



News Bulletin of the International Defence & Aid Fund



# focus

ON POLITICAL  
REPRESSION IN  
SOUTHERN AFRICA

INTERNATIONAL DEFENCE & AID FUND

For Southern Africa

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## ENTRENCHING APARTHEID

Following the general election in South Africa on 30 November when the Nationalist Party was returned with a majority of 104 seats, the government indicated its intention to press ahead with the apartheid politics designed to entrench white minority rule still further.

The main thrust of this design lies in the ongoing Bantustan programme, with its concomitant revocation of citizenship from all Africans in the Republic. All the Bantustans except KwaZulu are expected to become 'independent' within five years, Prime Minister Vorster told the new Parliamentary session. (BBC 1.1.78). Further curtailment of the rights of Africans in the 'white' urban areas were also announced; these are described elsewhere in this issue of FOCUS.

Proposed constitutional alterations to the white parliamentary system have been circulating for some months. On 22 January Mr. Vorster said further consultation and detailed drafting meant that legislation would not be introduced in the current session but will probably come in 1979. (RDM 23.1.78). Nevertheless the plans are far advanced. They appear to be designed to introduce a form of corporatism into the South African state by including a controlled form of Coloured and Indian representation, and to ensure Nationalist rule in perpetuity by diminishing the role of the white opposition.

It is proposed to abolish the present whites-only bicameral parliament on the Westminster model, to which the government is answerable, and to replace it with

a two-tier system. There will be three separate parliaments for the white, Coloured and Asian population groups, each with authority on matters concerning its own group only. Above this will be a Cabinet Council comprising the Prime Ministers of each parliament together with five other white, three other Coloured and one other Indian Ministers (a total of six whites and six blacks) together with the white State President. The President is to be chosen by an electoral college made up of 88 M.P.'s drawn from the majority party in each Parliament (50 white, 25 Coloured and 13 Indian) and will in turn nominate a Prime Minister to serve on the Cabinet Council.

The Cabinet Council will be responsible for matters of national interest but will not be accountable to the electorate, and within it power will be vested in the State President, who will thus become an executive rather than a nominal head of state.

Detailed provisions have not yet been worked out but it is clear, according to Dr. G. E. Devenish, senior lecturer in political science at the University of the Western Cape, that the President will be an enormously powerful figure. "Since the white group outnumbers the other two groups, while all opposition parties are excluded from the electoral college, the State President is bound to be the nominee of the white majority party. In effect he will be a Nationalist who will probably, but not necessarily, resolve deadlocks in favour of the desires of the white parliament". (ST 15.1.78)

### MINISTERIAL CHANGES

On 25 January the government announced several Ministerial changes together with the re-naming of two departments which control the lives of Africans — the departments of Bantu Administration and Bantu Education.

The new Cabinet, in order of seniority, is as follows:

Prime Minister B.J. Vorster  
Defence P.W. Botha  
Transport S.L. Muller  
Labour and Mines S.P. Botha

continued overleaf

#### In this issue:

##### SOUTH AFRICA

- Political Trials pp. 2-4
- Police killings p. 4
- Robert Sobukwe p. 5
- Bannings p. 5
- Detentions p. 6
- Attack on Urban Africans pp. 8-9

##### ZIMBABWE

- Political Trials p. 10-11
- Refugee exodus p. 12
- Detainees p. 12
- Press controls p. 13
- Security forces p. 14

##### NAMIBIA

- Military entrenchment p. 15
- Attacks on SWAPO p. 15
- Detentions and trials p. 16

## south africa

# POLITICAL TRIALS

Over 400 people were charged under South Africa's various security laws in 1977, of whom 144 were convicted and almost 200 acquitted.

The total number of trials during the year was 95, and the aggregate total of years to which those convicted were sentenced was 898. The average sentence of those convicted under the Terrorism Act was 9½ years.

### QUMBELLA AND HUNA

On 32 January **Mountain QUMBELLA** (48) and **Matthews Lumko HUNA** (27) were convicted of recruiting for military training between August 1976 and May 1977 and each sentenced to ten years' imprisonment — the maximum sentence under Section 2 of the Terrorism Act. It was stated in Court that on 16 March 1965 Qumbella had been acquitted of being a member of the banned ANC, together with Elijah Loza who was also detained in connection with the present case and died in police custody (see *FOCUS* 12 p.12).

One of the witnesses was Limpho Sekamane, a Lesotho citizen detained at the border on 15 June (see *FOCUS* 13 p.5). Several other witnesses, youths said to have been recruited by the accused and sent to Lesotho en route for training, were not identified in court and the public were cleared from the court to prevent identification. The witnesses agreed to give evidence after being held in police custody. As the defence pointed out, all appeared while still in detention, not knowing if they were to be released, and gave evidence in order to regain their liberty.

Evidence was given that the accused talked with groups of young people in the

Legislation	No. of Accused	Convicted	Acquitted or Withdrawn	Cases Proceeding
Sabotage	257	88	144	25
Terrorism Act	97	35	32	30
Unlawful Organisations Act	5	1	2	1
Explosives Act	4	1	2	1
Internal Security Act	35	15	20	—
Terrorism & Sabotage	1	—	—	1
Terrorism & Unlawful Organisations	1	—	—	1
Terrorism, Sabotage & Explosives	1	1	—	—
	401	144	198	59

(SAIRR)

Cape Town townships about the ANC and the idea of military training, and distributed an ANC pamphlet. Several youths were recruited and sent via Queenstown to Lesotho, whence they were to travel to Swaziland and Mozambique, but were arrested at the South African border post.

Both accused denied the charges. Qumbella told the court that he was married with seven children, he came to Cape Town from the Transkei in 1953, worked as a labourer and crane driver and was a member of the ANC until it was banned in 1960. Huna said he was educated in the Transkei and had worked as a labourer in Cape Town since 1971.

Other evidence given in court indicated that several young men had successfully left the country in addition to those caught, apparently through the channels established by the accused. (CT 15/16/17/18/19/22/23.11.77, 9/10/12/13/14/15.12.77, 1.2.78)

### MHLEKWA JAILED

At the end of the trial of three alleged members of the Pan Africanist Congress in Natal (see *FOCUS* 13 p.7, 14 p.7) **Isaac MHLEKWA** was convicted under the Terrorism Act and sentenced to eight years in jail while **Stanley PULE** and **Nogaga GXEKWA** were acquitted. Judge-

ment was given in Maritzburg on 8 February.

Pule and Gxekwa were however immediately re-arrested on other charges.

Gxekwa was arrested in March 1976 on a path leading from Swaziland into South Africa and the other two in May near to what was called a secret training ground hidden in a plantation at Mkalamfene. All were said to be PAC members who had received military training abroad. Two witnesses whose names were not revealed spoke of leaving South Africa in 1964 and meeting the three accused in transit and training camps. Both witnesses claimed to have been members of a PAC detachment which volunteered to infiltrate South Africa from Mozambique in 1968 but had been stopped by the Portuguese forces and handed over to the South African police.

Convicting Mhlekwu of providing military training for others in a remote part of northern Zululand, the judge said this had not been simply to train recruits for tribal faction fighting but was directed at conflict with the white people and the police. Although the training offered was 'unsophisticated and elementary' nevertheless it was a crime which struck at the security of the state; had Mhlekwu not been in custody for 21 months already he would have been given at least 10 years in prison.

As well as the main charges, Pule was also acquitted of giving refresher courses in training at military camps at Mbeya, Livingstone and Mkalamfene. The charges on which he and Gxekwa were re-arrested were not disclosed. (CT 7.12.77; *Daily News* 17/18.1.78; *RDM* 9/10.2.78)

### ERIC GROOTBOOM

In November **Eric Siphon GROOTBOOM** (20) was jailed for seven years for his part in disturbances in the KwaNobuhle township of Uitenhage last June (see *FOCUS* 11 p.7).

continued from p.1.

*Plural Relations and Development* (formerly *Bantu Administration and Development*) C.P. Mulder

*Social Welfare, Pensions, Post and Telecommunications* — Senator J.P. van der Spuy  
*National Education, Sport and Recreation* P.G.J. Koornhof

*Agriculture* H. Schoeman  
*Health, Planning, Environment and Statistics* S.W. van der Merwe

*Finance* Senator O.P.F. Horwood  
*Economic Affairs* J.C. Heunis

*Justice, Police and Prisons* J.T. Kruger

*Indian Affairs, Community Development and Tourism* S.J.M. Steyn

*Immigration, Public Works and Interior* A.L. Schiebusch

*Forestry and Water Affairs* A.J. Raubenheimer  
*Coloured, Rehoboth and Nama Relations* H.H. Smit

*Education and Training* (formerly *Bantu Education*) W.A. Cruywagen

Deputy Ministers are as follows:

*Social Welfare, Pensions, Planning, Environment and Statistics* T.N.H. Janson

*Agriculture* J.J. Malan

*Interior and Information* L. le Grange

*Plural Relations and Development*

F. Hartzenburg and V.L. Vosloo

*Education and Training* A.P. Treurnicht

None of these changes seems likely to alter government policies.

Seven state witnesses aged between 12 and 16, who were warned as accomplices, stated that Grootboom had been part of a crowd that destroyed property belonging to the Bantu Affairs Administration Board, including three policemen's homes, and that he had played a leading role in urging others to set fire to the BAAB office, a shop and five houses. Damage was estimated at R58,500.

Grootboom denied the charges but was convicted on seven counts of public violence. This is not classified as an offence under security legislation and Grootboom will be treated as an ordinary prisoner and eligible for remission unlike political prisoners. (Post 26.11.77)

### HLONGWA and NYEMBE

Two Soweto youths were convicted under the Terrorism Act in January and sentenced to five years imprisonment.

Christopher HLONGWA (19) and Gerald NYEMBE (21) pleaded guilty to a charge that during September 1977 they attempted to leave the country to receive military training with the aim of endangering law and order in South Africa. They had paid a man R10 to take them to Swaziland but were arrested en route. Both made statements to the police; Nyembe's included this explanation: "We wanted to go to the camp to learn to be soldiers. We wanted to come back and fight with the government because we have a hard life." (RDM 19.1.78)

### MASUKU, NKOSI and CHAUKE

In sentencing three men to long terms of imprisonment in November (see FOCUS 14 p.6) the judge said that had Thomas MASUKU, Temba NKOSI or Richard CHAUKE (previously reported as GAUKE) used any of the arms or explosives found in their possession they would have received the death sentence for treason. (CT 23.11.77)

### LISA CONVICTED

The trial of Canzi LISA (previously reported as LIZA - see FOCUS 14 p.8) accused of possessing arms and distributing ANC pamphlets, took place in Kempton Park Supreme Court in February. On 9 February Lisa changed his plea to guilty and was sentenced to five years imprisonment.

Lisa's two accomplices gave evidence for the state describing how an explosive device had been attached to a petrol tanker at Langlaagte station on the night of 14/15 June 1977, how explosive materials had been hidden in a house at Kagiso, Krugersdorp, and how ANC pamphlets were distributed at railway stations.

Police claimed that in July 1977, after his arrest, Lisa had co-operated with them in identifying places, and on 19 July had made a statement. Lisa admitted this on changing his plea and described how he

had handed out ANC pamphlets at various places in Soweto. Sentencing Lisa under the Terrorism Act, the judge said the bomb attempt had been serious and it was tragic that someone of Lisa's family background and intelligence should have become involved in such activities. His full co-operation with the police merited the imposition of the minimum sentence. (RDM 8/9/10/11.2.78)

### MALEPANE JAILED

Samuel MALEPANE (22) of Soweto was in February convicted of two charges under the Terrorism Act and sentenced to five years imprisonment. He was acquitted of the most serious charges (see FOCUS 14 p.7) namely a bomb attack on the Mzimphope hostel and attempting to damage a rail line.

John MOEPHUDI (21) was acquitted on the same charges, the judge remarking that he was only peripherally involved in the offences. (Cit 16.2.78)

Both were accused of belonging to South African Freedom Organisation (SAFO) and of being active between June and December 1976; they were represented *pro deo* and pleaded not guilty. Malepane claimed that after being arrested in December 1976 he had been assaulted and threatened by police, with electric shocks through his ears and blank shots fired at him. (RDM 2.2.78)

### MKWANAZI ACQUITTED

Jabu MKWANAZI (29) was tried under the Terrorism Act in February and acquitted on charges of aiding 31 persons to leave the country for military training. He was convicted under the Immigration Act for helping persons to leave the country illegally and sentenced to a total of 18 months imprisonment but granted bail pending an appeal.

Evidence against Mkwanzazi, a taxi driver of Soweto, was given by several youths from Soweto whom he had driven to Swaziland in 1976, including Johannes Simelane, 22, who admitted travelling to Swaziland in order to obtain military training and who had been arrested on his return to South Africa to visit his mother. Simelane said he had been in detention since March 1977; that it was a 'terrible experience' and that he would 'say anything to get out of it'.

