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## MORE DEATH SENTENCES

The trial in which five men and one woman were sentenced to death in December by the Pretoria Supreme Court, was one of many trials in which people have been charged with murder, public violence and subversion, as a result of community resistance to apartheid in the form of attacks on police and others involved in the enforcement and administration of apartheid.

Those condemned to death on 13 December in Pretoria were Oupa Moses DINISO (30), Duma Joshua KHUMALO (26), Francis Don MOKHESI (28), Reid Malebo MOKOENA (22), Theresa RAMASHAMOLA (24) and Mojalefa Reginald SEFATSA (30). Along with two others (see *POLITICAL PRISONERS*) they were also found guilty of subversion, for which they were sentenced to eight years' imprisonment. All the accused pleaded not guilty to the charges and an application for leave to appeal against both conviction and sentence has been made by the defence lawyers. (S 10.1.86)

The first hearing was on 5 September 1985, a year after the killing of a community councillor, Kuzwayo Jacob Dlamini, the deputy mayor of Sharpeville, who had played a prominent role in the apartheid regime's administration of Lekoa, a grouping of six African townships, including Sharpeville, Sebokeng and Vereeniging, which lies to the south of Johannesburg, in the area known as the 'Vaal Triangle'. (FOCUS 62 p.9)

The scale and intensity of popular resistance in this area in the months before Dlamini's death on 3 September 1984 reflected the extent of opposition to the regime's supposed 'reform' of the apartheid system.

The formation of the first of the regime's new Black Local Authorities in January 1984, to replace the 'community councils' in African townships, depended on the collaboration of a small sector of the population in the townships. Their function was twofold: to obscure

the regime's responsibility for the deprivations of township life and to organise more efficient ways of extracting the costs of township administration from the African residents at a time when they were already hard-pressed by rising prices, cutbacks and economic recession. (See *Briefing Paper No. 15, 'Repression and Resistance in South Africa'*)

The announcement of rent and tax increases by the new councils produced an unprecedented response. During demonstrations by thousands of township residents the homes of councillors, officials and policemen were attacked and at least five councillors and 27 policemen were killed, including Dlamini.

Ten trials known to be in progress and eight others about which there were no recent press reports give cause for concern in the light of the Pretoria sentences.

A second Lekoa town councillor, Jacob Tshakane, was killed in the unrest of 3 September 1984. Five men aged from 21 to 31 and a 16 year old minor, all from Sebokeng, appeared before Oberholzer magistrates on 18 November charged with his murder. The hearing was due to be resumed in the Pretoria Supreme Court on 3 February. (Star 19.11.85)

On 17 December at least 21 Mamelodi residents appeared before a Pretoria magistrate charged with the murder of a policeman whose body was found near the township on 10 December. Six days later 19 youths were accused in the same court of the murder of another policeman in October. (Star 12/24.12.85)

The trial of three Muslims in the Cape arrested after the killing of a policeman during a funeral at Salt River in September (FOCUS 62 p.9), was postponed when the president of the Muslim Judicial Council, Sheikh Abdul Gamied GABIER, refused to give evidence for the state. The hearing of charges against him under the Criminal Procedure Act was adjourned to 17 February. (DD 20.12.85)

On 10 December 2,000 residents of the Kwanobuhle township in the Eastern Cape sang

and chanted their support for ten people accused of killing the Uitenhage councillor and former mayor, Benjamin Kinikini, and five others on 23 March 1985. Armed police and soldiers guarded court officials as they visited the scene of the deaths. The Grahamstown Supreme Court was due to resume its hearing of the case on 17 February. (DD 11/12.12.85; Star/CT 11.12.85; City Press 15.12.85)

Twelve residents of Zwide, including five youths aged from 12 to 17 years, appeared before New Brighton magistrates on 8 December charged with the murder of two policemen four days earlier, while the case against Edgar NGOYI, the Eastern Cape regional president of the UDF and nine others who were accused of killing a policeman in Kwazakele on 8 June 1985 was due to be continued on 16 January. (FOCUS 61 pp.5/6; DD 9/25.12.85)

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# STATE OF EMERGENCY

# South Africa

At the beginning of 1986 emergency regulations promulgated by the regime in July 1985 still applied in 30 magisterial districts, having been lifted in eight of the 38 districts where it formerly applied. However, by January 1986 the regime had used powers under various 'security laws' to impose emergency-like conditions on the whole country, including areas not directly under the emergency regulations.

