police violence in Duduza. All of them expressed regret that Skhosana had died, saying they believed she should have been punished but not killed. Others said they had only joined in for the benefit of the TV cameras. It was clear from their evidence and other reports that Skhosana may

well have been dead before they became involved. One defence lawyer suggested that between 200 and 450 people participated in the attack.

Professor Edward F Diener, Associate Professor of Psychology at the University of Illinois, gave evidence for the defence. An expert in crowd psychology, he spoke about reduced individual responsibility in a situation of mass aggression ('deindividuation'). On 18 June Justice J Hartzenberg delivered judgment, convicting nine defendants of murder and acquitting Tshabalala and Mokoena on the grounds that it had not been proved that they were present during the attack. Before sentence was passed Rev Ross Oliver, a Methodist minister, gave evidence in mitigation. He spoke of the exceptional anger, suspicion and turbulence in Duduza at the time, and of how legitimate protests about living conditions, such as the lack of a sewerage system in the township, were met with police violence.

Sentence was passed on 24 June after police had erected roadblocks in Duduza. The judge accepted that there were extenuating circumstances and so refrained from passing the death sentence. However, Linda Hlope (26), Daniel Mbokwane (22) and Sannah Twala (23) were all sentenced to life imprisonment. Hlope's father told the court his son suffers from epilepsy and Mbokwane's sister also gave evidence in mitigation. Twala is the first woman sentenced to life imprisonment for a political offence.

Solomon Motsoagae (28) was sentenced to 15 years while a youth of 17, who was only 15 years at the time of the offence, was imprisoned for 12 years. Unlike the other defendants the youth was refused bail for almost the duration of the trial. It was clear from evidence in a bail application that he is severely disturbed. Two women, Matlakala Elizabeth Motaung (28) and Lorraine Zanele Sobuzi (33) along with Phineas Maseko (32), whom the judge conceded had not taken an active part in the attack, were all sentenced to 10 years. A 16 year-old girl was sentenced to five years jail of which half was suspended. She had already spent a year in jail awaiting trial although at that time she was only 14 years old.

Leave to appeal against both sentence and conviction was granted. (S April/May/June 87; Star 14/27.5.87, 19/25.6.87; CP 17/24/31.5.87, 28.6.87; Sunday Tribune 31.5.87, 28.6.87; BBC 23/26.6.87; S Star 28.6.87)

EXTENUATING CIRCUMSTANCES

In the Cape Town Supreme Court four Muslim men were sentenced to 16 years imprisonment each for robbery, the killing of one security guard, and the attempted murder of another. The offences occurred during an ill-fated mission in November 1985 to obtain weapons with which to defend mosques from intrusion by police. The initiative was prompted by a newspaper report of the desecration by police of Park Road Mosque. The judge accepted that the defendants' religious beliefs and the fact that the killing was not premeditated constituted extenuating circumstances.

There were originally five defendants but Rushdien ABRAHAMS (29) escaped from custody. Those sentenced were two sets of brothers - Nazir BHAWOODIEN (29), Said Ahmed BHAWOODIEN (22), Moegamat Yusuf ABRAHAMS (22) and Nazeem ABRAHAMS (26). Nazir Bhawoodien, the alleged leader of the group, was said to be a member of the Qibla fundamentalist movement. All received sentences of 29 years but, with some running concurrently, they would serve 16 years. (CT 4/5.3.87, 12/14.5.87; Star 12.5.87; CP 17.5.87)

ARMED STRUGGLE – 'PEOPLES' WAR' DEVELOPS

An analysis of guerilla attacks in South Africa this year reveals that the vast majority have been directed at police and military personnel. Shoot-outs between combatants and the police in urban areas have become more frequent, and patrols in townships have on many occasions come under fire.

Of 71 incidents surveyed in the press in the first half of the year, 19 incidents – about a quarter – were guerilla attacks on police and military targets, often on personnel rather than installations as in the past. A further 14 incidents involved shootouts between combatants and the police or army.

Of the other incidents, 12 were sabotage attacks on strategic installations, government buildings or the transport network, and 12 were aimed at commercial targets such as factories or shops. There were 7 incidents in which individuals responsible for apartheid administration were attacked. The remaining actions consisted of landmine incidents, attacks on farms in militarised areas, and actions which could not be categorised. Attacks on police and military personnel have continued since June, including the bombing of a Johannesburg military headquarters and a military residence in Cape Town. (DN 6.7.87; BBC 23.7.87; Ind 31.7.87)

SCALE OF ACTION

Most of the attacks were ascribed by the regime to Umkhonto we Sizwe (MK), the armed wing of the ANC, and a few were claimed by the Azanian People's Liberation Army (APLA), attached to the Pan-Africanist Congress. The ANC no longer publicly acknowledges all the operations carried out by its guerillas, but has stated its responsibility for some of the major attacks.