The judge found that Mkwanzazi had not participated in terrorist activities although he had been the driver; he had rather smuggled people over the border for profit. (RDM 7/10/11/14/18.2.78)

### JOSEPH MATI

Four witnesses who refused to testify in the case against Joseph Mati (see FOCUS 14 p.6) were sentenced to six months imprisonment in East London Regional Court on 4 November. All were former Robben Island prisoners.

Moses Mbonisile TWEBE told the court that he would rather go to jail for five years than give evidence against Mati. Milner Bonakere

NTSANGANI said he had been politically active all his life and to give evidence would be "stabbing in the back the movement, the ANC, to which I was connected and for which I have worked for many years". It would "also be letting down my young comrades for whom I have been responsible in this movement."

Sipho Fielden HINA told the court he had been detained in Port Elizabeth on 7 June 1977 and held for six months. He said "I was tortured by the security police to accept a statement they said was made by Mr. Mati" but refused to do so. Zola NQINI said he was arrested on 21 September and after being charged was put in the same cell as Mati. When he came to court on 13 October he found that the charges had been withdrawn against him and instead he was "told I would be used as a witness against Mr. Mati", which he refused to do. (DD 5.11.77)

### PRETORIA TWELVE

The re-trial of the 12 people accused of ANC activities (see FOCUS 14 p.7) began on 16 January with a prosecution attempt to introduce a new indictment. Defence objections were upheld and the old indictment retained.

In what promises to be lengthy proceedings (more than 100 witnesses testified in the first hearing) the first state witnesses included several who gave evidence for the second time, among them Fred Motaung (see FOCUS 13 p.7), Alpheus Ramokgadi (FOCUS 12 p.10) and a 15 year old youth (FOCUS 12 p.10).

Several of the witnesses were not identified in court, but it appears that at least two were subjected to bomb attacks in their homes as retaliation for giving evidence. The home of Fred Motaung in Alexandra was attacked although he himself had been removed by the police. Later another (unnamed) resident in Alexandra who gave evidence against two of the accused was also bombed but he was not there. (RDM 13/18/19/21/24/25/26/28.1.78, 1/4.2.78)

Reporting of this re-trial has been sketchy and it is not possible from press reports to establish how closely the re-trial is following the previous trial or what new witnesses and evidence are being called.

### GOCH ST - DEATH PENALTY

The trial of Mondy MOTLOUNG and Solomon MAHLANGU, accused of murder following the shooting of two men in Goch Street, Johannesburg in June 1977, and of offences under the Terrorism Act re-opened in February (see FOCUS 13 p.8, 14 p.7) in Kempton Park Circuit Court.

On 2 March Mahlangu was convicted on all charges and sentenced to death. The judge accepted that Mahlangu had not fired any of the fatal shots but found him guilty of common purpose. (GN 3.3.78)

This is the first death sentence to be imposed for a political offence since the mid 1960s and has aroused international protest.

Motloung was declared unfit to stand trial due to brain damage resulting from a head injury. Medical evidence indicated that he was suffering from 'prison psychosis', a condition which might improve if he were in a different environment. The judge ordered him to be detained at Johannesburg Fort pending a decision by the State President. It was suggested that Motloung's brain injury was caused when he was hit on the head by a submachinegun during his arrest.

Mahlangu pleaded not guilty to the charges. His counsel said that his departure from South Africa had been organised by the ANC and he had been trained in Angola. In his training it was emphasised that the preservation of life was of the utmost importance. The indictment alleged that Mahlangu and Motloung entered South Africa from Swaziland in June 1977 with

arms and explosives and being surprised in the street ran into a warehouse where they murdered two men and injured two others.

Ammunition, explosives and ANC pamphlets were hidden by the two men in a house in Duduza township, Nigel (where Motloung also lived). Police testified to having found maps and instructions in toothpaste tubes, nine hand grenades in a soap powder box, together with plastic explosive and detonating devices in cocoa tins.

Giving evidence Mahlangu contested a statement he had made on the day of his arrest, saying that he had been assaulted for refusing to talk by a team led by Captain Cronwright, who said they would begin "killing him gradually" if he did not give a statement. (RDM 14/15/16/17.2.78)

### MOTHOPENG and 17 OTHERS

A total of 18 men are accused of furthering the aims of the banned Pan Africanist Congress (PAC) in the trial of Zephania Mothopeng, aged 65, and others, which opened in January (see FOCUS 14 p.8). The accused first appeared on 5 December 1977 in the small town of Bethal, a location apparently chosen to reduce the public impact of the proceedings.

The accused are **Zephania MOTHOPENG** (65), founding member of PAC; **Moffat ZUNGU** (48), newspaper photographer; **John GANYA** (48) of Soweto; **Mark SHINNERS** (37) of Pretoria; **Bennie NTOELE** (38) of Pretoria; **Hamilton KEKE** (42) of East London; **Michael KHALA** (24) of Soweto; **Michael NTSHALI-TSHALI** (47) of Manzini, Swaziland; **Julius LANDINGWE** (30) of Cape Town; **Jerome KODISANG** (26) of Soweto; **Michael MATSOBANE** (36) of Krugersdorp; **Johnson NYATHI** (32) of Krugersdorp; **Mothlagegi THLALE** (22) of Krugersdorp; **Rodney TSOLETANE** (20) of Krugersdorp; **Daniel MATSOBANE** (31) of Krugersdorp; **Themba HLATSHWAYO** (21) of Krugersdorp; **Zolile NDINGWA** (26) of Cape Town; and **Goodwill MONI** (24) of Cape Town.

All are accused under the Terrorism Act with taking part in terrorist activities, conspiring to overthrow the government and furthering the aims of the PAC, in a number of offences alleged to have taken place between 1963 and 1977 in different places and countries. The list of co-conspirators includes Robert Sobukwe, late President of PAC (who died after the trial commenced (see p.5), Potlako Leballo, PAC general secretary in exile and 12 other PAC leaders in exile.

Other alleged co-conspirators include four of those who died in detention in 1977 — Naboath Ntshuntha, Samuel Malinga, Aaron Khoza and Bonaventura Malaza (see p.7).

The indictment adds that the Urban Resources Centre and the Young African Christian (or Religious) Movement were both used as fronts to further the aims of PAC. A total of 165 state witnesses are due to appear.

When the trial opened in Bethal Circuit Court on 17 January (coinciding with the retrial of the Pretoria Twelve — see above) the defence applied for an adjournment of 75 days because of the length of the indictment. The judge granted a 14-day adjournment. (Post 12.12.77; RDM 18/19.1.78)

On 31 January the accused were asked to plead. Mothopeng and 15 others refused to recognise the right of the court to try them and pleas of not guilty were entered on their behalf. Ntshali-Tshali, a Swazi citizen, pleaded not guilty and is separately represented. (RDM 1.2.78)

The defence applied for the indictment against Hamilton Keke to be quashed on the grounds that he has already been tried and acquitted of the same offences. He had been released from prison in 1974 after serving ten

years on Robben Island for PAC activities, was detained in April 1976 and tried in November that year (in a trial that was apparently not reported in the press). In April 1977 he was acquitted and promptly re-detained (see FOCUS 11 p.5). The judge ruled that it could not be proved that he was appearing for the same offences. (RDM 2.2.78)

The first state witness, a security policeman from East London gave evidence in Afrikaans and the accused requested interpreters — in English and eight African languages. The initial evidence concerned the finding of banned publications at Mothopeng's home in Soweto, and PAC documents said to constitute 'a classic exposition of Communist-Marxist ideology' with leanings towards Communist China. (RDM 4/16.2.78)

On 13 February the state applied for the case to be heard in camera on the grounds that the safety of witnesses would be jeopardised if they were identified; this was granted. (RDM 14/15.2.78; 1.3.78)

### TRIAL IN SWAZILAND

Three men from Soweto were arrested near the Swaziland-South African border in January and appeared in court in Mbabane on 3 February charged with possessing arms of war — a grenade, a machine pistol, magazines and ammunition.

**Wilfred MADELA** (24), **Thamsanqua Humphrey MAKHUBU** (24), and **Thuthuku Dennis HLUBI** (22) were said to have been hiding in an abandoned vehicle about 5 km from Oshoek border post; according to SABC on 31 January their arrest followed a machine gun attack. (RDM 4.2.78; BBC 2.2.78)

### ARSON CHARGES

Two men were charged in Johannesburg Magistrates Court in January with setting fire to 16 buildings in the Rossettenville area between April and September 1977. **Joshua MQWATHI** (32) and **Samson MAZIBUKO** (29) were alleged to have set fire to shops, banks and restaurants. (RDM 6.1.78)

On 28 February both were convicted. Mazibuko was jailed to 12 years, as he had been employed as nightwatchman to the buildings destroyed. Mqwathi was jailed for three years for his part. (RDM 1.3.78)

### UNNAMED YOUTH

According to the *Rand Daily Mail* an unnamed youth appeared in court in Port Elizabeth charged with sabotage in February. No further details were given except that the trial was taking place in a courtroom at Algoa Park police station which the defending attorney found unsatisfactory. (RDM 17.2.78)

### DUMA AND RAMUDZULI

Two Johannesburg men appeared in court in February charged on four counts under the Terrorism Act.

They are **Enoch DUMA** (36) a journalist on the *Sunday Times* who has been in detention since September 1977 and **Aitken RAMUDZULI** (24), who are alleged to have furthered the aims of the African National Congress through acts committed between April and September 1977, together with five co-conspirators.

The indictment alleges that: Duma used his car for ANC activities; both accused and co-conspirators went to Botswana to post a letter to New York requesting that money and PAC pamphlets be sent to South Africa; that with others they planted explosives on the railway line between Horizon and Princess stations, Roodepoort; that Ramudzuli went to Botswana in August 1977 to fetch weapons and explosives; that Ramudzuli brought guerillas into the country; and that both planted explosives in the main Pretoria Post Office. (RDM 15.2.78)

The railway line incident appears to be con-

nected with the 'shoot-out' reported in Dobsonville on 26 September when teacher Nicholas Molokwane was shot dead by police and two policemen injured. Enoch Duma was arrested the same day, and the Minister of Police announced that another 'terrorist cell' had been uncovered, and six arrests made. (W 26/28/29.9.77)

## POLICE KILLINGS

The South African Police killed 149 persons 'in the execution of their duties' during 1977, excluding those killed 'in black township arrest', and wounded 403, it was revealed in Parliament on 29 Feb.

Of those killed, 138 were adults and 11 juveniles. The vast majority (108 adults, 3 juveniles) were shot dead while 'attempting to escape arrest'; the rest were just shot. Of those wounded 362 were adults and 41 juveniles; 242 adults and 26 juveniles were wounded while attempting to escape arrest. (MS 25.2.78)

### DEATH SENTENCES

In January 1978 it was reported that 120 persons were under sentence of death in South Africa's prisons for criminal offences.

Of these two were women (one white) and five were white men. Some may be reprieved, so that it is unlikely that all will be executed. Since 1966 there has been an annual average of 70 executions. (Daily News 25.1.78)

### IMMORALITY ACT

During 1977 a total of 365 persons were charged under the Immorality Act forbidding sexual intercourse between whites and blacks. The majority (200) were in the Transvaal, where 134 had been convicted. (RDM 18.2.78)

## STOPPING FUNDS

According to reports, the Justice Group within the Nationalist Party, headed by lawyer and MP Tom Langley, is advising the government on the possibility of preventing money entering South Africa from abroad to pay legal costs incurred during political trials, inquests and claims.

Such assistance has been described as 'political interference' by *Beeld* newspaper. Langley himself said "in some cases the money is politically tainted... and is being wasted", adding that South Africa possessed "a very effective system of legal aid" for those without funds. In fact the system is not effective. It makes provision for *pro deo* counsel in trials on capital charges, and financial help in other cases for 'indigent people' which operates on a racially-adjusted means test. The Legal Aid Board was established in 1969 and in its first six years received and granted nine applications for assistance from people charged under security laws.

In complex political cases *pro deo* counsel, appointed and paid by the State, is not considered adequate as one man — usually a junior lawyer — appears without the normal assistance of instructing attorneys or other members of a legal team. The fee is usually a flat rate of R30 a day while preparation costs are high. (FM 20.1.78)

# ROBERT SOBUKWE DIES

Robert SOBUKWE, founder and leader of the Pan Africanist Congress, died in South Africa on 27 February at the age of 55. He had been receiving medical treatment for lung cancer for some time, and the banning order continuously in force since his release from Robben Island in 1969 had been relaxed to allow him to go to hospital in Cape Town.