Resistance to apartheid and to the emergency continued in most parts of the country, increasingly taking the form of consumer and school boycotts. In response, sweeping new powers were granted to army personnel operating in areas of unrest and bans on the holding of meetings by a wide range of organisations were imposed. The number of deaths and detentions as a result of police and army actions continued to rise.

## SADF POWERS EXTENDED

Wide-ranging powers have been extended to SADF personnel, allowing them to search and seize articles and in some cases detain people and disperse crowds in any unrest situation. The regulations give to soldiers powers previously held only by police in emergency areas.

The regulations were promulgated in mid-December in terms of the Defence Act. While the SAP and SADF already have broad powers in areas under the State of Emergency, the new measures extend the powers of the SADF in any part of the country where they are suppressing unrest, engaged in counter-insurgency activity or maintaining law and order.

Provision for the implementation of the regulations has existed at least since 1984 when the Defence Act was amended, but this is the first time that regulations have been issued to give effect to the legislation.

In situations where the SADF is involved in containing disorder its personnel now have the authority to search buildings and cars and guard roadblocks without police assistance and arrest people when and where previously only the police could do so. In terms of the Internal Security Act, SADF members of or above the rank of warrant-officer, may prevent a prohibited gathering, disperse an unlawful gathering, and order the detention of any person for 48 hours — a period which can be extended. (*Star* 20.12.85)

## MEETINGS BANNED

On 31 December gatherings by 74 organisations in 30 magisterial districts were banned for six months in terms of the Internal Security Act. Twenty one of these areas are in the Eastern Cape, seven in the Orange Free State and two in the Transvaal. Only a third of the districts are included in the existing emergency

areas. Meetings of 64 organisations were already banned in all 30 districts from June 1985.

Organisations affected include the UDF, AZAPO, the Release Mandela Committee and the Detainees Parents Support Committee. (*DD* 1.1.86)

Not only meetings but many different forms of activity and association have been banned or restricted. In particular, severe restrictions have been imposed on funerals of victims of township unrest and commemorative services under both the emergency regulations and the Internal Security Act.

In December a carol service and the annual congresses of the National Union of South African Students and the South African Students Press Union were banned in the Cape. A 48 hour ban on gatherings in the municipal areas of Soweto, Diepmeadow, Dobsonville, Eldorado Park, Lenasia, and Noordgesig was imposed under the emergency regulations on 13 January. The ban was imposed after AZAPO had planned to hold a meeting in Soweto. (*BBC* 15.1.86)

## DEATHS AND DETENTIONS

Deaths and detentions arising out of the township unrest continued unabated. Most of these deaths resulted from police and military actions in the townships but a number of prominent leaders of political and community organisations have been murdered by vigilantes and anonymous 'death squads'.

From September 1984, when the current wave of unrest started, until the end of 1985 1,045 people were killed. The total number killed during 1985 was 879 — an average of 2.41 people per day. Between 21 July 1985 when the emergency started and 2 January a total of 7,478 people were detained under emergency regulations, of whom 7,084 had been released. By 10 January 354 people were still being detained in terms of the emergency regulations. (*WM* 10.1.86; *BBC* 13.1.86)

The Institute of Race Relations calculated that the rate of killing had doubled since the State of Emergency was imposed. The Institute noted that there had been a decline in the daily fatality rate in the Port Elizabeth/Uitenhage area and on the East Rand after the emergency was declared there on 21 July 1985 but that the rate in the Western Cape increased substantially after the emergency came into effect there on 26 October. (*GN* 15.1.86; *BBC* 16.1.86)

On 11 January Ampie MAYISA, the leader of the Leandra Community Action Committee, which is an affiliate of the UDF, was assassinated by a group of youths believed by residents to be sympathetic to Inkatha, a day before he was to meet the US Secretary of State, Chester Crocker. His house and that of another community leader were firebombed and completely destroyed. (*BBC* 15.1.86; *Star* 13.1.86)

## RESISTANCE CONTINUES

At a national educational conference at the University of the Witwatersrand on 29 and 30 December 1985, representatives from 161 organisations unanimously resolved to give the authorities until the end of March to meet a series of educational and political demands.