According to the ANC, a large percentage of guerilla actions are not reported in the press, especially those involving the death of police or army personnel. Following a double car bomb attack outside the Johannesburg Magistrates' Court in May, which killed four policemen, the movement stated that another 12 policemen had been killed by MK units operating in Soweto and six soldiers had been killed in the town of Ventersdorp. Only one of these deaths had been reported in the press. Under the State of Emergency regulations and other legislation, police can prevent the release of information on armed actions. (S 29.5.87)

Guerilla actions have escalated rapidly since 1984, when a total of 44 incidents was recorded. According to the Institute of Strategic Studies at the University of Pretoria, there were 136 incidents in 1985 and at least 228 in 1986. In March this year Brigadier Stadler of the Security Police stated that guerilla actions had tripled since 1976. (WM 16.1.87; Star 20.3.87)

The nature of the armed struggle has changed. The emphasis on attacks on strategic targets has shifted to the deliberate targeting of military, police and administrative personnel. Furthermore, the ANC has sought to expand the armed struggle by linking resistance structures in black areas with MK units and by training guerillas inside the country.

It is now difficult from press reports to distinguish between MK operations and actions carried out by semi-formal combat groups using petrol bombs, stones, knives or homemade weapons. These actions arise when communities organise to defend themselves from attack by police, army or vigilante groups intent on destroying the incipient structures of people's power. For this reason, the quantifica-

tion of armed incidents is difficult, and the figures used above refer only to incidents in which military equipment was used.

POLICE MAIN TARGET

The defence of communities from police and troops has been a feature of guerilla actions over the past 18 months. There have been reports this year of police being shot or attacked with grenades – often by relatively large groups of people – in the townships and squatter camps around Cape Town and in the Witswatersrand area and Sharpeville. Most commonly, police foot patrols have been attacked by groups of residents, some or all of whom have been armed. On one occasion, a police barracks at Osizweni near Newcastle in northern Natal was attacked, while 64 police were wounded and one killed when a grenade was thrown onto a parade ground in Soweto. (Ind 10.4.87; DD 1.5.87)

Shootouts between police and guerillas have also occurred in townships, usually arising when police have surrounded houses in which guerillas have been staying. On at least six occasions during the first half of this year trapped guerillas refused to surrender, fighting back and killing or wounding policemen. In two incidents the police resorted to driving armoured vehicles into the houses. (DD 12.3.87; DN 17.3.87, 24.4.87; Star 8.4.87; 12.6.87)

Guerillas have also taken action in support of community and workers' struggles, fighting off police attempting to evict people for participating in rent boycotts and reinforcing stay-at-home protests by sabotaging rail lines. In the course of a strike by OK Bazaars supermarket workers last year and early in 1987, limpet mines and bombs were planted at company facilities.

During the strike by SA Transport Services (SATS) workers which paralysed much of the rail system, trains, stations and railway lines were sabotaged. These actions were carried out both by guerillas using equipment such as limpet mines and by workers armed with petrol bombs and homemade weapons. (DN/GN 10.1.87; Star 22.4.87; MS 1.5.87; GN 6.5.87; S Star 10.5.87; DD 18.5.87)

As well as carrying out urban operations, guerillas have been active in the countryside. In the Transkei bantustan in particular, quite large groups of guerillas appear to be active. In June the bantustan administration gave information on several guerilla incidents and indicated that combatants in remote areas were using trading stores as bases. In Natal, a unit of nine guerillas was involved in a shootout with police in the Umbumbulu area of the South Coast in April. (DD 24.1.87, 16.6.87; DN 13.4.87)

White farmers in rural areas have also been attacked and since the end of 1985 landmines have been planted in militarised rural areas, particularly near border patrol roads. The ANC stated that it had decided to attack farmers because they have been armed and mobilised into Commando units to act as the regime's 'first line of defence'.

'PEOPLE'S WAR'

Many of these developments in the armed struggle reflect the adoption by the ANC of a strategy it terms 'people's war'. (FOCUS 62 p. 12)

In January this year President Tambo called for a 'mass military offensive' which would disperse and reduce the enemy forces and undermine the material base through which the apartheid regime maintained itself in power. He also stated that the armed struggle should not be contained in black residential areas, but that

apartheid forces needed to be engaged everywhere in the country. The call was raised to 'take the war to the enemy'. (ANC Calls for Advance to People's Power!, 8.1.87)

In later interviews, ANC leaders explained more precisely what it envisaged by a 'people's war'. Trained MK fighters would act as a vanguard or nucleus of a wider armed force which would develop out of democratic political structures established inside the country. The 'organisations of people's power' – street and area committees – as well as youth and other organisations would establish 'mass combat units' which, in conjunction with MK units, would carry out both defensive and attacking actions. (BBC 24.3.84)

Trials of alleged MK combatants increasingly reveal the recruitment and training of people inside South Africa. Trained guerillas, often people who were themselves involved in community, student or youth groups, recruit local residents, train them and arm them from the extensive network of arms caches which appears to have been established throughout the country. In a number of trials the state has alleged that local organisations such as youth congresses have been assisting guerillas and providing recruits. (FOCUS 65 p. 10, 66 p. 4, 67 p. 6, 69 p. 8, 70 p. 6)

SUPPORT

Growing support for the armed struggle has been manifested in a number of ways in South Africa. It is most concretely seen at the funerals of MK combatants killed in action, where thousands have turned out despite police attempts to enforce restrictions limiting the number of mourners, preventing the use of ANC flags and banning speeches (see DETENTIONS). (DD 23.1.87; CT 16.3.87; Star 20.4.87; Ind 20.7.82)