Robert Mangaliso Sobukwe was born in 1924, the son of a Methodist preacher in the Cape, and became a teacher. In 1959 he was elected president of PAC and the following year was sentenced to three years' imprisonment for his part in 'inciting' the passlaw protesters who were massacred at Sharpeville. After completing his sentence he was held on Robben Island for a further six years under legislation specially enacted; in 1969 he was eventually released and served with a ban-

ning order confining him to Kimberley where he qualified and practised as a lawyer. In 1971 he applied unsuccessfully for permission to leave Kimberley in order to go into exile on an exit permit. In 1977 the banning order was relaxed to enable him to receive medical treatment in Cape Town. When he revisited the hospital in January several conditions were attached to the permit allowing him to travel. (RDM 28/29.12.78)

In February Sobukwe was admitted to hospital in Kimberley where he died. (RDM 13.2.78; GN 28.1.78)

Canon L. John Collins, President of IDAF, issued a statement which detailed the persecution suffered by Sobukwe and paid tribute to his leadership, saying that Sobukwe "gave the best years of his life to fight racist oppression in South Africa and no amount of persecution could



break his dedication to the cause of equal rights for all in the land of their birth". (IDAF 27.2.78)

## NEW BANS

Four new bans were announced in the *Government Gazette* on 17 February. They are

- Mrs. Amina DESAI, of Roodepoort, (see FOCUS 14 p.16)
- Nkosinathi Benson FIHLA, of New Brighton, Port Elizabeth
- Mxolisi Jackson FUZILE, of Mdantsane, East London
- Mali Joseph TABATA, of Kwazakele, Port Elizabeth

Tabata was banned for two years, the others for five (RDM 18.2.78).

## WINNIE MANDELA

The case against Winnie Mandela, charged with breaking her banning order (see FOCUS 13 p.4) reopened in January. The five charges related to receiving visitors at the house in Brandfort to which she was removed from her Soweto home. (RDM 19.1.78)

According to the defence case, the police sergeant in charge of the Brandfort location misinterpreted the terms of a banning order, believing that no visitors to the Mandela house could be allowed without his permission, although her daughter Zinzi was under no restrictions.

On 9 February Mrs. Mandela was convicted on two charges: receiving visitors on 23 May when an application to do so had been refused but the visitors arrived to see Zinzi, and attending a social gathering on 9 June when she visited a house where two other people were present. The magistrate found that although prohibited, neither action was sinister nor concealed.

Mrs. Mandela was sentenced to six months' imprisonment on both charges, suspended for four years. She was acquitted on the other three charges. Police moved in to disperse a spontaneous demonstration of support when sentence was pronounced and six persons were arrested. (RDM 19.1.78), 10.2.78)

Appeals by four women sentenced to prison terms for refusing to answer questions relating to their visits to Mrs. Mandela (see FOCUS 13 p.4) were heard in February when it was argued on their behalf that to do so would have risked self-incrimination. The four are Mrs. Helen Joseph, Mrs. Barbara Waite, Mrs. Iona Kleinschmidt and Miss Jackie Bosman. Judgement was reserved. (RDM 6/7.2.78)

### CONTRAVENTIONS

Rev. Brian BROWN and Rev. Theo KOTZE, both of the Christian Institute, have been charged with breaking their bans by preaching in church. Both cases were adjourned. (T. 19.1.78, 14.2.78)

### STOP PRESS

New bans were imposed on 28 February on two former Robben Island prisoners:

- George NAICKER, 58
- Kisten MOONSAMY, 43

Both were sentenced to 14 years on 1963 for sabotage, and both are banned for five years and confined to Pinetown, Durban. (RDM 28.2.78)

## PISCOM INTIMIDATION

It was announced in January that appointments to the Parliamentary Internal Security Commission (PISCOM) will be made as soon as the Cillie investigation completes its report into the 1976 uprising, due this session.

The law establishing PISCOM was introduced in 1976 (see FOCUS 6 p.10) giving its ten members authority to investigate matters of internal security, but no appointments were made. Intended as a permanent replacement to the Schlebusch Commission which in 1972-3 investigated the Christian Institute, the National Union of South African Students, the University Christian Movement and the S.A. Institute of Race Relations, PISCOM is seen as an extra-parliamentary means of intimidating those who oppose apartheid policies but have not yet fallen under any form of proscription. Its role is

seen as similar to the inquisitions carried out by Senator McCarthy in the U.S.A. in the 1950s.

One of PISCOM's immediate targets is thought to be the South African Council of Churches for its role in channelling funds to pay for legal costs in political trials and inquests. Another is the Dependants' Conference, which helps prisoners and families. It may also be directed again against the SAIRR and NUSAS. Investigations are intended to compel disclosure of finances and to pave the way for administrative action such as banning orders on individuals. Failure to comply with a summons to appear before PISCOM incurs a maximum penalty of R600 or six months imprisonment. (RDM 25/26.1.78; New Statesman 10.2.78)

# DETENTIONS

## 1977 DETENTIONS

According to the Minister of Police at the end of 1977, 240 persons were detained under the Terrorism Act, and 61 persons under the Internal Security Act. This contradicts estimates from the SAIRR which put the November figure at over 770, but does not include those held under the General Law Amendment Act or as potential witnesses under the Criminal Procedure Act.

A total of 313 persons were detained in 1977 as potential witnesses, according to the Minister. These were 224 in Transvaal, 54 in Natal, 31 in Cape and four in Natal. All except two were Africans, and 95 were still in detention on 2 February. (RDM 18.2.78)

A total of 259 young persons under 18 years old (23 of whom were girls) were detained during 1977. The Minister of Police refused further information and said all were 'actively engaged in committing arson, incitement to public violence, stone throwing and the general disruption of law and order'. (RDM 11.2.78)

## CAPE TOWN

In November it was reported that around 50 young people — several under 15 years old — from Cape Town were in detention. After their names were given to the press by the Dependents Conference several were released. The mentally retarded boy of 11 (reported in FOCUS 14 p.12) was released after 12 days. (CT 19.11.77)

In addition to those reported in FOCUS 14 they were:

### From Guguletu

M. Laurence MAYEKISO (12) detained and released in November  
Simon T. KEWANA (13) det. and rel. Nov.  
Yalezwa SINGISWA (13) det. Sept.  
Edward MDLANKOMO (14) det. and rel. Nov.  
Andile KOTIA (14) det. Oct.  
Tatan NTLEBI (14) det. and rel. Nov.  
Andrew MATSHABISA (15) det. and rel. Nov.  
George W. KEWANA (15) det. and rel. Nov.  
Fezile MVULA (15) det. Nov.  
Oupa K. LEHULERE (16) det. July, rel. Nov.  
Sipho SINGISWA (16) det. July  
Siviwe GANJANA (16) det. Nov.  
Headman TSHOKOSHA (17) det. Nov.  
Raymond DYASI (17) det. April, rel. Nov.  
B. Mandla MOKANA (17) det. Nov.  
Jongilanga K. BOQWANA (18) det. Oct.  
Mbouki SIDZUMO (18) det. Sept.  
Wandisile YOYO (18) det. Sept.  
Amos MNGESE (18) det. July rel. Nov.  
Daniel Vuyisile MANGABE (19) det. and rel. Nov.  
Stanley JONAS (19) det. Oct.  
Edward M. KIBI (19) det. and rel. Nov.  
Amos KOTA (20) det. Oct.  
Ernest THOMPSON (20) det. Sept.  
Upington NXUSANI (20) det. Nov.  
Sipho LANGA (21) det. April; rel. Nov.  
Zolile W. MONI (21) det. July  
Monica Nonshumi MBEYIYA (21) det. Sept.  
S. Mzoli PASIYA (21) det. Nov.  
Elijah NTSHINGA (23) det. Nov.  
Samuel F. QQIBA (27) det. Aug. rel. Nov.  
Danile LANDINGWE, det. Aug., held at Bloemfontein

Vuyun VABAZA, det. July; Zolile NDINDWA, det. August; Zolile MASAMANZI, det. August; Bathembu NGULWANA, det. August; Tapepe MAKUBALO (21) det. August — all held at Bloemfontein.

### Others

Edwin VANYAZA (21) Ceban MTOBA (17) Pardon NQUKWANA (CT 19.1.77, 3.12.77)

## JAW BROKEN

One of those detained in Cape Town, a 17-year-old who was not named, was the subject of a court application brought by his father to restrain the police from assaulting him. The youth was detained on 8 November; messages received from other detainees indicated that the youth had been repeatedly assaulted by the police, that his jaw had been fractured by a kick, that he was partially deaf and that the soles of his feet were swollen. Later when collecting his clothes from Caledon Square police station his mother found three teeth in a bloodstained trouser pocket.

A temporary injunction against the police was granted from 13–18 January when it was opposed by the police who filed medical and dental reports saying that the youth was in good health and had two teeth professionally extracted following toothache. The boy's father was ordered to pay the costs of two counsel and three medical specialists. (RDM 14/18/19/21.1.78; NW 20.1.78)

## TRANSKEI

Other detentions under the Transkei Public Security Act (see FOCUS 14 p.12) in 1977 included two churchmen responsible for organising a memorial meeting to Steve Biko in Umtata: Rev. Prince NTINTILI, Secretary of the S.A. Bible Society (detained 14 October) and Rev. Mcebisi XUNDU, BCP official (detained 26 October). Both were released on 29th January. On 13 November Job MKROLA, a former Minister of Works in the Ciskei was detained at Lady Frere. (DD 28.10.77, 16.11.77)

Hector NCOKAZI of the Democratic Party (see FOCUS 14 p.12) was again detained in mid-January (GN 24.1.78)

## CISKEI

Early in November several people were reported detained in the King Williams Town area apparently under the new Ciskei Emergency Regulations (see FOCUS 13 p.2). They included Stanley KABA, a former Robben Island prisoner banished from his Grahamstown home on release and working as a freelance journalist; W. NYATI principal of Imighayi secondary school (detained 23 October) and Mahlubandile RADEBE (19) attorney's clerk in Zwelitsha. (DD 5.11.77)

## JOHANNESBURG

Churchmen and teachers were among those detained in Johannesburg on 1 December including Rev. Tebogo MOSELANE of St. Johns Anglican Church, Soweto; Stephen M. MONTJANE, curate at Crown Mines church; Mike JORDAAN, Lucas NGAKANE and Ishmael MKHABELA, all of Soweto Teachers Action Committee. At least seven others were released within four days; the arrests appeared to coincide with the closing of the Biko inquest (see FOCUS 14 p.11)

The continuing detention of Sechaba MONT-SITSI of the Soweto Students Representative Council (detained in June — see FOCUS 11 p.5) at John Vorster Square was confirmed by police in December (Post 15.12.77)

Other detentions included that of Vincent WYNGAARDT, Youth organiser for the SAIRR in the Eastern Cape (detained in October),

## DETAINEE ESCAPES

A former Robben Island prisoner Sam Mutle RAHUBE escaped from security police detention in Maritzburg on 31 December.

Rahube, a former member of the Pan Africanist Congress had been in detention since February 1977 (see FOCUS 9 p.10) apparently in connection with the trial of Zeph Motopeng and others. He was released from Robben Island in 1973 after serving a ten year sentence. He escaped from detention while police were celebrating New Years Eve and crossed into Lesotho a week later, where he applied for political asylum. (RDM 20/21.1.78)

## INTERNAL SECURITY ACT

In February an official list of those held in preventive detention under the Internal Security Act since the clampdown in October 1977 (see FOCUS 13 p.4) was issued. Most of the orders were made on 12 October under Section 15 of the Act and are due to expire on 10 August 1978.

The full list is as follows (from RDM 20.2.78)

Woodraj AROUND (given as RAMATHAR in FOCUS 13), Fuzile Owen BANGANI, Moses Mabokela CHIKANE (see FOCUS 10 p.13), Ray CURRIE, Norman DUBAZANA (see FOCUS 6 p.9), Peter JONES (see FOCUS 12 p.13), Jairus KGOKENG (see FOCUS 14 p.7), Vusimusi Philip KHANYILE, Mrs. Ellen KHUZWAYO, Aggrey KLAASTE (Weekend World), Vela KRAAI, Kgotla Justus LEGOTLO, Douglas LOLWANE, Tyrone Gilbert MABALA, Vivani MADE (see FOCUS 13 p.5), Sylvester MAKAPELA, Mortimedi Gabriel MALAKA, Jameson Tsekho MALEYA, Jacob Whula MAMUBULA, Tom MANTHATHE (see FOCUS 1 p.2, 6 p.8), Lekgau MATHABATHE (see FOCUS 8 p.4), Kenneth MATIMA (see FOCUS 6 p.8), Faith MATLAOPANE, Johannes Rantoo MATSENA, Rev. Mashwabada Victor MAYATHULA (see FOCUS 2 p.5), Fanyana MAZIBUKO, Thandisiwe MAZIBUKO (see FOCUS 13 p.5), Dexter Jabulani MAHLANGU, Lingwa Graham DLANKOMO, Horatius Vuyisile MDLELENI, Diliza MJI (see FOCUS 6 p.9), Rev. Patrick MKHATSHAW (banned, see FOCUS 11 p.4), Gabriel Lentshwe MOKGATLE (see FOCUS 7 p.8), Dr. Aubrey MOKOENA (Black Parents Assoc. see FOCUS 6 p.8), Leonard MOSALA (see FOCUS 5 p.10, 8 p.10), Dr. Nthatho MOTLANA (see FOCUS 6 p.8), Malusi MPUMLWANA (banned, see FOCUS 10 p.13) Miss Tenjiwe MTINTSO (banned, see FOCUS 9 p.14), Miss Rebecca MUSI, Mxolisi MVOYO (banned, see FOCUS 11 p.4), Benjamin Ndoda NGIDI (detained in May, see FOCUS 11 p.5), Ngobo Laurence NGUMA, Curtis NKONDO, Mrs. Nosidima PITYANA (see FOCUS 11 p.5), Mpho Mathabo PHARASI, Percy QOBOZA (World), Kenneth RACHIDI (see FOCUS 6 p.8), Aswifrawi Dickson RALUSHAYI, Sedup RAMOKGOPA, Skenjane ROJI, Thabo Vincent SEHUME, Sello Jacob SELEBI (see FOCUS 7 p.8), Silumko SOKUPA (see FOCUS 6 p.8), McGlory SPECKMAN (see FOCUS 6 p.10), Mongezi STOFIE (see FOCUS 7 p.8, 10 p.2), Terence TRYON (see FOCUS 7 p.9), Rev. Drake TSHENKENG, Hannif VALLEY, Ngwenduna VANDA, Sadecque VARIAYA (see FOCUS 9 p.12), George WAUCHOPE (see FOCUS 7 p.7), Miss Mamsa WILLIAMS.