The demands called on the regime to open

all schools on 28 January in order to allow time for the conference representatives to communicate the decision to return to classes, re-schedule examination dates to a time agreed upon by students, parents and teachers, lift the State of Emergency in all areas, unban COSAS, reinstate all dismissed teachers, release all detained students, and allow Student Representative Councils to be established. It was also resolved that schools should ensure that corporal punishment and sexual harassment of female students are stopped.

The conference further decided, amongst other things, that there should be a total boycott of school fees and payments for school books, that parents should boycott all statutory school bodies and instead work with teachers in setting up progressive parent-teacher associations. If the demands were not met by the time a second conference was called in March, a nationally coordinated boycott would be the likely response.

The regime rejected the request to delay the opening of schools to 28 January although it said that students who enrolled 10 days after schools reopened would still be admitted. The SPCC responded that the decision to reopen on schedule 'might give impetus to the alleged campaign of making this a year of no school'.

When schools officially reopened on 8 January most African secondary schools in the East Rand, Pretoria, Soweto, Eastern and Western Cape were deserted while at primary schools there was partial attendance. Attendances in other parts of the country varied: in Durban between 30 and 60 per cent of pupils reported for classes while in the Orange Free State and the Northern Cape attendance was reported to be high. (*DD/S* 7.1.86)

The regime has attempted to break the boycotts by preventing meetings to discuss the education crisis. On 10 and 13 January police fired teargas to break up meetings in Leandra banned under the Public Safety Act and called by the People's Education Committee in response to the SPCC's conference. Similar meetings were banned in at least four other areas. (*BBC* 15.1.86; *Star* 13.1.86)

Boycotts of white businesses, which had been in force during December, were suspended in all regions of the country except Uitenhage at the beginning of January as various regional committees attempted to form a national boycott committee.

Various regional boycott committees threatened to reimpose the boycotts on 1 February if certain conditions were not met. The demands included the release of boycott leaders and other detainees, the withdrawal of the armed forces from the townships, and the lifting of the State of Emergency. A number of committees also included various local demands.

The boycott in Uitenhage was resumed on 1 January because of the 'hardline' attitude of the authorities in the area. In the West Rand townships of Kagiso and Munsieville the boycott was extended indefinitely because grievances and demands had not been met. A bus boycott was also launched because, it was claimed, the bus company had allowed its buses to be used by the police to carry vigilantes around the township. (*Star* 9.1.86)

# RESISTANCE TO APARTHEID STRUCTURES

A feature of some of the press coverage of events in South Africa during recent months has been the use of the misleading term 'black on black violence' to describe incidents in which police or other agents of the state have attacked people involved in resisting apartheid policies. Developments misrepresented in this way included resistance to bantustan incorporation and the increased use of vigilantes to enforce the rule of the regime's community and town councils.

## BANTUSTAN CONSOLIDATION

A programme of forced removals and incorporation of land and people has been used since 1983 in attempts to increase by more than three times the land area and the population of the small KwaNdebele bantustan. It is still in progress in preparation for a declaration by the apartheid regime, probably during 1986, that KwaNdebele is 'independent'. Lying to the north-east of the Pretoria-Witwatersrand area, those of its residents who are employed mostly commute to work in Pretoria and the East Rand. A large proportion of its population of three hundred thousand are without work and many, victims of forced removals, live in resettlement camps. Only ten to fifteen per cent of its land is arable. (Star 19.9.85; Dossier produced by Transvaal Rural Action Committee, 13.1.86)

Recent resistance to incorporation into the KwaNdebele bantustan has focussed on two areas of different kinds, Moutse and Ekangala.