Recognition of the right to armed struggle was made clear at a meeting in Lusaka in May organised by the World Conference of Churches. More than 100 representatives of churches in South Africa and internationally issued a statement declaring: 'We affirm the unquestionable right of the people of Namibia and South Africa to secure justice and peace through the liberation movements. While remaining committed to peaceful change we recognise that the nature of the South African regime, which wages war against its own inhabitants and neighbours, compels the movements to the use of force along with other means to end oppression.' (Sechaba, July 1987, p. 22)

Similarly, a meeting held between 61 mainly Afrikaans-speaking South Africans and the ANC in Senegal in July concluded: 'the source of violence in South Africa derives from the fact that the use of force is fundamental to the existence and practice of racial domination'. Further, the Afrikaners stated that they 'accepted the historical reality of the armed struggle... although not all could support it'. (The Dakar Declaration, 12.7.87)

The regime's response to the spread of the armed struggle has been increasingly ruthless repression. An MK combatant, Robert McBride, is amongst the 32 South Africans currently facing execution (see DEATH SENTENCES) and another MK member, Andrew Zondo, was hanged in September last year. The accused in many MK trials of guerillas have been brutally tortured by the police. There is also a growing number of incidents in which suspected guerillas have been shot after being captured. The events surrounding the death of MK combatant Ashley Kriel earlier this year (see DETENTIONS) and the deaths of seven alleged MK members in March last year provide further examples (see MEDIA RESTRICTIONS).

STATE BACKLASH AGAINST UNIONS

namibia

Police raids on union offices and workers' hostels during June and July appeared to be part of a policy aimed at undermining recent gains by unions affiliated to the National Union of Namibian Workers (NUNW).

Many of the residents of the raided hostels were involved in disputes in sectors where the Namibia Food and Allied Workers Union (NAFAU) had established itself.

NEW DISPUTES

In June a two-week strike ended with the reinstatement of some 600 meat-workers, dismissed after an overtime ban related to wages grievances and after a stoppage over the victimization of NAFAU branch officials. Employers also agreed to negotiations about pay. The strike took place at two depots of the meat processing company Swavleis, in Windhoek and Okhandja. There had been earlier disputes at both plants. (FOCUS 68 p.11)

The company tried to break the strike by flying in scab labour from Cape Town in South Africa. The strikers, however, received strong support from local church groups and Katutura businessmen who stated they would boycott the company if the dispute was not resolved. Swavleis was forced to concede because the strike dramatically affected the availability of red meat in the territory and was estimated to have cost the company R200,000 per day in lost revenue.

Swavleis agreed to discussions about wages, but 12 NAFAU members who took the initiative in the early stages of the dispute were not reinstated. (NCC 1/5.6.87; Nam 5.6.87; Southscan 3.6.87)

Luderitz, a stronghold of NAFAU, where earlier strikes in the fishing and chemical industries took place, was the centre of new disputes in late June and July. A strike called to protest at the dismissal of a worker who failed to wear a faulty safety mask spread during successive shifts at the Taurus Chemical plant. In all, 270 workers were involved. By the second week of July (a month later) talks with employers were still deadlocked. The dispute triggered further actions over wages and dismissals by workers at Atlas Organic Fertilisers, a small guano-collecting concern, and among members of a trawling crew in the harbour. The secretary of the NAFAU Workers Committee at Taurus, Hosea KAULINGE, was briefly held for questioning by the police. (FOCUS 68 p.11, 71 p.11; Nam 19.6.87, 3.7.87; WA 2.7.87)

In early June the 1,500-strong workforce at the TCL copper mine near Tsumeb launched a boycott of white-owned business in the town. Co-ordinated by a local committee and the Mineworkers Union of Namibia (MUN) it was directed against a new sales tax on consumer goods, but demands also included wage increases and an end to South African military activities in northern Namibia, where families of most of the workforce live. Local newspapers reported that the boycott had spread from the TCL hostels to the local township of Nomsoub. Miners and residents were shopping only at black-owned businesses in Nomsoub and by mid-July the boycott was still continuing. (FOCUS 68 p.11; NCC/Nam 17.6.87)

UNIONS, HOSTELS RAIDED

In mid-June, the authorities launched the first in a series of attacks on the unions involved in the disputes in the food and chemicals sector. The actions appeared to be a co-ordinated strategy to undermine the unions. The NUNW offices in Windhoek were raided by security police. The home of lawyer Anton LUBOWSKI, a member of the NUNW Steering Committee, was also raided and searched. In a separate incident the NAFAU chairperson, Macdonald KANTLABATHI, was detained under Proclamation AG9 (providing for interrogation). He was later released. (Southscan/NCC 17.6.87)

A more systematic form of repression emerged when hostels housing contract workers were raided. Two of these raids, in Luderitz and Kuisebmond, appeared to have been directed against workers involved in disputes. NAFAU general secretary John Pandeni said he believed the police actions were part of a 'campaign to prevent workers from organising effectively' and of 'forcing striking workers back to their jobs'. In another raid at Katutura, no such direct link could be made, but the residents of the hostel had a history of militancy and had been boycotting food in the hostel canteens. They were also campaigning against the proposed closure of the hostel which accommodates 10,000 workers because they had nowhere else to live. (Star 7.7.87)

In early June, armoured troop carriers sealed off the Katutura hostel. In a seven-hour operation heavily armed troops and police searched the complex room by room. Many workers were beaten. More than 75 were injured, some by rubber bullets, eight so seriously that they were hospitalised, and 45 people were arrested on a variety of charges. Police officials gave conflicting reasons for the raid. Some said it was to trace illegal weapons - although, aside from knives and pangas, none were found.