## 1978 DETENTIONS

17.1.78 Mandla and Nomsisi KHUZWAYO, both of Turret Correspondence College, Johannesburg.

24.1.78 Jeffrey NALA, Bongamusa ZUNGU (17) Richard MCHUNU (17) and Fortune BENGU (19) — all of Durban.

3.2.78 J. MAGASELA of Durban, candidate in KwaZulu election.

# DEATHS IN DETENTION

According to the Minister of Police, ten persons died in 1977 while in detention under South African security laws. The list given to Parliament on 14 February omits the names of two who died in detention, presumably because they were formally detained in terms of non-security legislation.

The full list is as follows:

Nanaoth NTSHUNTSI (detained 14.12.76, died 9.1.77) Inquest verdict: suicide by hanging.

Lawrence NDZANGA (detained 16.11.76, died 9.1.77) Not included in the official list, apparently because Ndzanga was regarded as an awaiting-trial prisoner, although he had not appeared in court at the time of his death.

Elmon MALELE (detained 29.1.77, died 20.1.77) Inquest verdict: natural causes - hypertension and spontaneous cerebral haemorrhage.

Matthew MABELANE (detained 27.1.77, died 15.2.77) Inquest verdict: multiple injuries.

Aaron KHOZA (detained 9.12.76, died 23.3.77) Inquest verdict: suicide by hanging.

Harry Phakamile MABIJA (detained 27.6.77, died 7.7.77) Inquest not yet concluded.

Elijah LOZA (detained 27.5.77, died 1.8.77) Inquest verdict: natural causes - cerebral haemorrhage.

Hoosen HAFFAJEE (detained 3.8.77, died same day) Not included in the official list apparently because his detention was in terms of the Criminal Procedure Act, as a potential witness. Steven BIKO (detained 19.8.77, died 12.9.77) Inquest verdict: head injuries with extensive brain injuries.

Bayempini MZIZI (detained 9.7.77, died 13.8.77) Inquest verdict: suicide by hanging.

Bonaventura MALAZA (detained 1.7.77, died 11.11.77) Inquest not concluded.

A close reading of the 1977 issues of FOCUS shows that in the majority of these cases, the inquest verdicts conceal police assaults or their effects. The Biko verdict was the only one where death was deemed neither natural nor self-inflicted and even there the police were carefully excluded from blame.

## INQUESTS

### MZIZI

The verdict on Bayempini Mzizi (*see FOCUS No. 14 p.11*) aged 54 who died in Durban on 13 August 1977 was that he committed suicide by hanging.

The chief state pathologist in Durban Prof. I. Gordon said there were no bruises, abrasions or other marks of violence on the body. Mzizi had hanged himself with strips of material torn from his own clothing. Police constable M. S. Strauss on duty in the charge office at Brighton Beach police station on 13 August said he had come on duty at 8 p.m. and inspected the prisoners hourly. Lawyers for the family claimed that the keys to the cell had been missing from their usual place that evening, and that the police explanation was unsatisfactory and misleading (*RDM 7.1.78*)

### HAFFEJEE

The inquest on Dr Hoosen Haffajee who died at Brighton Beach police station on 2 August 1977 (*see FOCUS No. 14 p.11*)

opened in February. Details will be reported in the next issue of FOCUS.

### BIKO

It was reported that the doctors who examined Steve Biko in security police custody in Port Elizabeth following his head injury but failed to provide any treatment (*see FOCUS No. 14 p.11*) would be referred to the SA Medical & Dental Council. The South African Council of Churches also lodged a complaint with the Council (*RDM 7/18.1.78*)

At the end of January the Minister of Police told Parliament that the case had been referred to the Attorney General in the Transvaal (where Biko died) to decide if any of the police involved should be prosecuted. Two days later the Attorney-General in the Eastern Cape (where the injuries were inflicted) announced that he would prosecute no-one in connexion with the death (*RDM 2/3.2.78*)

The Biko family's claim for R178,000 against the Ministers of Police and Health is to be contested by the state, it was announced in February. Two state-employed doctors and nine security policemen are named in the action. As a civil case it is not expected to come to court for several months. (*RDM 3/8.2.78*)

### MDLULI

It was reported in January that the widow of Joseph Mdluli who died in security police custody in March 1976 (*see FOCUS No. 4 p.2; No. 8. p.5*) is to sue the Minister of Justice for R39,000. (*tel 9.1.78*)

## PORT ELIZABETH POLICE KILLINGS

The townships of Port Elizabeth have continued in a state of violent unrest with frequent confrontations between students and police. In December Port Elizabeth was described as the only area where police were not in control and over the Christmas period a special task force of white police was drafted in to assist in keeping order.

Conflict has been fuelled by aggressive police tactics in response to the successful and sustained call by the SRC for a total boycott of classes by all Port Elizabeth students, including those attending Lovedale College and Healdtown Institute. In October police attacked a student meeting in New Brighton and arrested 474 youths. Twelve who were charged with illegal gathering and public violence were acquitted and the rest cleared. In another incident for the defence of the students were themselves arrested and charged with inciting public violence. Five out of six state witnesses gave false evidence; one, Muzukizi Nobhandula, died in jail accused of perjury (*see FOCUS 14 p.11*) (*Star 14.1.78; FM 20.1.78*)

As well as boycotting schools, students have also attacked other symbols of oppression

such as the buses and the beer-halls. Police opened fire on crowds several times, killing at least eight in December-January and wounding many more. An indication of the prevailing atmosphere was the police statement made after the extra police were called in, that 'not a single stone has been thrown in Port Elizabeth black townships today' (*RDM 29.12.78*). Violence recurred however and on 8 January two youths - Mthobeli Austin Deliwe, 20 and Mzwabantu Alfred Gwaxula, 18 - were shot dead by police who fired on a crowd of mourners (*RDM 12.1.78*). In February police arrested a youth whom they had shot in the back after arson incidents at a school. (*RDM 15.2.78*)

### SOWETO SCHOOLS

Students in Soweto came under heavy pressure from the authorities to end their boycott at the start of the new term at the end of January. The Department of Education and Training (formerly Bantu Education) decided to re-open some of the 40 schools it took over in September and require advance registration from pupils. When junior schools re-opened

in 17 January, attendance was less than 50% and there were reports of police conducting house-to-house searches to round up pupils, using sjamboks (*GN 18.1.78*). When the secondary term began on 31 January only 13 out of the 40 state schools were open and most had only a handful of pupils. Outside the closed Mahlobo school in Meadowlands, the Soweto Students League led a demonstration by burning thousands of school application forms, urging students to continue the boycott. In the Pretoria area there were clashes over the return to school. (*Star 4.2.78*)

By the second week of term more schools were open and attendance was reported to be increasing. Police patrols were present at most schools; the chairman of the Soweto Action Committee said this was 'subjecting children to an environment of intimidation in the name of education'. He called on police to withdraw and on the authorities to abolish the Bantu Education system altogether. Registration was still open in mid-February, indicating that large number of pupils were still refusing to return. (*RDM 7/14.2.78; Post 13.2.78*)



# ATTACK ON URBAN AFRICANS

The S.A. Government is responding to the crisis in South Africa with a vigorous intensification of its repressive policies and of the wider policies of apartheid, in a desperate attempt to deal with a situation it cannot at present control.

The Government is pressing ahead with its 'separate development', attacking particularly the African population not resident in the Bantustans.

The Government is continuing the removal of squatter camps in the Western Cape (with the destruction of Unibel), with its overall policy of forced "resettlement" of urban Africans supposedly in "white" areas, and it is continuing with the breaking up of family life (as in the forced removal of married men from Alexandra township to the compounds of City Deep). It is continuing with the setting up of Community Councils as successors to the Urban Bantu Councils in spite of their spectacular failure in the recent "elections" in Soweto. And it appears to be allowing (if not actually encouraging) the growth of the Makgotla tribal courts.

It has removed South African citizenship from the 3 million people who do not live in the Bantustans of the Transkei and BophuthaTswana and yet are considered citizens of these regions and from 3 million who do live there. Its latest actions have been the introduction to parliament of a Bill to remove further section 10 rights from urban Africans, to declare as "idle Bantu" any urban Africans who are unemployed for any 122 days in a year and to detain them in rural labour camps. Another Bill is designed to hasten the day when "no black will have South African citizenship" as the new Minister of Plural Relations and Development (formerly Bantu Administration and Development), Dr. Connie Mulder, told Parliament would be the case when Nationalist party policy was carried through to its full consequences. (RDM 8.2.78)

Alongside these developments, rent and bus fare rises are being brought in for urban Africans, when attempts to introduce these rises in mid-1977 had failed. Also, far from encouraging the growth of an urban middle class, in an apparent change of policy the Government is allowing in Soweto the development of a large white-owned shopping complex and business centre. There is also the resolute refusal of the Government to remove (or even change) the Bantu Education system and the reported beatings of students by police in an attempt to break their boycott of schools (see page 7).

## NEW LAWS

Two Bills before parliament at present show how serious the Government is in

its offensive. The first, the Bantu Laws Amendment Bill, amending the Bantu (Urban Areas) Act 1945, replaces the definition of an "idle Bantu" as an African who is normally unemployed to one in which any African who is unemployed for any four months or 122 days in a single year, can be declared "idle". (RDM 3.2.78) The new amendment has unleashed a storm of protest both inside and outside parliament. Estimates of African unemployment vary from the official 634,000 to 2,000,000 (RDM 3.2.78). (The official estimate of 634,000 means 12.4% of economically active Africans). Mrs. Helen Suzman, M.P., commented that the Bill would make unemployed Africans into statutory criminals.

In the debate in parliament, the Nationalist M.P. for Lydenburg, Mr. P. T. du Plessis, gave an indication of Government thinking on the subject when he said the "idle and work-shy" in black townships were the "shock troops of the youth uprising". (RDM 8.2.78)

In terms of the Bill, "idle" Africans are liable for various penalties including:

- detention in a rehabilitation centre or farm colony or "similar institution established or approved under the Prisons Act",
- performance of prescribed labour at any rural village, settlement or rehabilitation scheme within a "Bantu area".

The second proposed amendment makes it less likely that first "offenders" will get suspended sentences as in the past but will now be liable to sentencing after a first conviction by the Bantu Affairs Commissioners. (RDM 3.2.78)

The other Bill is the Bantu Citizenship Amendment Bill, which if passed will mean, as Dr. Connie Mulder put it, that there will eventually be no African South Africans. (T 9.2.78)

The amendment proposes to change the definition of those who qualify for Section 10 rights of permanent residence in urban areas. Formerly these rights were denied to foreign Africans or those not born in "the Republic or South West Africa". However, the new definition will deny these rights to any African who is "not a South African citizen", and "not a former South African citizen who is a citizen of a state... which formerly formed part of South Africa." (RDM 8.2.78) This means that 'foreign' Africans will now include citizens of "independent" Bantustans. This new definition also disqualifies the urban-born children of Transkei or BophuthaTswana citizens from these rights — it makes them foreigners too. In terms of the Status of Transkei and Status of BophuthaTswana Acts, children born to citizens of these "states" automatically become citizens of these

Bantustans. The same laws make all Africans of Transkei or Tswana descent citizens of the Bantustans, even if they live permanently outside their borders. (RDM 8.2.78)

The latest West Rand Administration Board (WRAB) population survey shows that more than a quarter of Soweto's legal residents have already lost their South African citizenship, and now are "foreign" Transkeians or Tswanas. (RDM 10.2.78)

Both these Bills have aroused widespread protest from the Black community.

## SOWETO ELECTIONS

One of the other major developments in urban African politics, has been the community council elections fiasco in Soweto.

Fewer than 460 people voted in Soweto in the elections for the first Government-sponsored Community Council. Only two of the 30 wards were contested. Nine candidates were returned unopposed and 19 wards drew no candidates at all. The percentage poll was about 5% in the two contested wards. (GN 20.2.78) Although 29 candidates were originally nominated for the councils, 16 were disqualified for technical reasons. (Star 18.2.78)

Black leaders in Soweto, including the now detained members of the Committee of Ten, have consistently opposed the formation of the council, which they regard as a dummy institution, another version of the discredited Urban Bantu Councils.