Residents of Moutse, near Groblersdal in the Northern Transvaal, sandwiched between the present borders of the KwaNdebele and Lebowa bantustans, actively resisted their incorporation into the KwaNdebele bantustan in late December 1985. The destiny of the area, in terms of apartheid policy, has been subject to several revisions. Originally included in the Lebowa bantustan, Moutse was excised in 1980 and designated as 'white' farm land subject to the forced removal of its 120,000 population. However, plans for the upgrading and imposition of 'independence' on the KwaNdebele bantustan saw a revision of policy. It was announced in September 1985 that

Moutse was to be incorporated into the KwaNdebele bantustan as of 31 December 1985. Its inclusion would increase both the area and the population of the bantustan significantly, and enhance its economically impoverished state. By comparison with the bantustan, Moutse is a relatively prosperous community: much of its land is farmed under freehold ownership and it contains a hospital. (Star 19.11.85; CT 17.12.85)

Resistance to incorporation has been widespread and united and is a combination of opposition to the bantustan policy in general as well as the specific issue of Moutse's inclusion in the KwaNdebele bantustan.

Opponents include bantustan officials in the area and MPs elected to the parliament of the Lebowa bantustan, as well as militant youth organisations affiliated to the UDF. Residents of Moutse fear the loss of their South African citizenship and other rights.

The campaign against incorporation has taken the form of delegations to the central government, appeals to Western governments, steps to contest the measure in court, mass rallies and a threatened boycott of schools. (CT 9.12.85; Star 19.11/19.12.85)

Repressive action has taken several forms, including bannings of meetings and direct force. In December police fired teargas at a mass rally. In the ensuing violence and clashes with police at least six people, including two policemen, were killed, several people arrested and the area sealed off. (CT 17.12.85; Star 19.12.85)

A vigilante squad apparently set up by the KwaNdebele bantustan authorities and including members of the bantustan's Legislative Assembly has been active in the Moutse area, assaulting, harassing and killing opponents of incorporation. On New Year's Day vigilantes raided the area and abducted 261 residents. They were taken to a community hall and severely assaulted with sjamboks — two people died as a result of these floggings which, according to witnesses, were presided over by Simon Skhosana, the Chief Minister of the bantustan. More than 22 people died in the raid on Moutse and subsequent resistance by its residents. (Star 19.12/23.12.85; CT 6.1.86; WM 18.1.86)

A similar situation pertains in the Ekangala

township near Bronkhorstspuit in the Transvaal. Ekangala was established in the context of government policy intended to reduce the population of townships in the Pretoria-Witwatersrand-Vaal area. It is expected to have a population of at least 300,000 by the year 2000. It is due for inclusion into KwaNdebele on 1 April 1986 in spite of government statements in the past that the area would not be incorporated. Opposition to incorporation is being spearheaded by the Ekangala Residents Action Committee. As in Moutse, a vigilante squad linked to the bantustan authorities has harassed and seriously assaulted opponents of incorporation. (FM 15.3.85; S/WM 17.4.85; S 1.8.85; GN 8.1.86)

## COMMUNITY COUNCILS

In a corresponding development, the period between October and December 1985 was marked by the increased involvement of vigilante squads, linked to community councils, in the suppression of resistance in Huhudi, Fort Beaufort and Jolani (Cape), Chesterville, Umlazi and Kwa Mashu (Natal) and Thabong and Tumahole (Orange Free State). In many instances community councillors have been among the members of the squads. In addition, people illegally in the area joined, hoping to have their positions regularised by providing support to the councillors.

In Huhudi in November a local youth activist, Pat GASHAWA (17), was pursued and shot dead at point blank range by armed vigilantes. Two other people are also known to have died. At least four people were killed over the Christmas period in the Crossroads-Nyanga-KTC complex in Cape Town by a 300-strong group of vigilantes supportive of local community councillors, who were earlier forced to resign in campaigns against the councils. Two members of the United Women's Organisation were abducted along with two others and held prisoner for four days in a makeshift jail. (Star 27.11.85; WM 29.11.85; FM/Star 3.1.86; DD 7.1.86)

In Queenstown a vigilante squad linked to the local Coloured Management Committee, formed in November during heightened resistance in the area, was replaced in January 1986 by an SADF commando unit. (ST 24.11.85; WM 13.12.85)