Local newspapers speculated that the raid was part of an investigation into the death, near the hostel, of Elias SHIKONGO, a contract worker. He was shot when unidentified assailants opened fire on a mini-bus bringing workers back to the hostel. Police claim he was shot by SWAPO because used AK-47 cartridges were found near the scene. Local residents alleged, however, that Koevoet personnel were responsible. In the past Koevoet are known to have posed as SWAPO guerrillas, using captured AK-47s in killings to discredit the organisation. Police had earlier claimed that the raids on the NUNW office were also part of an investigation into the Shikongo killing. (CCN/Nam 5.6.87)

A raid on the contract-worker hostel in Luderitz, also in early July, where over half the 3,000-strong population of the town live, appeared to be directed at the Taurus strikers who lived there. In their raid, lasting five hours, police beat workers with 'quirts' (plastic whips). After the raid 'blood was spattered on the walls, pools of blood lay on the stairwells, and the stench of spilled homebrew permeated the air'. Spent rubber bullets and rifle bullets were found. Eight people were injured, four by live rounds, the rest by rubber bullets. One worker, Philemon KALANGULA, later died in hospital from 'intra-cerebral bleeding'. At least 50 others received injuries in beatings. Many of

the 208 workers detained were Taurus strikers. (CCN 3/20.7.87; South 9.7.87; Nam 10.7.87)

Teargas was used and 2,000 workers detained in a similar raid at the municipal compound in Kuisebmond where 4,000 local workers are housed. The raid appeared to have been connected to a worker boycott of bars run by the municipality. (Nam 17.7.87)

After the raids the NUNW unions were contemplating legal action against the police for injuries sustained and property damaged and lost.

MEETINGS DISRUPTED

Disruption of rallies and action against education campaigns marked further attacks by the authorities on organised resistance, in addition to the attacks on unions and workers described above.

Two SWAPO rallies were disrupted by police in July. In Windhoek police tried to prevent people from attending a SWAPO Youth Rally in Katutura on 5 July. Police rounded on groups trying to reach the rally, beating them with batons and quirts. Teargas was used in the ensuing clashes. Twenty youths were detained and eight people later hospitalised, two with gunshot wounds. In the event 3,000 people attended the rally. Although SWAPO public meetings have been legal since a court ruling overturned a ban, many have been disrupted by police or vigilantes. (FOCUS 69 p.11; CCN 5.7.87)

At the end of July a Koevoet unit broke up another SWAPO rally in Arandis and fired rubber bullets into the crowd. Police had earlier raided a lunch attended by the organisers. Several people were detained under Proclamation AG9 including Asser KAPERI, Vice-Chairperson of the Metal Workers Union of Namibia, an affiliate of the NUNW. (BBC 28.7.87)

The latest campaigns in the struggle against conditions in Namibian education were also repressed. Following a boycott of government schools in the area of Berseba in June, parents in co-operation with local churches set up an alternative school independent of the authorities. SADF troops dispersed a religious service held to open the new school in mid-July, using teargas, rubber bullets and whips. (NCC 19.7.87)

In mid-June police and army units firing teargas and wielding batons also broke up a demonstration by striking students at the J A Nel Secondary School in Keetmanshoop. Three students were arrested and later sentenced in the local Magistrates' Court on charges of trespass. Earlier students at the school had addressed a letter listing several of their grievances to the education authorities. These included racial abuse from the mainly white teaching staff, demands for an elected students representative council, free choice of school subjects and an end to the prefect system. The authorities responded by expelling most of the pupils. Most of the students indicated they would not return when the school was scheduled to re-open on 14 July. They called on their parents and local churches to assist in setting up a private school. (Nam 19.6.87)

'CALAMITOUS' OCCUPATION

Describing the war in Namibia as having reached a 'calamitous stage', Namibian bishops and church leaders requested a meeting with President Botha in April to discuss 'this dangerous situation of escalating conflict'. Through the Administrator-General in Windhoek, Botha indicated that he would only meet with the bishops if they agreed to an agenda set by him. 'The State President does not share your view of a deteriorating and escalating situation of violence in SWA/Namibia', declared the Administrator-General. (Nam 10.4.87; WO 16.4.87)

Press reports, although they reflect only a small proportion of incidents in the Namibian conflict, indicate a substantial increase in attacks on civilians by South African forces this year. A survey of assaults, killings, intimidation and rape, dealing with the period from July 1986 to mid-March 1987, appeared in the last issue of FOCUS. (FOCUS 71 p.4) The incidents described below were reported between March and July this year. A further 25 incidents in addition to those listed were reported in the press.

In most cases, the beating, assault and torture of civilians took place at the hands of troops or police trying to gain information about the presence of SWAPO guerrillas. Other incidents clearly resulted from indiscipline and the carrying of weapons by off-duty troops. Unless otherwise stated, all the incidents took place in the northern war zones.