A political columnist in the *Rand Daily Mail* commented that the polls reflected in extreme form the lack of interest for the old Soweto Urban Bantu Council. Three elections were held for the UBC during its nine-year existence. The percentage polls for the elections were 32%, 21% and 14%. (RDM 21.2.78)

After the elections, Dr. Connie Mulder, Minister of Plural Relations and Development emphasised that the Government was determined to press ahead with the system. "These people are the democratically elected representatives of Soweto, and the ones I will talk to", he said. (RDM 20.2.78)

In order to understand the question of the Community Councils (and the Makgotlas) some understanding of events in Soweto last year is needed.

## COMMITTEE OF 10

Since the collapse of the Urban Bantu Councils in Soweto in June following student ultimatums, there has been an administrative vacuum in Soweto. Since then several groups have claimed a voice in the representation of Soweto. The most widely-publicised group were the ten



elected at a meeting of leading citizens at the *World* newspaper offices as an interim committee to prepare a blueprint for a future administration of Soweto. Present at the meeting were members of the BPA, the BPC, BCP, Black Unity Front, SSRC, Nicro, SASO, SA Council of Churches, trade unions, the former UBC's and Makgotla. (W 28.7.77) The official name of this 'Committee of Ten' was the Soweto Legislative Assembly Interim Committee. They recommended that the giant township should be given municipal status and envisaged R5,000 million being spent over a five year period to create a modern city. Everyone over 18 would have the vote for a city council elected on a non-ethnic basis. (ST 31.7.77)

The Committee's proposals gained the outspoken support of the *World* news-paper, the Soweto Students Representative Council, and almost all public groups in Soweto. (W 4.7.77; RDM 12.8.77). They were however in direct conflict with the Government's proposals. With the banning of the *World* and detention of seven of the members of the Committee of Ten in October, the government cleared the way for the establishment of the Community Councils and for the legalisation of Makgotla, with the latter acting as the strong-arm guard to give the community councils strength.

## COMMUNITY COUNCILS

In terms of the Community Councils Act, gazetted on 19 July 1977, community councils will be established for urban Africans. Also certain Africans in the urban areas may be appointed by the Minister to the position of chief or headman with judicial powers, allowing for sentencing to fines up to R40 and public floggings for males under 30. Community 'guards' may also be established. These groups would apparently be independent of the community councils.

The Community Councils are similar to the defunct Urban Bantu Councils, in that unlike ordinary municipal authorities, they are not allowed to make bye-laws or even to frame regulations. That would be done directly by the Bantu Affairs Department. (ST 22.5.77) Income for the councils will come from Bantu Administration Board grants and fines levied in the chief's court. (RDM 24.6.77) Last year Soweto leaders almost universally condemned the proposed Community Councils Bill.

The only group which accepted community councils initially was the Makgotla. (For account of Makgotla and the Community Councils Bill see FOCUS 12 p.14). In May 1977 Mr. Letsatsi Radebe, former UBC member and Secretary-in-Chief of the Makgotla, welcomed the Bill. He said that Makgotla forces would do their utmost to gain complete control

of the councils. He continued: "At our recent meeting with the Minister of Police and Justice, Mr. Jimmy Kruger, we agreed on the question of modernising the organisation to suit the present social set up in urban areas." (W 15.5.77)

## MAKGOTLA

Mr. Radebe said the Makgotla was formed in 1973 to fight crime in Soweto (W 15.5.77) He claimed that it had a membership of 6,000 and claimed "mass support" for its system of tribal discipline. Makgotla has three main strongholds in Soweto — Naledi, Mapetla extension and Phiri — all predominantly Sotho-speaking areas on the western fringe of Soweto. (RDM 17.5.77). A report in the *Weekend World* (5.6.77) claimed that the membership was only 1,600.

Members of the Nationalist Party have shown warm support for Makgotla. Dr. G. de V. Morrison, Nationalist M.P. for Cradock, said in a debate during the second reading of the Community Councils Bill that there was a great need in Black areas today to punish non-conforming juveniles. Parents who were unable to discipline their children took them to the Makgotla courts where uncontrollable young men were given hidings. (W 24.6.77)

Surveys conducted last year by the now banned *World* newspaper showed widespread antagonism to the Makgotla by Soweto residents. Anger was particularly directed against their public floggings, and the activities of the vigilantes, some of whom were alleged to bring witnesses to court hardly able to walk from being beaten en route. (WW 15.5.77) Other people interviewed said that organisations which had been formed to fight crime in the past had become notorious criminal gangs.

Former UBC member Richard Maponya told the *World*: "Makgotla means nothing but chaos. They have always failed in the past and were infiltrated by thugs in a sort of Mafia way. This is how the Msomi gang in Alexandra was born, and the Lethoba gang in old Sophiatown." This was after a UBC delegation met with Justice Minister Kruger to try to prevent the legalisation of Makgotla. (W 22.5.77)

At the moment it is unclear to what extent Makgotla supporters have been elected to the community councils. However, in Soweto, they have been appearing in the news again. Makgotla said that they would sjambok (whip) all girls under the age of 18 in the townships not indoors by 8 p.m. (RDM 12.1.78) In response to this the Assistant Commissioner of Police for Soweto, Colonel J. P. Visser, said that police would not "unduly interfere" with Makgotla plans. (Citizen 12.1.78) Mr. Siegfried Manthata, leader of Makgotla also said that boys who "force" girls to sleep at their homes would be

punished, together with their parents. (RDM 12.1.78)

## REMOVALS

All over the country removals in pursuit of apartheid are continuing. An article in the *Financial Mail*, entitled "Apartheid is Working", shows that in terms of reducing the number of Africans in white areas, the Government is achieving its aims. They quote authorities, who assert that between 1960 and 1970, the African population of white towns was actually reduced. (FM 17.2.78)

In late November removals and evictions from Johannesburg's Alexandra township began, in a plan to move men to single-sex hostels in City Deep mining compound. Many families are being broken up in these removals. (Post 11.12.77) By early December 680 men had been moved. (Post 4.12.77)

Also in December Bantu Administration Development (BAD) officials told 1,600 families on a privately-owned property in Steincoalspruit, 35 km. outside Ladysmith in Natal that they were to be resettled in the KwaZulu township of Ekukwukeni because their homes fall within a "black spot". (FM 27.1.78)

Estimates by the SAIRR put the figure for the number of Africans moved to the Bantustans between 1960 and 1970 (including families of rural squatters and labour tenants, "black spot" removals, township relocation schemes and persons endorsed out of urban areas) at 1.8 million.

According to official figures, a further 175,000 families (more than 1 million people) are still to be moved in terms of the 1975 Bantustan consolidation proposals. (FM 27.1.78)

## SQUATTERS

In January the Government continued the destruction of the squatter camps in the Western Cape. Last year Modderdam Road and Werkgenot camps were demolished. (see FOCUS 12, p.15-16)

By 20 January, the destruction of Unibel was completed, and 10,000 more people had been rendered homeless. Most of the evicted inhabitants are believed to have decamped and moved into the bush or to other shanty areas. A relatively small percentage took the government's offer of free rail tickets to the Transkei and Ciskei Bantustans. (MS 21.1.78)

## RENT RISES

Since the October bannings, the Government has also put through rent rises in Soweto, something it could not do earlier in 1977. Rent and service charges have now been increased. (Post 4.12.77) The Putco bus company also increased fares in Soweto by an average of 13%. (RDM 19.1.78)

# rhodesia ZIMBABWE

# POLITICAL TRIALS

## WHAT DOES THE "AMNESTY" MEAN?

The Smith regime announced on 20 January 1978 that it had launched a "safe return programme" for guerillas of the liberation movement who "wished to return to Rhodesia in peace". In an official statement, the regime revealed that in accordance with the ongoing settlement talks with the United African National Council, the African National Council (Sithole) and the Zimbabwe United People's Organisation, the security forces had been authorised some weeks previously to begin distributing surrender leaflets in the operational areas. These leaflets, which have been dropped in Mozambique and Zambia as well as inside Zimbabwe itself, are printed in English, Shona and Sindebele and entitled "Come home in safety." with the sub-title "Why die for nothing and leave your family spirits unappeased?" The text continues: "if you return in peace the security forces guarantee that your life will not be in danger". Guerillas are asked to hide weapons and equipment in a safe place and then, carrying a stick with a piece of clothing tied to it, go to the nearest military base, police station or district commissioner's office. Once in sight of the security forces, a surrendering guerilla should drop the stick and place his hands on his head to indicate his peaceful intentions. (GN/FT/T 21.1.78)

Although the regime's offer has been described as an amnesty, it is of a very one-sided nature. As on past occasions when such announcements have been made (such as during the "detente" period at the end of 1974) there is little to indicate that guerillas who surrender will not continue to be brought before the courts on charges under the Law and Order (Maintenance) Act, and hence face the prospect of the death penalty. In other respects the "amnesty" represents no more than an extension of existing practices. Captured guerilla fighters are believed to have avoided prosecution and trial by agreeing under interrogation to co-operate fully with the security forces. Some have been used as "show pieces" in the regime's psychological warfare campaign, and have been presented to villagers in the operational areas as examples of "terrorists" who have seen the error of their ways. Others are believed to have been given the option of joining units such as the Selous Scouts.

The regime maintains that substantial numbers of guerilla fighters are unwilling participants in the armed struggle or have become disillusioned with their leadership — it is these towards whom the "amnesty" offer is specifically directed as a means of persuading them to change sides.

The very limited nature of the regime's offer of "safe return" was in fact starkly illustrated at the time of the announcement by the execution of SIMON MPALA and LUTA DHLAMINI, both of whom had been sentenced to death on charges under the Law and Order (Maintenance) Act of recruiting for guerilla training. (See FOCUS 13 p.11; 14 p.18). In both cases, final petitions for clemency addressed to the Rhodesian president were rejected despite appeals on behalf of the men by Bishop Abel Muzorewa and Rev. Ndabaningi Sithole.

Simon Mpala, a member of the African National Council of Zimbabwe led by Joshua Nkomo, was sentenced to death in September 1977 by a Special Court in Bulawayo on conviction of recruiting four youths for guerilla training and acting as accomplice in the recruiting of a number of others. An appeal against both sentence and conviction was dismissed in November and a petition for mercy to the Rhodesian President, John Wrathall, presented in December, was rejected on 6 January 1978. The petition had been accompanied by letters signed by Bishop Muzorewa and Rev. Sithole, asking for clemency as an indication of the regime's good faith and sincerity during the current "internal settlement" talks.

Simon Mpala was born in Bembesi, north of Bulawayo, the son of a farmer. In 1977 he was living in Bulawayo, where he ran a radio and watch repair shop. He was married, with 11 children and a number of dependants. In his petition to the President, Mpala described his career as an active member of the African Presbyterian Church. He was due to be ordained as a Minister in October 1977. At the time of his arrest he had served for three months as an executive member of the Marisha branch of the ANC (Z), with responsibility for welfare matters and visiting the sick.

Luta Dhlamini, a cousin of Simon Mpala, was also sentenced to death by a Special Court in Bulawayo in September 1977 on conviction of recruiting one

person for guerilla training. His appeal was dismissed at the end of November and a petition for mercy forwarded to the President on 4 January 1978. The petition, which referred to the earlier letters from Bishop Muzorewa and Rev. Sithole, was rejected on or before 18 January.

Dhlamini, who lived in Tjolotjo and Lupane before moving to Bulawayo, was working as a factory operative at the time of his arrest. He had a wife aged 19 and seven children from a previous marriage.

It is quite probable that one or both of the men was executed on the Monday morning, 23 January, three days after the regime's announcement of the "amnesty". They are known to have been hanged before 10 February.

A number of other appeals against the death sentence are known to have been turned down while the "internal settlement" talks have been in progress in Salisbury:-

ISAAC GIDEON MUSANHI (23) and JOSEPH KABVURA (20), sentenced to death by a special court on conviction of murder and possessing arms of war, had their appeals dismissed on 24 November 1977. (RH 25.11.77; see FOCUS 14 p.17).