## POLITICAL PRISONERS — Additional to previous FOCUS lists (Abbreviations: CL — common law; ISA — Internal Security Act)

Sentenced	Court	Law — Charge	Events leading to trial
? Oct. 85 Two Years Six months: January	Vanderbijlpark	ISA — Subversion Chaka RADEBE	COSAS activist
Sept. 85 Effective Eight Years: Minden	Rustenberg	ISA — 'Terrorism' MOTSA	Undergoing military training; training others; furthering aims of ANC
15.10.85 Three Years Six Months: Unnamed man (30)	Duncan Village	CL — Arson	Burning of house, 13.8.84
Nov. 85 Effective Five Years: Cornelius Mzama	Eshowe	ISA — 'Terrorism' ZULU (45)	Harbouring ANC members and possessing arms
5.11.85 Two Years: Unnamed man (22)	Duncan Village	CL — Inciting Public Violence	Stoning of a beerhall, August 1984
12.11.85 Nine Months: Unnamed man (32)	Duncan Village	CL — Intimidation	Altercation, Duncan Village, August 1984
6.12.85 Twelve Years: Robert DUMISA (26). Ten Years: Sifiso Norbert BUTHELEZI (23). Eight Years: Wilfred MAPUMULO (28); James MARUPENG (26). Seven Years: Vusumuzi NYAWO (30); Dumesweni MYENI (35). Sentence Unknown: Boy MVUBU (39)	Estcourt	ISA — 'Terrorism'	Receiving military training with ANC; establishing bases and arms caches
13.12.85 Eight Years: Motsiri Gideon MOKONE (21); Motseki Christian MOKUBUNG (23)	Pretoria	ISA/CL — Subversion & Public Violence	Killing of a Community Councillor, Sharpeville, 3.9.84
13.12.85 Eight Years Six Months: Bonise Raymond NKABINDE (26). Eight Years: Jan SHOBA (26). Seven Years: Mlandeli Morris KETYE (30); Alby JULY (26); Michael Mosana GQAMANA (23)	Benoni	ISA/TA — 'Terrorism'	Undergoing military training with PAC; entering SA illegally

# DETENTIONS

Almost 11,000 people were detained during 1985 under emergency regulations, under the Internal Security Act and under other laws in force in the bantustans. Towards the end of 1985 the consumer boycott and the armed struggle became particular targets of detention. Evidence of widespread and systematic use of violence and torture against detainees continued to emerge during November, December and January.

Altogether 7,478 people were detained during the year under the regulations promulgated on July 22, and of those 354 were, according to official figures, still being held at the beginning of 1986. At the end of November the Detainees Parents Support Committee said that 10,759 people had been held since January 1985. The total figure includes one thousand pupils arrested in mass detentions in the Transkei under the emergency regulations in force in that area.

## TORTURE AND VIOLENCE

The evidence of police violence in several parts of the country became public as a result of legal actions on behalf of detainees or former detainees and through the activities of those concerned with their welfare.

- **Cape Town** An interim interdict restraining police from assaulting or interrogating June ESAU (33), an organiser of the Clothing Workers Union, was granted by the Cape Supreme Court on 20 November. Esau had been detained in October under the emergency regulations. The court heard evidence that she was assaulted during interrogation, including a supporting statement by the head of the department of plastic surgery at the University of Cape Town. He had been prohibited by the police from taking pictures of the extent of her injuries, on the grounds that no photographs were allowed to be taken of people detained under the emergency regulations. Esau was released in December. (BBC 20.11.85; DD 22.11.85)

- **Ciskei bantustan** Amongst several detainees assaulted or tortured by Ciskei bantustan police were Mabuti MDA (FOCUS 62 p.7) and Monde MXENGE (FOCUS 61 p.3) whose appearances in court are reported under OTHER TRIALS.