● **6 March** Police from the Counter-Insurgency Unit (Koevoet) raided the village of Uukango, questioning and beating local inhabitants and destroying homes and 'storage basins'. The village head, Jonas NGHAMWA, and his wife Victoria SHIINDA, were tortured by being forced under water at a nearby water-hole. The troops broke all Nghamwa's fingers and his wife's right arm. (Nam 20.3.87)

● **11 March** Olivia KASHIPUA of Ondangua was assaulted by troops, who tortured her by burying her head in sand and threatening to kill her six-month-old baby son. (Nam 20.3.87)

● **13 March** Soldiers in armoured vehicles displayed the corpses of four young men and a woman at the Roman Catholic mission at Okatana. The troops sang and ululated as they showed the bodies to local people. (Nam 20.3.87)

● **17 March** Three women were killed and another three civilians injured when a South African Casspir armoured vehicle opened fire on homesteads in the Onamtai area and drove into one of the houses, destroying it. The military authorities declared that the women had been killed in 'cross-fire' and that coffins had been despatched to the settlement as a gesture of sympathy. (Nam 20/27.3.87)

● **27 March** Louise NTHITETE, an employee of Oshakati hospital, was assaulted by Koevoet members who accused her of being a SWAPO supporter. She had to be hospitalised. (Nam 3.4.87)

● **10 April** Two women from Oluno, both mothers of young babies, were repeatedly raped by three members of 101 Battalion who broke into their home. The soldiers also entered other homes in the area, stealing property and alcohol and beating residents. (Nam 17.4.87)

● **19 April** Stefaans KANISIUS was accosted and beaten by Koevoet police on his way home from an Easter church service. He escaped, but the police threw hand grenades and fired after him. (Nam 24.4.87)

● **23 April** Emma KAPPANDA was assaulted by seven 'security force members' searching her home. Her husband, Junius, a senior pastor of the Evangelical Lutheran Church, stated that they had been repeatedly harassed by troops or police who had ransacked their home. (Nam 1.5.87)

● **11 May** A clinic run by the Evangelical Lutheran Church at Ewaneno was destroyed by sabotage. According to a church spokesman, it was the third clinic to be destroyed this year. (Nam 5.6.87)

● **12 May** Two homesteads near Oshikuku were fired on by troops and set alight, and a number of people in the area assaulted. Three civilians had to be hospitalised. (Nam 22.5.87)

● **15 May** A SWAPO member, Mweulixulika GHIFEWA, was picked up by police in Windhoek, beaten and dumped unconscious into a dry riverbed. (Nam 19.6.87)

● **10 June** A two-year old girl and a man

were killed when a Koevoet Casspir smashed into their homestead in Ombalantu area. A pregnant woman, Monica KAMULUNGU, was seriously injured. (Nam 12.6.87)

● **14 June** A soldier who was refused entry to a disco party in Katutura, Windhoek, threw a high-fragmentation grenade into the house, injuring seven people. (WA 17.6.87)

● **14 June** Josef DUMENI, younger brother of Bishop Kleopas Dumeni, head of the Evangelical Lutheran Church, was killed by South African troops in southern Angola. He had crossed into Angola, reportedly with official permission, in order to retrieve stolen cattle. Military authorities stated that he had been killed for violating the dusk-to-dawn curfew, but the curfew is not in force in Angola. Accusing South African troops of 'deliberate and calculated violent action against local inhabitants', Bishop Dumeni expressed his 'concern and sorrow for the thousands of my fellow Namibians of whom my brother is now the most recent victim'. (NCC 17.6.87)

● **19 June** Koevoet police arriving at a cattle post beat several people with sticks and tortured Johannes ELIA by burning his hand on the exhaust outlet of a Casspir. (Nam 19.6.87)

● **2 July** Wilka MULE, an 18-year-old schoolgirl from Ombalantu, reported that she was beaten by Koevoet troops who arrived at her home. She was then tortured with electric shocks. (NCC 20.7.87)

● **9 July** A teenage schoolgirl, Laina TAAPOPI, was killed and her boyfriend, Israel MWANDINGI, seriously injured when the car they were travelling in was fired on without warning by 'security forces'. The couple were returning from a party in the Valombola township of Ongwediva. They were shot for breaking the curfew, but local residents reported that the curfew had not been enforced in the urban area of Ongwediva for some time. (WA 10.7.87; Nam 17.7.87)

● **11 July** Maurus VALOMBOLA, accused of aiding SWAPO, was beaten by troops at Ongongo military base and then taken blindfolded to his home. The troops broke into his house, killed his chickens, destroyed property and stole money and goods before moving on to a nearby wedding where they assaulted guests. (Nam 17.7.87)

ADMINISTRATION LIMPS ON

No official ceremonies marked the second anniversary of the Multi-Party Conference (MPC) administration which was installed in Namibia by Pretoria on 17 June 1985. Even supporters of the unelected 'transitional government' appeared to think that there was little to celebrate.

In its two years in office the MPC has failed in its efforts to achieve credibility as an independent force (see FOCUS 70 p.3). The final humiliation occurred when its South African masters rejected the 'independence' constitution it had spent 17 months preparing.

The constitution was drawn up by a council representing the seven political parties appointed to the MPC administration. After failing to reach consensus, the council adopted a constitution by a two-thirds majority. This made no provision for the bantustan and second-tier segregated administrations which currently form the bedrock of apartheid administration in the territory.