KENAANI NYATI (50), a branch chairman of the African National Council of Zimbabwe in the Wankie TTL, had his appeal dismissed on 29 November. Nyati had been found guilty by a Special Court of encouraging four people to go for guerilla training. (RH 30.11.77; see FOCUS 13 p.11)

Five people lost their appeals against the death sentence on 8 December, in a series of hearings before the Appellate Division in Salisbury. JOEL KHUMALO (23) and NDODA NDHLOVU (20) had been convicted by a Special Court in Bulawayo of murder and possessing arms of war. TARU NGOBENI (20), a member of a guerilla group involved in a major attack on the Ruda police base-camp in the Honde Valley, had been sentenced to death for possessing arms of war. KOKI NCUBE had been convicted by a Special Court in Bulawayo of recruiting 33 people, eight of them girls, and possessing arms of war. VALENTINE KUP-FUYAWANZA (22), a member of the Manicaland South province of the UANC, had been sentenced to death for murder, acts of terrorism and possessing arms of war. (RH 9.12.77; BBC 10.12.77; Drums of Zimbabwe, November 1977; see FOCUS 14 p.17)

In addition to those listed above, all of whom have previously been reported in FOCUS, a further two people are known to have been sentenced to death on charges under the Law and Order (Maintenance) Act:-

3 November 1977; Special Court, Bulawayo  
NICHOLAS NDHLOVU, who admitted in a warned and cautioned statement to taking part in various "acts of terrorism" in Bulawayo's African townships, was sentenced to death on conviction of murder and possessing arms of war. The court heard that Ndhlovu had undergone three months military training in Zambia before re-entering Rhodesia from Livingstone in a group of 40 guerillas. On arrival in Bulawayo the guerillas had visited various townships and beergardens. Ndhlovu admitted involvement in a number of robberies and in an exchange of fire at New Magwegwe Beergarden in which a man was killed. His appeal was dismissed on 17 January 1978. (RH 26.10.76)

9 December 1977: Appellate Division, Salisbury  
ENOCK MAGUMA (29), from Mtoko, had his appeal against a death sentence imposed by the Salisbury High Court, dismissed. He had been found guilty of encouraging three people from

Salisbury to go for guerilla training, by putting them in touch with a group of guerillas in the Mtoko area. (RH 10.12.77)

These two cases bring the total number of people known to have been sentenced to death on political charges since early 1975 to 121. 16 of these have been convicted since the publication of the Anglo-American settlement proposals in September 1977.

## SPECIAL COURTS

end October 1977: Kariba

Three officials of the United African National Council (UANC), led by Bishop Muzorewa, were sentenced to prison terms on conviction of recruiting for guerilla training. JOHN MUDYANADZINO, youth chairman for Mashonaland Province, was sentenced to 10 years; AMBROSE MAGANDA, 20 years; and TITUS NYIKADZINO, a member of the UANC national executive, 15 years. Evidence was led that the accused had been involved in transporting recruits to Mount Darwin (RH 3.11.77; *Drums of Zimbabwe, November 1977*).

In the same trial, the chairman of the Kariba youth branch of the UANC, JOACHIM TAKARUVA, was sentenced to death. (see FOCUS 14 p.17, where the Special Court in question was reported as being held at Karoi)

Bishop Abel Muzorewa,  
President,  
United African National Council  
cnr. Charter Road/Pioneer St.  
Salisbury.  
22nd December, 1977.

President of Rhodesia.

Dear Sir,

SIMON MPALA: PETITION FOR MERCY

My attention has been drawn to the fact that in September, 1977, Mr. Simon Mpala was convicted on "recruiting" under the Law and Order (Maintenance) Act and that his appeal against the Death Sentence was dismissed by the Appellate Division on 18th November, 1977. Mr. Mpala's Attorneys have informed me of the salient facts of the case.

I am the President of the United African National Council, which is one of the parties currently negotiating with the Government. My main reason in entering into these negotiations was to bring about an end to the war, which is raging in this country, and to help create a nation in which all races will be able to live together amicably.

As a leader of a party which has a large following, and as a person who has been involved in nationalist politics for a number of years, it is my opinion that the vast majority of the people of this country have a strong distrust of the purported aims of the present Government. This feeling is deep rooted and greatly hinders attempts being made to bring about a negotiated settlement. However, the Government has the power to break down the suspicions and to show its sincerity. I sincerely believe that one of the main ways in which it can do this is by stopping hangings for crimes committed in connection with this war. By doing this, it will greatly contribute to creating a climate of goodwill and trust, which is essential in order to bring about peace in this country.

Mr. Simon Mpala is not a member of my organisation. However, I have no hesitation in giving my whole-hearted support to his Petition for Mercy.

(Signed) BISHOP ABEL MUZOREWA

## OTHER CONVICTIONS

25 October 1977: Bulawayo Regional Court

Six people found guilty of attempting to leave Rhodesia for guerilla training, were sentenced to prison terms of three to six years. PETROS TSHALIBE (32) and VILLIOT VANASI (22), both of Bulawayo, were each sentenced to six years imprisonment, having been arrested in the Plumtree area adjoining the Botswana border. ANDREAS NKOMO (21) and an unnamed 18-year-old youth were each sentenced to three years; KEVIN MTOMBENI (19) to five years (two suspended); and a second unnamed youth, aged 16, to three years (18 months suspended). (RH 26.10.77)

3 (?) November: Salisbury High Court

WELLINGTON CHIKAUKAU (25), a cashier employed by Rusambo African Council in the Chimanda TTL in the north-east, was sentenced to 5 years imprisonment (4 suspended) for failing to report guerillas, with a further four month sentence for theft. He had been instrumental in enabling a guerilla group to steal council funds. (RH 4.11.77)

25 November: Umtali Regional Court

ELIAS NYAMADZAWO, employed as a compound policeman by Michael Glenny at Highlands Estate, Melsetter, was sentenced to a total of 21 years imprisonment for failing to report guerillas. The court was told that the accused had fed and accommodated a group of guerillas at the compound during August and September 1977. On 29 September, Nyamadzawo had been at Mr. Glenny's house when his six-month-old daughter Natasha had been killed by guerillas, who had also carried out other killings and robberies in the area (RH 26.11.77). His sentence was subsequently reduced (see below).

5-9 December: Regional Magistrates Court, Victoria Falls

Five people were sentenced to prison terms of from three to 12 years in a number of separate trials. KANDA DUBE was sentenced to 12 years for harbouring and assisting guerillas, and failing to report their presence. DEACON PHILOMON NCUBE received a prison term of six years (2 suspended); SIANGANDU SHOEMAKER NCUBE, a 68 year old kraal head, five years imprisonment; MANGILAZI SIKANDA and MINE LUMBALA, each sentenced to three years (two suspended). All four men were found guilty of failing to report guerillas. (RH 10.12.77)

8 December: Umtali regional magistrates court

JANUARY UZUE (65), the head chef at the Leopard Rock Hotel, eight miles from the Mozambique border in the Vumba mountains, was sentenced to seven years imprisonment (two suspended) on conviction of failing to report guerillas. Zuze, who had worked at the hotel for 45 years, was found guilty of sheltering guerillas in the hotel compound, and giving them food and blankets, on several occasions during the period August to October 1977. The guerillas had stayed in the compound for a few days on each visit, and given lectures to the hotel's African employees.

BASELEY (35) and DENIS MUSHONGA (35), both of whom lived or worked at Leopard Rock, were also given seven year prison terms for the same offence.

Shortly after the trial, the Leopard Rock Hotel (which like other tourist hotels in Rhodesia has been used to accommodate members of the security forces) was attacked by guerillas and damaged by rockets and small arms fire. (RH 10.12.77; GN 4.1.78)

12 January 1978: Salisbury

Two women and a man were each sentenced to between two and five years imprisonment for

failing to report guerillas involved in attacks in the Norton area, southwest of Salisbury, at the beginning of January (RDM 13.1.78).

17 January: Harari Magistrates Court

EDWARD ZULU (56), cook to the Tilley family at their home near Borrowdale, Salisbury, was sentenced to 10 years imprisonment for "falsely denying knowledge" of guerillas who had attacked his employer's home. 15-year-old Colin Tilley had been killed during the raid in an exchange of gunfire. Zulu, who came to Rhodesia from Malawi and had worked for the Tilleys for 13 years, had been interrogated for 9½ hours before admitting being present during the attack. (RDM 18.1.78)

The case of three members of the Roman Catholic Commission for Justice and Peace in Rhodesia, arrested in July 1977 in connection with the Commission's proposed publication of a report on the war, has been repeatedly remanded. The main charges under the Law and Order (Maintenance) Act had still not been formulated when the three accused, JOHN ANTHONY DEARY, the Commission's chairman, Brother ARTHUR DU PUIS, organising secretary, and Father DIETER BERND SCHOLZ, executive member, appeared before Salisbury Magistrates Court on 5 December 1977. They were further remanded for two months on 23 January 1978, on charges of publishing subversive documents. (RH 6.12.77) (see FOCUS 13 p.13)

## APPEALS

MUSA JINGURA (25) and SONNYBOY NYAKUDYA (19) had their respective prison terms reduced to four years (two suspended) and two years (one suspended), by the Appellate Division of the Salisbury High Court at the beginning of November 1977. They had been sentenced by a magistrates court to six and five years imprisonment respectively for failing to report guerillas to the authorities. The two men were living in Keep II, Chivashé TTL, when a group of guerillas set up camp nearby. (RH 5.11.77)

Two 18-year-old girls each sentenced by a Marandellas magistrates court to six years imprisonment (five suspended) for attempting to leave the country for guerilla training, had their sentences reduced to two years, all suspended, on 9 November. According to a statement of agreed facts the girls had decided to leave the country after their parents had refused to allow them to teach at Mtoko, and had discussed their plans with an uncle in Umtali. Meanwhile their parents had reported them missing to the police — action that was highly praised by the appeal judge. The court heard that the girls' parents were being ostracised by the community for having caused their daughters to go to prison by reporting them to the police (RH 10.11.77).

Seven men and an 18-year-old youth, sentenced to 12 months imprisonment for being apprehended in a "no-go" area had their sentences reduced to six months (three suspended) on review in the High Court. Four of the accused, MABVIRAKARE, FUNDIKAYI, RWAVAPANO, and SIMION, had been arrested after entering a "no-go" area on Devuli Ranch, near Bikita, to retrieve the body of a relative shot dead by the security forces and left lying in the bush. (RH 10.11.77)

HENRY SIPO SIMANGO (phonetic) a headmaster sentenced by a magistrates court to five years imprisonment for failing to report guerillas, had two years of his sentence suspended on appeal in January 1978. (BBC 26.1.78)

On 6 February, the 21 year sentence imposed on ELIAS NYAMADZAWO (see above) was reduced to 15 years on the grounds that the higher sentence was beyond the powers of the regional court which imposed it. (BBC 9.2.78)

## REFUGEE EXODUS

Welfare organisations in Salisbury, Bulawayo and other Rhodesian towns are finding themselves increasingly unable to cope with a flood of African refugees from Zimbabwe's war zones. Many have fled from protected and consolidated villages and from encounters with the security forces, and arrive in the urban areas totally destitute, often having been on the road for many weeks during the rainy season. Some may find accommodation — illegally — with relatives living in the urban townships, but for hundreds of others, squatter encampments, nicknamed "plastic towns", are the only alternative. While no accurate figures for the numbers of homeless are available, the fact that in 1976, around 15,000 Africans living in a squatter camp at Derbyshire Quarry, close to Salisbury's white southern suburbs, were removed by the authorities, gives some idea of the scale of the problem.

Information about one particular group of refugees, living as squatters in Harare Market Square, Salisbury, has been obtained from a welfare agency who carried out a survey of the situation in December 1977. At that time, 25 men, 60 women and 100 children were living in the Square, mostly in flimsy structures of plastic sheeting supported by sticks. Some used wood or cardboard boxes. Most of these "homes" had to be

dismantled each morning and put up again at night, to avoid being evicted from the square by the municipal authorities. The families cooked and ate in the open air and used three public toilets as combined toilet and laundry. Most possessed few and very inadequate cooking pots and were desperately in need of sleeping mats and blankets.

Out of 53 people interviewed, 23 had left their homes as a direct result of the war. 13 had fled to Salisbury after the protected village in which they were living in the Mtoko area had been attacked and destroyed by guerillas. They had been harassed by the security forces and forbidden to return to their old homes — most of which had in any case been destroyed when the residents had been removed into protected villages. The refugees had hidden in the hills and kopjes before coming to Salisbury.

Eight of those interviewed said that they had had to flee because of the behaviour of the security forces. One elderly man told how his son had been tortured and then killed by troops; the husband of a young woman had been shot dead by the security forces after their home and granary had been destroyed by "terrorists"; others suspected of harbouring guerillas had had their homes burnt, or relatives killed.

Other squatters had failed to find jobs

after coming to Salisbury to seek employment up to two years previously; some had been deserted by their husbands or were widows. 18 of those interviewed were farm labourers who had been dismissed by their employers — an indication, perhaps, of the number of white farmers who have had to run down their estates or even abandon them completely under pressure from guerilla attacks.

All the men in the encampment had tried to find work in Salisbury, without success. Some men made mats and baskets for sale while others sold firewood, clothes, fish, herbs and sweets at a small profit. Their average earnings were R\$1 a day; those of the women, selling vegetables, tobacco etc. about 30 to 40 cents.

Under the Smith regime's discriminatory land tenure laws, Africans who are not lawfully residing in an urban area can be expelled by the authorities. While the regime seems to have been forced by the sheer numbers of refugees and unemployed now living in the urban areas to adopt a relatively more tolerant attitude towards the "plastic towns", many wives and children who have in recent months sought refuge with their husbands in the servants' quarters of white homes have been evicted, fined and sent back to protected villages by the municipal inspectors. (It is illegal under the African (Urban Areas) Accommodation and Registration Act for the family of an African domestic servant to live with him or her in a white residential suburb without official permission — which is rarely granted). (RH 23.8.77; SM 31.7.77)

According to the International Committee of the Red Cross, there are now 1,555,000 refugees from the war in Zimbabwe and other countries in Southern Africa (T7.3.78)



A protected village that has been destroyed in an attack by guerilla fighters.