In another instance Kholisa ZINTO (22) (see list) was assaulted after being arrested in Uitenhage by a member of the Ciskei bantustan police and taken to the police station in Alice in the bantustan. While being interrogated he said he was throttled, assaulted with fists, slapped, kicked and subjected to electric shocks. Afterwards he was returned to Uitenhage and handed over to the regular South African Police before being released. (DD 24.12.85)

- **Port Elizabeth** A temporary order granted on 25 September restraining police from assaulting detainees in two Port Elizabeth prisons and all future detainees in the Port Elizabeth and Uitenhage magisterial districts was extended on 26 November when the hearing of evidence from the police was due to be heard. The hearing was postponed to 4 February.

The original application had been by Dr Wendy Orr, at that time district surgeon, and 43 others. In December a further 93 affidavits in support of the application were filed. One of the new affidavits describes the treatment of Dennis NEER, Secretary General of the Motor Assembly and Component Workers Union

(MACWUSA). Neer was released in December and banned (see BANS). According to press reports Neer's affidavit states that he was beaten while still in his prison bed, taken on a 'nightmare ride' in the back of a police vehicle while teargas was sprayed at him and then assaulted so badly in prison that 'I could not stand the pain'. (FOCUS 61 p.2; CT 27.11.85; WM 20.12.85)

- **East London** Six former detainees gave evidence of torture in two police stations in the East London area (the Fleet Street and Duncan Village police stations). Fundisile MATSHINI, three other men, a woman and a juvenile were held during September under the Internal Security Act (See list).

While the judge refused an application in December for the police stations to be searched for electric shock equipment, he said that 'a strong *prima facie* case of assault had been established'.

All six said they underwent various degrees of beating, slapping or other physical abuse in addition to electric shocks. The four men and one youth said they were forced to strip and were hooded during the application of shocks, and that they were bound down to either a chair or bench while given shocks. (CT 9.1.86; DD 11.1.86; S. Star 12.1.86)

- **Transkei bantustan** Allegations of torture in the bantustan are common, according to the third bulletin of 'Detentions without trial in the Transkei', reviewing the period June-December 1985.

The report says that Engcobo police station cells are particularly known for interrogation and torture. Methods used include the following: whipping with sjamboks (most common); forcing people to stand naked holding a chain above the head while being whipped and pinched; being suspended naked from a broomstick positioned between two tables while being beaten; ice placed in the nose while a heater is held up close; twisting the foot beyond the point of dislocation. One detainee was transferred out of the bantustan to the Cambridge police cells in East London, where he was given electric shocks, hooded with a sack filled with teargas and pierced several times with pins.

## CONSUMER BOYCOTT

Many of those named in the list of detainees opposite were detained in attempts by the police to weaken the consumer boycotts which had started towards the middle of 1985 and continued to spread and intensify into the new year. The development and increasingly organised character of the boycott was reflected in the number of local Consumer Boycott Committees whose members were detained. Most of them were also leading members of community organizations, civic associations or youth organizations. (See also STATE OF EMERGENCY)

People named in the list who were detained for this reason include those from the Pretoria area (Mamelodi), Krugersdorp (Munsieville and Kagiso), Queenstown and Johannesburg.

Not included in the list are two people detained on 4 January in Fort Beaufort under the emergency regulations. (Names of emergency detainees are not listed because of lack of space). After one of them, Mtinzi QHINA, Chair of the local Consumer Boycott Committee, was assaulted continuously for 90 minutes after arrest, an urgent application was made to the Grahamstown Supreme Court for a temporary order restraining Fort Beaufort police from assaulting him and another man. (Star 11.1.86)

These detentions follow earlier use of detention to weaken the consumer boycott. One example came to light through an urgent application to the Grahamstown Supreme Court for the release of an Eastern Cape shopkeeper and his family who by November had spent four months in detention, allegedly because black people had bought goods at his shop during the consumer boycott. A young family friend who helped in the shop was also detained. (S. Trib 24.11.85)

As part of the attempt to stop the consumer boycott in Queenstown, Transkei bantustan police detained at least 13 people in November in Ezibeleni, a 'growth point' near Queenstown but located inside the boundary of the Transkei bantustan. ('Detentions without trial in the Transkei', Bulletin 3, January 1986)

## ARMED STRUGGLE

At least 25 people referred to in the list of detainees (all but ten of them unnamed) were detained allegedly in connection with incidents of armed struggle: either bomb explosions, hand grenade attacks, shootouts with the police or the finding of arms and ammunition. The nature of the incidents and their geographical spread is consistent with the intensification of armed struggle outlined in the review in FOCUS 62, and reflected also in the large number of current political trials connected with armed struggle.