Two of the MPC parties submitted an alternative constitution. The white National Party, which controls the second-tier Administration for Whites, together with the Rehoboth Free

Democratic Party, which administers the Rehoboth bantustan, sought to entrench the second-tier authorities.

The majority constitution was rejected by the South African Minister of Defence, General Malan, and Minister of Foreign Affairs, R F Botha, on a visit to Windhoek on 19 June. On the insistence of the two ministers, the MPC administration unanimously declared that 'the protection of minority rights is of fundamental importance' - thus signalling that they accepted the continuation of 'ethnic' authority. They undertook to revise the proposed constitution - which has not been made public - over the following three months. (Ind 20.6.87; Star 24.6.87)

Over 2,000 people, led by the Council of Churches in Namibia, demonstrated outside the meeting between the MPC and the South African government representatives. The protestors demanded the implementation of the UN plan for Namibian independence, Resolution 435, which has been undermined by the installation of the MPC administration. (NCC 24.6.87)

Statements by South African government representatives have made it clear that while they wish the MPC to survive - if only as a negotiating card in their campaign to stave off Resolution 435 - they will only allow it to continue in Windhoek on South Africa's terms. This was underlined when Pretoria reduced its funding to the client administration by 40 per cent. (Ind 20.6.87)

As South African grants make up a quarter of the MPC's finances, the cut caused a budgetary crisis. Despite this, the MPC presented a budget for 1987/8 which reflected a 20 per cent increase in spending on the military. A further R4 million was allocated to a newly-established National Intelligence Service. Apart from grants to the bantustan and second-tier authorities, 'security' constituted the largest allocation - 7 per cent of the budget. This expenditure is only a fraction of overall military expenditure, as Pretoria directly bears the costs of equipment and operations and pays the salaries of the thousands of South African troops occupying the territory. (WA 15.7.87)

TRIALS AND DETENTIONS

Andreas Johnny HEITA, Gabriel MATHEUS, Martin AKWEENDA and Johannes NANGOLO were given leave by the Windhoek Supreme Court in June to appeal against sentences imposed on 22 May. (FOCUS 71 p.9)

Heita was sentenced to 18 years' imprisonment under the South African Terrorism Act, and Akweenda to 10 years for participating in the armed struggle of the People's Liberation Army of Namibia (PLAN). Matheus and Nangolo were respectively sentenced to 8 and 12 years for possession of explosives.

Two others, Sagarius NAMWANDI and Salomo PAULUS were sentenced to 18 months and 7 years' imprisonment respectively.

In the successful application for the appeal, counsel for the accused submitted that the sentences on the four who are appealing were excessive. There was an unreasonable, improper or unbalanced exercise of discretion by the trial court, and a striking disparity between their sentences and those imposed in other similar cases. (WA 17.6.87; Nam 19.6.87)

DETENTIONS

The authorities in Namibia have refused to confirm detentions reported through church and other sources. However, President Botha, replying to a parliamentary question, stated that on 5 June a total of nine Namibians were then in detention, eight under the Terrorism Act and

one under Proclamation AG9. The MPC administration has indicated that detentions are not at present being carried out under Proclamation AG26, as each detention under this legislation requires the approval of the MPC 'cabinet'. (Nam 15.5.87, 3/17.7.87)

The following detentions have been reported by church and press sources:

● **ASHIPALA, Amutenya**, a worker at the Oranjemund diamond mine, from Okatana in the north of Namibia, has been detained since 1985. (NCC 20.7.87)

● **KAARONDA, Amos** was detained in Walvis Bay at the beginning of the year and accused of a bombing in the town. He has been released. (Nam 12.6.87)

● **KATSIMINE, Fillemon** and **KATSIMINE, Leonard**, both migrant workers from Oshamuhene working in Windhoek, were detained in the first week of March. (NCC 20.7.87)

● **KATOFA, Ananias**, in some reports referred to as Nicodemus Katofa, the brother of Joseph (see below), was detained at Ombalantu on 7 or 8 July. (Nam 17.7.87; NCC 20.7.87)

● **KATOFA, Joseph**, an Ombalantu shopkeeper who has spent more than 18 months of the past three years in detention, was detained on 7 or 8 July shortly after his release from an earlier period of detention. There were reports that he had been beaten. (FOCUS 70 p.2; NCC 20.7.87)

● **LUKAS, Sara**, a member of the Lutheran Church at Eloo, was detained in March. (NCC

20.7.87)

● **SHIKESO, Abner** was detained on 3 July. He is the principal of Okamule Combined School. (NCC 20.7.87)

● **TEOFILUS, Sara**, like Lukas a member of the Eloo Lutheran congregation, was detained in March. (NCC 20.7.87)

● **VILHO, Ruben** was detained at an unknown date at Endjala. (NCC 20.7.87)

● **Unnamed two people** were reported by the police to have been detained on 24 July in connection with a car bomb which exploded in central Windhoek. SWAPO claimed responsibility for the blast which severely damaged a shopping centre and car park. (BBC 27.7.87)