### DETAINEES

The continuing spate of arrests and detentions without charge in Zimbabwe has been reflected in harsh conditions at prisons and detention camps throughout the country. Virtually every town and local centre now has its own detention section and according to Christian Care, a relief organisation based in Salisbury and Bulawayo, many of these impose severe restrictions on visiting. At Wha Wha, the regime's largest detention camp outside Gwelo, accommodating at least 600 political detainees, relatives and friends are no longer allowed face to face

contact with prisoners but must speak to the men through diamond mesh wire.

Under the Smith regime's security laws, it is forbidden to publish the name of any detainee in Zimbabwe. In December 1977, the *Rhodesia Herald* reported that an unnamed "senior member of the People's Movement" (the organisation of ZANU-Patriotic Front inside the country) had been detained under the emergency powers. Following the regime's total ban on all mention of the Patriotic Front (see *NEW PRESS CONTROLS*) even this type of announcement has been rendered illegal. (RH 7.12.77)

### LETTER FROM A DETAINEE'S WIFE

January 1978

"May I inform you of the predicament in which I find myself. I am married with six children and seven dependants to care for.

My husband has suffered spells of detentions and restrictions ever since 1964...In July 1975 he was taken to Gwelo Prison after they had failed to trump any charges against him.

As I write you my husband is detained without any trial for they have nothing to try him for. As you can see the period my husband has been roughed up to the authorities has been long.

At each stage we poured in all the little that we had on legal representation to no avail. Now I am left completely destitute with no chances whatsoever of finding any means of livelihood.

The place where I am...there are curfews, we can't herd cattle nor can we plough safely, furthermore the place has suffered from drought for some past. Our cattle are either dying or straying. We have nowhere to go. Children have been kicked off school for non-payment of school fees as I have no money to pay with. When we think of simple food it is as if we are thinking of luxury; starvation is daily crouching on us."

# NEW PRESS CONTROLS

All information about the armed struggle in Zimbabwe, other than that contained in official communiques, court records or proceedings of the Rhodesian parliament, has now been suppressed by the Smith regime under stringent new press censorship controls introduced in January 1978. The regulations, which carry penalties of a R\$1000 fine, one year's imprisonment, or both, apply to foreign journalists as well as to their Rhodesian counterparts. All material relating to the liberation struggle and the regime's security measures, intended for publication abroad, must now be approved in advance by the Rhodesian Ministry of Information. (Up to the end of 1977 foreign correspondents were obliged to submit news copy for official scrutiny only if the material had been gathered on assignments given prior military approval, notably sponsored visits to war zones and military bases. Access to official briefing sessions had also been made conditional on the journalist agreeing to have his copy inspected by the authorities. See *FOCUS* 13 p.13) (FT/T 9.1.78)

In practice, given the all-pervading nature of the war, it would appear that virtually all reporting from Zimbabwe is now, at least potentially, subject to the official censor.

The new regulations, published on 7 January in an Extraordinary issue of the Government Gazette (No. 7A of 1978), add a new section to the Emergency Powers (Maintenance of Law and Order) (Amendment) Regulations. The section, headed "Publication of information relating to terrorism", specifically prohibits the communication, publication or dissemination, "for the purpose of publishing news by radio, television or writing", of any information which "relates or purports to relate directly or indirectly to (a) Any measure or act of any description whatsoever of the security forces or the Government for the purpose of combating or suppressing terrorism or reducing the incidence thereof within Rhodesia; (b) The commission of any act of terrorism or sabotage." The regulations specify four types of information to be excluded from this blanket ban; namely: (a) official government press statements or communiques; (b) court proceedings (where these are not held in camera or otherwise subject to legal restriction); (c) Parliamentary proceedings; and (d) where the information has been authorised by the Minister of Information, Immigration and Tourism after consulting the Minister of Combined Operations. (SM 8.1.78)

In an official statement, the regime explained that the new measures had been necessitated by a number of recent breaches of the existing security clearance procedures for material intended for publication or broadcast. In an apparent reference to the release by the Associated Press news agency of details of security force atrocities compiled by U.S. journalist Ross Baughman, a spokesman complained that "matters which can be described as military secrets and which could be to the

detriment of our national security and the safety of our servicemen are being published openly" (See *FOCUS* 14 p.19-20).

A fortnight after the publication of the new censorship measures the Smith regime moved to tighten them even further by imposing a total ban on the publication of any news or comment on its recently announced "safe return" policy for nationalist guerillas. (See under *WHAT DOES THE "AMNESTY" MEAN?*) The regime's Deputy Information Minister, Andre Holland, indicated that this apparently contradictory decision had been taken at the request of the military authorities and to enable those guerillas who wished to respond to the "amnesty" offer to do so freely. There has been speculation in the British press that the episode in fact reflects unresolved disagreements within the white establishment over the correctness of the amnesty offer and indeed the "internal settlement" strategy as a whole. The reporting ban will presumably assist the regime to focus domestic and international opinion on the "internal talks" in Salisbury, and hence to promote the notion that they, rather than the armed liberation struggle, are currently the main vehicle for change in Zimbabwe. (Tel/GN 23.1.78)

In a further move to suppress news of the liberation forces actually fighting the war, the regime has since banned the reporting inside Rhodesia of any statements by, or even mentions of, the Patriotic Front of ZAPU and ZANU and its supporters inside the country (i.e. the African National Council of Zimbabwe and the People's Movement). (The foreign press, however, is not affected by this ban). (FT 28.1.78)

## NEWS OF ARMED STRUGGLE DISTORTED

An eye witness account has been obtained from a reliable source of a battle between Rhodesian security forces and guerillas, in which seven African civilians were killed. The battle, which took place in the eastern region at the end of 1977, was reported in a communique issued by the regime's Combined Operations H.Q. as: "security forces have killed four terrorists and seven collaborators." The detailed account which follows is a telling commentary on the extent to which the regime has suppressed the real facts of the situation inside the country. (Personal names and other details have been omitted).

"On Thursday a group of the Boys arrived in the village in the early hours of the morning. The village is only 4 km. from my home. It is where most of my relatives live.

"At about 11.45 the army had encircled the village and the airforce began to reinforce the ground force and firing began from both the air and ground forces and there was bombing from the air.

"There was terrible panic in the whole village. People were running in all directions as both sides began to attack each other. In less than ten minutes most of the people in this crowded village had

managed to hide themselves in their huts.

"As more and more soldiers were brought into the village by a big aeroplane the firing began to grow more dangerous for all in the village. It became impossible for anyone to go out. The soldiers found it difficult to get close to the heart of the village where the Boys were.

"The battle was on until about 5.35 p.m. when the last shot was heard, and the two helicopters left at 5.40 p.m.

"After the battle we found five people who lived in this village dead — three girls, one man and one baby, and also one young man from a nearby school and an old man who was passing by at the time of contact. The total number of civilians killed was seven.

"In hospital are three people. Mrs. M. is in hospital with bullets in her neck. Her baby was shot dead on her back. These four were shot by the soldiers in their huts. Two people were shot outside their huts.

"Silas' house was completely destroyed. The kitchen was burnt and the bedrooms and sitting room had all the windows and doors broken or burnt and nearly all that he had worked for for many years had been destroyed. He has lost all of his life's savings.

"I personally went to the police station

in an effort to identify and collect the dead from our village only to be told that they had been taken to A. . . . . for cremation. This horrified us. We asked why and were told that we had reported rather late. They told us that they had been asking people to come and identify and collect their dead.

"This was untrue because they knew where they had killed and collected the dead. But when we had to go to A. . . . . we discovered to our horror that the dead were being buried at B. . . . ., in a mass grave. A 'bulldozer' was used for this purpose.

"The other thing that terribly disturbed us was that the dead were displayed outside naked and people asked to go and see them. It was then difficult to recognise them because some had their faces completely destroyed and they were naked.

"It is unthinkable in our culture to ask people to look at people who are dead. This is a way to try and show their might and instill fear in us in a horrible manner. In our culture we don't show disrespect to a dead man! No man should handle a dead man disrespectfully.

"The people in the TTL have no protection from either army or the Police Force. Both seem to be the enemy of the people!"

## AFRICANS IN THE SECURITY FORCES

Recent developments in the Rhodesian security forces seem calculated to give the army and police a more acceptable "multi-racial" image while leaving the white command structure and mode of operations unchanged.

In terms of an amendment to the National Service Act published in the Rhodesian Government Gazette on 10 February 1978, African trade apprentices over the age of 16 have been made liable for national service from January 1979. They will be the second group of Africans to be conscripted by the regime — a number of African doctors have already been called up for service under regulations published in August 1977. (see *FOCUS* 13 p.10)

According to the regime's Minister of Manpower and Social Affairs, Rowan Cronje, the new regulations will affect all Africans who have entered into apprenticeship contracts since November 1977 — about 220 in all. They have been given 30 days in which to register, although their call-up for phase one nation-service will not take place until January 1979 at the earliest. (GN/T 10.2.78); *BBC* 11.2.78)

Apart from extending conscription, the regime has expended considerable effort in recent months on recruiting additional African volunteers into the regular army, primarily the Rhodesian African Rifles, and the British South Africa Police. A special recruiting drive was launched by the BSAP in Bulawayo, in October 1977, for example, while in the army, the training programme for African troops has been cut from six to three months to accommodate the large numbers of volunteers said to be coming forward. (*Star* 5.11.77; *Tel* 18.11.77)

The regime has always pointed to its African security forces as evidence of lack of popular support for the armed liberation struggle; in fact, there is evidence that a strong element of press-ganging may be involved. According to one commentator, "young African men with urban jobs need a detailed letter from their employers to avoid being coopted into the depleted labour force of the district commissioner (ie. the Ministry of Internal Affairs, whose African employees include armed district assistants and district security assistants) while on leave in the rural areas. There are few African males of fighting age left in the reserves and these need to be able to show, to either side, a very good reason for being there." (GN 23.12.77)

Shortages of white conscripts due to emigration are a further factor tending to increase the proportion of black: white

members of the security forces. Undermanning is believed to be particularly serious in the territorial companies of the Rhodesia Regiment. Nevertheless, African troops remain a small minority of the security forces as a whole — probably between 10 and 15,000 men out of a total strength of up to 111,550 regulars, conscripts and volunteers. (see *FOCUS* 13 p.9-10)

There have been further moves to integrate the army and police on a racial basis through the introduction of joint training programmes, shared messes and accommodation etc.

### MERCENARIES

More than 11,200 foreign nationals are now fighting with the Rhodesian security forces, according to the Patriotic Front of ZAPU and ZANU. Joshua Nkomo revealed to a press conference in Lusaka in February that the information had come from a "co-operative Western source". The mercenaries included 4,500 South Africans, 2,300 Americans, 2,000 British, 1,000 French, an unspecified number of West Germans and Portuguese, and 600 Israeli commandos. The bulk of this force was stationed in the Zambezi Valley, in anticipation of a major offensive by guerillas of the Patriotic Front, stationed in Zambia. (GN 7.2.78)

100 former members of the French Foreign Legion have been reported to be fighting as a special combat unit within the Rhodesian army, on standard army pay but with an added bonus credited to foreign bank accounts. The legionnaires are believed to have been formed into a separate unit of the Rhodesian Light Infantry following their arrival in Rhodesia in November 1977 under the command of two majors. According to the London *Sunday Times*, the Smith regime had sought the French General Staff's permission to recruit legionnaires at the end of their service, but had been turned down. Recruiting for French mercenaries has however been organised from a clandestine base at Lyons for at least a year. (GN 1.2.78; *ST* (Lon) 5.1.78)

Recruiters for the Rhodesian security forces are known to be active in many Western European countries and the U.S. The American mercenary magazine *Soldier of Fortune*, for example, reported in January that more than 150 men were currently awaiting security clearance in Britain before travelling to Rhodesia to work as guards on the farms affected by cattle rustling. (see *FOCUS* 12 p.6) An article by an American employed, along with two other US citizens, as a "range detective" on a white farm near the Mozambique border has appeared in a subsequent issue. (*Soldier of Fortune* January/March 1978)

### DEFENCE SPENDING

The development of the armed struggle has forced the Smith regime to allocate a further £7.6 million for security and other war-related expenditure during the current financial year — an increase of the order of 3% of the existing security budget. Under the terms of a supplementary budget presented to the Rhodesian House of Assembly on 14 February, total public expenditure is to be increased by £32 million, the largest items being a £13 million increase in agricultural subsidies and a further grant of £12 million to the Rhodesian Iron and Steel Company. (FT 15.2.78)

### SELOUS SCOUTS

Detailed information obtained by ZANU (Patriotic Front) from a captured member of the Smith regime's security forces tends to confirm the widely held belief that the Selous Scouts have been responsible for numerous atrocities against the African population. Wonderful Mukoyi, aged 18, was interviewed in a ZANU guerilla camp by a correspondent of the official party organ, *Zimbabwe News*. His story is a precisely detailed one, and the incidents described, notably the massacre of Zimbabwean refugees at Nyadzonia in Mozambique in August 1976, can be matched by communiques issued by the regime and other contemporary press reports.