RELEASES

The following people whose detentions have previously been reported in FOCUS were reported to have been released from detention: **ABAKUS, Martin** (previously reported as Martin BAKUS); **AMUKWAYA, Elizabeth**; **AMUNGWA, Miriam**; **ENDJALA, Taimi**; **LUKAS, Abner**; **KATOFA, Knongonua** (previously reported as Katofa SHILONGO), the father of Joseph Katofa (see DETENTIONS); **NANGOMBE, Frans**; **NUULIMBA, Julia**; **PHILLIPUS, Mirjam** (previously referred to as Mariana); **SHALIMBA, Titus**; **SHALIMBA, Wilika Ainama** and her 3-month-old baby; **SHETWAADHA, Tomas**; **SHIVUTE, Abner**; **SHOOMBE, Konis**; **TOBIAS, Nestor**. (NCC 20.7.87; FOCUS 69 p.9, 70 p.2)

ARMY AND POLICE IMPLICATED IN DEATHS

An inquest into the death of SWAPO leader Imanuel Shifidi at a rally last year, presided over by the Windhoek Chief Magistrate, has concluded that 'a person or persons unknown' killed Shifidi.

Several witnesses described how the rally, which was attended by between 3,000 and 5,000 SWAPO supporters marking International Year of Peace, was attacked by a group of men armed with knives and sticks. Police then arrived in armoured vehicles and, according to the editor of the *Windhoek Advertiser*, 'were lobbing teargas grenades and shooting rubber bullets at random'. (WA 8.7.87)

According to one witness, Shifidi was 'swamped by a group of people armed with assegais (spears), knives and kieres (sticks)'. The state pathologist found that he had died of a stab wound in the chest and had multiple head wounds.

A minibus driver testified how he had driven 27 men from the South West Africa Territory Force's 101 Battalion from the north of Namibia to Windhoek to attend the rally. He picked the men up at battalion headquarters in the Ovamboland bantustan where he was paid in cash by two white men, one in military uniform. He had driven them to army bases near Windhoek where they spent the night before attending the rally the following day. The men had been armed with bows and arrows, knives and kieres, and were dressed in civilian clothes.

The driver had attended part of the rally but had been told by one of the men to leave 'as trouble was about to begin'. He picked the men up later at a pre-arranged spot and took them to another army base at Okahandja north of Windhoek.

A commander from 101 Battalion and other white men were present at the base. A roll call was taken and three or four members were found to be missing, so a vehicle had returned

to Windhoek to look for them. The following day he had driven the men back to Ovamboland. A further 27 soldiers in plain clothes had been brought to the rally in another minibus. (WA 22.7.87; Nam 24.7.87)

The policeman appointed to investigate Shifidi's death, Warrant Officer Xoagub, told the inquest court that he only began his investigations five days after the event because of 'domestic commitments'. By that stage most of the 22 people injured during the rally had been discharged from hospital and could not be questioned. (WO 11.7.87)

POLICEMAN CHARGED

Seven years after the death in detention of Johannes KAKUVA, the security policeman responsible for his interrogation has been charged with his murder. Captain Pat King also faces five charges of assault arising out of the torture of Kakuva, who was detained with 24

other Namibians at Opuwa in the Koakoveld area. King was granted bail of R1,000 in the Windhoek Magistrates' Court in June and will appear before the Windhoek Supreme Court on 19 August.

After Kakuva's death, Captain King received promotion from the rank of lieutenant and was transferred to Pretoria.

The prosecution follows strong international protests after an inquiry conducted by the Windhoek Supreme Court concluded in 1983 that he had died in detention. The court accepted evidence from seven men detained with Kakuva that they had been assaulted and tortured. The last time Kakuva had been seen was when his body was thrown on top of a fellow-detainee who had just regained consciousness after torture. Kakuva's body was never found. (FOCUS 46 pp.1, 3, 47 pp.10-11, 48 p.11, 59 p.11; CT 5.6.87; WA 17.6.87; WO 20.6.87)

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INVASION AND ASSASSINATION

A major South African military offensive against Angola in July and further assassination attacks in Swaziland reflected the apartheid regime's continuing campaign of violence against independent Southern Africa states and South African exiles.

Early in June Minister of Defence General Magnus Malan warned Southern African leaders that South Africa would take what he called 'cross-border action to destroy terrorist bases'. (BBC 8.6.87)

At the beginning of July SWAPO reported that a South African commando unit had been assembled at Katima Mulilo in the Caprivi Strip in north-east Namibia in preparation for attacks on frontline states. The 200-strong unit which included foreign mercenaries was equipped with longrange communications equipment, rocket launchers and other weapons. It was supported by three regular companies of the South African army code-named *Destroyer*, *Offer* and *Big Power* based in the Kavango region and was provided with helicopter and air cover from the large Mpacha air base. Zambia, Botswana, Angola and Zimbabwe all border the Caprivi Strip. (NN 2.7.87)

OFFENSIVE AGAINST ANGOLA

South Africa mounted another major dry-season offensive against Angola in June and July. In the midst of this offensive Angola committed itself to continue seeking a negotiated peace settlement and rapid implementation of the United Nations plan for Namibian independence in talks in Luanda with the US government on 14-15 July. (FOCUS 71 p.12; Star 18.7.87)

The purpose of the South African aggression was to maintain a so-called buffer zone on Angolan territory in order to impede Angolan troop movements in the area and to facilitate infiltration from Namibia by UNITA. (Angop 22.7.87)