Prior to joining the Selous Scouts, Mukoyi was a member of a grade 7 class of 40 pupils at Mupamombe Primary School, Gatooma. In November 1975, the class, who had nearly completed their final examinations, was addressed by a representative of the security forces. The students were ordered into a military truck and driven to Llewellyn Barracks, Bulawayo, where they were told that they were to start military training as special anti-guerilla units, or Selous Scouts. An officer whose name was given by Mukoyi as Aiden Dereck explained to the class that their assignment after training would be to infiltrate among the rural population by posing as guerillas, and to punish those found to be sympathetic towards the armed struggle.

The "special" military training took three months, during which the students were taught to use Chinese semi-automatic rifles and AK 47 Soviet sub-machine guns, hand grenades, mortars and rocket launchers. In February 1976, Wonderful Mukoyi and two others were taken to Inyanga Barracks, in the eastern region, where they were instructed to join a ten-man section of the Selous Scouts. In mid-March, the section was assigned to the Chikore area. Incidents in which Mukoyi was involved included:

- March 1976 — a 13 man section of the Selous Scouts, including Mukoyi, interrogated Mr. Nyadiriri of Nyadiriri Kraal, Chikore, on suspicion of being a guerilla sympathiser. He was then shot dead and his body left lying in the centre of the village. Relatives were ordered not to weep for the dead man on pain of death.
- 28 July 1977 — the same band of Selous Scouts shot Mr. Nyarumbi at Hwesa Inyanga on the Mozambique border, crippling him for life. His wife's right ear and lips and two fingers from the right hand, were cut off and roasted. Mr. Nyarumbi was forced to eat the "meat". According to Mukoyi the Selous Scouts had suspected that food was being prepared in the village for the guerilla forces.
- 20 July 1977 — Mr. Manyengavana, of Manyengavana Kraal near Inyanga Ruangwa Camp, suspected of being a guerilla sympathiser, was forced to eat his wife's roasted fingers and lips.

Mukoyi further supplied a detailed description of the massacre of Zimbabwean refugees at Nyadzonia camp, Mozambique, in August 1976 (see *FOCUS* 6 p.11). 90 African troops took part in this "special mission" of whom 40, including Mukoyi, were Selous Scouts; 50 whites and 10 coloureds. They were instructed to kill everyone at the camp. *Zimbabwe News*, 9 nos. 5 and 6, July-December 1977)



# MILITARY ENTRENCHMENT

South Africa has indicated its willingness to the five Western governments involved in negotiations for Namibia's independence, to make some reduction in the number of troops stationed in the territory. Developments inside Namibia, however, suggest that this may be little more than a negotiating stance. As previously reported in *FOCUS* (No. 14 p.1) there is evidence that the South African military presence in Namibia has been expanded while the talks with the Western powers have been in progress. According to SWAPO, who received confidential information from a source within the South African Defence Force, large numbers of tanks and quantities of ammunition have been transported to Namibia, and strategic roads on the Namibia/Angola border have been mined, in preparation for a "big push" planned for mid-1978. 3,000 troops were reported in January to be waiting in Bloemfontein to be flown to Namibia. Those already on the border have been warned by the acting head of the Defence Force Lt. Gen. Constandt Viljoen that 1978 will be their toughest year yet. (SWAPO Dept. of Information, press release L/873/3, Lusaka, 29.1.78; S. Ex. 25.12.77)

Civil construction companies in Windhoek have confirmed that much money is being spent by the South African government on the expansion of military bases and airstrips in the north of Namibia. In Windhoek itself, one of the most modern office complexes in the city, Enke Haus, has been purchased by the SA government to serve as a new headquarters for the SWA Command of the SA Defence Force, the old Eros HQ at the suburban airport having become too limited. A further 40 houses are reported to have been bought in Windhoek for senior military personnel, while a large tract of land four miles south of the city has been allocated by the Windhoek municipality to accommodate a new army headquarters. (FT 9.12.77, 8.2.78)

It is clear that one of the factors underlying the annexation of Walvis Bay in August 1977 (see *FOCUS* 13 p.15) was South Africa's intention to expand the enclave as a strategically located military base. In addition to the 2 SA1 Battalion Group house at Rookop, south of the town of Walvis Bay, defence headquarters in Pretoria announced in October 1977 that members of the Citizen Force (S.A. Navy) would leave for Walvis Bay from 1

November to activate the dormant Naval Command and control facilities in the enclave. (WA 28.10.77)

## TRIBAL ARMIES

Warnings from SWAPO that the South African government is training Namibians to fight their fellow countrymen have already been put into effect. The "tribal armies" being built up by the South African Defence Force as the basis of an independent Namibian army are known to have been deployed in action against SWAPO guerillas in the north of the country. A Defence Force spokesman told military correspondents on 20 February that a patrol of the Ovambo Battalion had shot and killed four "insurgents" in an early morning battle on 14 February. (WA 21.2.78)

Recruiting for all tribal units is reported to have been suspended with effect from 15 February 1978, on the grounds that they are now up to full strength and ready to move into a final phase of operational training. Speaking on SA TV on 8 January, the Officer Commanding SWA, Maj. Gen. Jannie Geldenhuys, said he felt confident that Namibia would be able to provide her own basic defence force manpower needs in the next few years. (WA 9.1.78) (According to a statement in July 1977 by Commandant J. T. Louw, officer in charge of "tribal armies", an initial intake of up to 160 men were to be trained from each "population group", making a total, assuming that these recruiting levels have been reached, of 1,600 troops). (See *FOCUS* 12 p.7)

## SWAPO SUPPORTERS ATTACKED

Riot police reinforcements were flown to Windhoek from South Africa during the first week of March in the wake of a series of violent clashes in the black township of Katutura. Ten people are reported to have died and more than 100 injured during street battles, involving axes, knives, stones and shotguns, between supporters of SWAPO and the Democratic Turnhalle Alliance (the political party based on the delegations to the Turnhalle talks and led by the Turnhalle chairman, Dirk Mudge). As in previous incidents of this kind, the police appear to have played a partisan role and, according to SWAPO, to have made little attempt to restrain the mainly Herero attackers from the DTA. (see *FOCUS* 14 p.4)

One consequence of the situation has been a decision by the Windhoek City Council to set up its own industrial commando unit, to be responsible for the protection of municipal property, traffic control and other "relevant services" during riots. Municipal officials at the Katutura Welfare Home, a reception centre for migrant workers, are also to be provided with firearms. On 1 March, five Africans in Katutura were wounded when a municipal officer fired

birdshot at them — allegedly to disperse a mob who were "descending" on him. (WA 2.3.78)

There have been further incidents of attacks on SWAPO supporters in the north. A SWAPO rally of 1,000 people at Katima Mulilo in Eastern Caprivi was dispersed by South African police and troops at the beginning of February after the meeting had been disrupted by local supporters of the Democratic Turnhalle Alliance. About 40 DTA supporters were reported to have crammed into two landrovers

and "repeatedly broke up the meeting by driving recklessly into the crowd". (WA 6/7.2.78) Stone throwing and fighting erupted, a SWAPO banner was slashed, and shots fired into the air. Several SWAPO supporters were subsequently arrested and detained overnight. SWAPO's National Treasurer, Tauno Hatuikulipi, further reported that his car had been attacked by DTA supporters who were known members of the Caprivi Battalion, the local "tribal army". (WA *ibid.*)

Attacks on SWAPO supporters are also reported to have occurred in Otjiwarongo, Omaruru, Okakarara and Khorixas. (MS 8.3.78)

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# THE CANCER OF TORTURE

Detailed evidence in the form of sworn affidavits and accompanying medical reports of torture and assault by the South African security police and army in Namibia, has been published by church organisations in Windhoek and London, and by SWAPO. In Namibia the material was banned as "undesirable" by the South African government, within two days of its release.

The 13 affidavits (previously reported in *FOCUS* 14 p.1-2), had been submitted to the Windhoek Supreme Court in December 1977, in support of an application by Franciscus Petrus for an interim order restraining the security police from assaulting his detained son, Bernadus (see *DETAINÉE RELEASED*). On 19 January they were released in Windhoek in the form of a 62 page booklet by Father Heinz Hunke, the Father Provincial of the Irish Order of Mary Immaculate of the Roman Catholic Church, and Justin Ellis, an Anglican layman on the staff of the ecumenical Christian Centre in Windhoek and part-time correspondent for the BBC in

London. In an introduction to the booklet, which is entitled "*Torture - A Cancer in our Society*", Hunke and Ellis point out that if the allegations contained in it are true, then the present South African administration in Namibia, "which legitimizes itself as Western, democratic and Christian, is just another form of ill-concealed barbarism". (*ibid* p.5). They maintain that, contrary to recent statements by the SWA Administrator General Justice Steyn (see *FOCUS* 14 *ibid*), torture is an institutionalised practice in Namibia and is in fact "proliferating". In a reference to the failure of Steyn and the South African authorities, despite frequent appeals from the church, to undertake a thorough investigation, the authors conclude: "It would seem to us to be a folly to hope for a peaceful solution to this country's problems while such a fundamental issue remains unresolved". (*ibid* p.16)

Two days after its publication, on 20 January, the booklet was banned by the Director of Publications in Cape Town and deemed "undesirable". The order,

which is applicable both to Namibia and South Africa regardless of Justice Steyn's purported status as the highest authority in Namibia during its transition to independence, in effect suppresses the records of a public hearing before the Windhoek Supreme Court. (*IWA/RDM* 24.1.78)

In a statement issued on 1 February, Steyn rejected the idea of a judicial commission of inquiry into torture allegations as "unnecessary at this stage". He suggested that affidavits such as those reproduced by Father Hunke and Justin Ellis should not "simply be accepted as the truth, experience having taught that even in courts of law such allegations are often falsely made under oath; neither should they however be summarily rejected as false." (*IWA* 1.2.78)

"*Torture - A Cancer in Our Society*" has since been released in Lusaka by SWAPO and re-published in London, for circulation in the UK and elsewhere, by the Catholic Institute for International Relations and the British Council of Churches.

## DETAINÉE RELEASED

The chairman of the SWAPO Youth League in Windhoek, Bernadus PETRUS (21) was released in February after being held in solitary confinement for nine weeks without charge. Petrus was arrested in Ovamboland on 2 December 1977, together with ten other SWAPO officials and members. While his colleagues were held under new security legislation introduced by the SWA Administrator General, Justice Steyn, and released after a few days, Petrus was detained under Section Six of South Africa's Terrorism Act, on the orders, according to SWAPO, of Justice Steyn himself. (*IWA* 16.2.78; see *FOCUS* 14 p.2)

In a statement issued in Windhoek by SWAPO's Administrative Secretary Axel Johannes, Petrus was reported to be undergoing medical treatment following assault and torture by the security police. An application brought

before the Windhoek Supreme Court by the detainee's father, Franciscus Petrus, for an order restraining the police from interrogating Bernadus Petrus in "any manner other than that prescribed by law" assaulting him or giving him electric shocks, had been repeatedly refused on the grounds that there was insufficient evidence of any ill-treatment. Leave to appeal against the Supreme Court's decision was finally granted by the Appeal Court in Bloemfontein at the beginning of February however, shortly after the publication of "*Torture - A Cancer in our Society*" (see *THE CANCER OF TORTURE*; *RDM* 4.2.78; *WA* 7.2.78). Petrus was released a few days later.

As an active student leader in Namibia, Bernadus Petrus has suffered police harassment and assault before. At the end of 1976 he was arrested in connection with petrol fires at the Augustineum Training College at Windhoek and appeared before the Regional Court on charges

of arson. Evidence was subsequently published that he and at least one other student arrested with him had been given electric shock treatment and assaulted by the security police. (see *FOCUS* 9 p.16 and 10 p.17).

## POLITICAL TRIALS

### Victor Nkandi

The trial of Victor Nkandi (29) a prominent SWAPO member, has been further postponed in the Windhoek Supreme Court to 4 May 1978. Nkandi, who is charged under the Terrorism Act with complicity in the assassination of the Ovamboland Chief Minister in August 1975, was due to appear in court on 1 March. He has been held in solitary confinement in Windhoek since the adjournment of the trial in December 1977, although permitted to see his lawyer and visitors. During the total of 30 months that he has been in South African police custody, Nkandi is believed to have been assaulted and given electric shock torture. (*IWA* 1.3.78) (see *FOCUS* 14 p.5)

### Peter Manning

A white member of SWAPO, Peter Manning (31), is believed to have been charged under South Africa's Official Secrets Act after being held in detention for two months. He is due to appear in court in Windhoek on 11 April.

Manning, a South African citizen who has been employed on a voluntary basis in the SWAPO Publicity Department in Windhoek for the past two years, was arrested outside his home in the city by security police on 9 January. The police then searched the house for about seven hours and took away a number of papers and documents. Manning was detained for interrogation under Section Six of the Terrorism Act. (*IWA* 10/12.1.78; *RDM/GN* 11.1.78)



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