The offensive was prepared in May. Six South African battalions comprising nearly 7,000 men carried out combat reconnaissance operations up to 250 kilometres from the frontier in the two south-eastern provinces of Cunene and Kuando Kubango. 32 'Buffalo' Battalion is permanently based in this area in support of UNITA. On 20 May a helicopter-borne commando unit blew up two sections of Angola's main southern railway line in the south-western province of Namibe, about 70

km from the port of Namibe. The aim of this attack was to stop passenger and goods traffic from the port to Huila province and to Kuando Kubango. The unit was prevented from attacking a large farm at Caraculo where there is an important development project for breeding karakul sheep. The SADF refused to comment on the attack. (DN 22.5.87; Angop 21/28.5.87)

The main offensive began on 1 June with a chemical weapon attack on Angolan troops. In early June the 53 Battalion attacked the farming village of Anhaca but withdrew after sustaining losses of men and materiel. The Officer Commanding the South West Africa Territory Force (SWATF), Major-General Meyer, acknowledged that a 'security force patrol' was pulled back after clashes at a FAPLA base at Anhaca. In Cunene and Huila provinces South African and Unita troops massed in an extensive area in order to prevent supplies reaching villages and farms. (WA 10.6.87; Nam 12.6.87; Angop 9.7.87)

More than two battalions of infantry troops, 50 Casspirs, helicopters and artillery were used in the month-long encirclement of Ngiva, Cunene's provincial capital. By 17 July the South African forces had been forced to withdraw to the south. (Angop 22.7.87; BBC 24.7.87)

As a result of continuous South African occupation and aggression since the eve of independence in 1975, thousands of Angolans have had to leave their homes and the local cattle-raising economy, once an important part of Angola's meat industry, has been dislocated.

SWAZILAND ASSASSINATIONS

The most recent attacks in Swaziland by assassination squads from South Africa occurred in May and July.

An ANC official, Theophilus 'Viva' DLODLO, was killed on 23 May when driving through a suburb of Mbabane, the capital of Swaziland. Two passengers in the car were also killed. Both were law students at the University of Swaziland, one South African, the other a Swazi woman. Another passenger, also a Swazi law student, was seriously injured and a Swazi schoolgirl, also in the car, has not been seen since the attack. The Prime Minister of Swaziland, Sotsha Dlamini, said the assassination was politically motivated and was planned and carried out by a group of armed men from, he implied, South Africa. (BBC/Mbabane TV 24.7.87; DN 26.5.87)

Two ANC officials were murdered, appar-

ently by South African agents, on 9 July shortly after their arrival in Swaziland from Mozambique. They were Cassius MAKE, the youngest member of the ANC National Executive Committee and Paul DIKELEDI, who joined the movement after the 1976 Soweto uprisings. Three men travelling in a car with a South African number plate ambushed their taxi on the road to Mbabane from the airport. A Mozambican citizen travelling in the same taxi was also killed. (Star 20.7.87)

BUDGET FOR REPRESSION

Funding for the South African Defence Force (SADF) increased by 30 per cent and that for the police by 43 per cent in the 1987/8 budget announced in June. Overall state expenditure was set to increase by 15 per cent, approximately that of the annual inflation rate.

Much of the military increase was allocated for armaments development for the army and air force in order to maintain military superiority over neighbouring states. Operational expenditure was also set to rise, particularly in the form of 'increased aid to the SA Police' - a reference to the use of troops to suppress resistance in black urban areas. The SADF described the increase as 'modest' and indicated that further budget increases were planned in future years.

The SADF's allocation of R6.7 billion represents 13 per cent of the total budget, but a recent study by the UN has calculated that actual military expenditure is about a third higher than the budgeted figure. The additional expenditure is hidden in the budgets of other state departments.

The massive increase in police funding is largely for the development of municipal and auxiliary police forces which have been set up for front-line deployment in black townships. The extra funds will also go towards the expansion of the regular police force. (FOCUS 69 p.3)

Substantial increases were also reflected in the budgets for the government intelligence agencies and for 'custody and administration of justice'.

The increases will be paid for partly out of frozen funds originally intended for Pretoria's stalled debt repayments to international banks. (Ind/EPH/Star/CT/GN 4.6.87)



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Source and abbreviations: BBC - British Broadcasting Corporation Survey of World Broadcasts; Cit - The Citizen, Johannesburg; CT - Cape Times; DD - Daily Dispatch, East London; Debates - House of Assembly Debates; Cape Town; DN - Daily News, Durban; GG - Government Gazette, Pretoria; GN - Guardian, London; FM - Financial Mail, Johannesburg; FT - Financial Times, London; MS - Morning Star, London; Nam - Namibian, Windhoek; NCC - Namibia Communications Centre, London; Obs - Observer, London; RDM - Rand Daily Mail, Johannesburg; S - Sowetan S. Exp - Sunday Express, Johannesburg; SS - Southscan; ST - Sunday Times, Johannesburg; Star - Star, Johannesburg; Tel - Daily Telegraph, London; T - Times, London; WA - Windhoek Advertiser, Namibia; WM - Weekly Mail, Johannesburg; WO - Windhoek Observer, Namibia.