In the Western Cape people were detained on 21 and 29 November after a week in which six people, including three soldiers of the Cape Corps were injured in hand grenade attacks. Three men detained on 29 November were released two days later after questioning. (BBC 23.11.85; CT 3.12.85)

In two operations in Mdantsane in December, Ciskei bantustan police detained nine people and claimed to have found arms and ammunition in two zones of the township. On 5 December five men and two women were detained and there was a shootout after a police raid on a home: one policeman was wounded and one armed man escaped. Later in December police said they arrested two trained guerrillas. (DD 6.12.85; Star 18.12.85)

In Soweto an unnamed youth was held under police guard in Baragwanath hospital after being wounded by police on 1 November. According to the police they had returned fire after a group of youths had fired on them while they were patrolling the streets. (S 5.11.85)

In another incident in Soweto, police shot dead a man whom they alleged to be a guerrilla and who they said was trying to remove the safety pin of a hand grenade. On the same day a quantity of arms was seized in Soweto and several people detained, including Boboy and Samson THABETHE. They were detained with their sister who was subsequently released. (S 10.1.86)

Five out of nine people detained in Durban at the end of January were alleged by police to have been held in connection with a series of armed incidents in the area (see list for names). Four of the nine are medical students, and one of them, Dr. Vijay RAMLACKAN, is a medical doctor. The five named by the police were Ramlackan, Sandy AFRICA, Qwazi SITHOLE, Tanpal NAIDOO and Lulami XATE. Police said that they were questioning two of the five, not named, in connection with a bomb explosion in a shopping complex in Amanzimtoti in December. (Star/CT/DD 30.12.85; DD 31.12.85)

# DETAINÉES — Additional to previous FOCUS lists

Approx. date	Place	Name (Age)	Details
Sep. '85	East London	Nomtobeko DYINI	ISA. Successful court application alleging torture
Sep. '85	East London	Wordsworth JORDAN	
Sep. '85	East London	William MAZITSHA	
Sep. '85	East London	Alfred NGESI	
Sep. '85	East London	Unnamed 17 year-old	
12.09.85	East London	Fundisile MATSHINI	TV newsreader SA Broadcasting Corporation Protests over COSAS ban. Released by Oct. '85 Death of Transkei bantustan 'minister' ISA 50. Exec. MBC Release reported 15.12.85
16.09.85		Vincent MFUNDISI (27)	
Oct. '85	Gazankulu	Cassel MATHELE (24)	
Rep.25.10.85	Kwa Zulu	Two unnamed men	
Nov. '85	Mamelodi	Veli MAMPURU	
Nov. '85	Mamelodi	Lucas MOLOEKOA	Armed clash between police and youths Members, Mlungisi Residents Association ISA 50. Sec. Ginsberg Youth Org. Charged Grenade attack ISA 29. Rent protests. Leading member, TCA ISA 29
1.11.85	Soweto	Unnamed Youth	
15.11.85	Queenstown	Five unnamed people	
18.11.85	Ginsberg	Prince MAME (25)	
21.11.85	Western Cape	Two unnamed men, 1 woman	
Rep.26.11.85	Tumahole	Ace MAGASHULE	ISA 29. Worker at Advice Office ISA 50. Nurse Grenade attack, Rel 1.12.85 ISA 29. Former members, incl. president, COSAS Sons of chair of Mgwali Residents Assoc.
Rep.26.11.85	Tumahole	Sam MAGASHULE	
27.11.85	Mitchell's Plain	Juliet LIEDERMAN (25)	
28.11.85	Aliwal North	Ella TAULE	
29.11.85	Crossroads	Three unnamed men	
30.11.85	Krugersdorp	Five unnamed people	Teachers. ISA 50. Released by 12.12.85
30.11.85	Mgwali	Zolile FANTI	
30.11.85	Mgwali	Zonwabele FANTI	
1.12.85	Queenstown	Mkhuso NTISA	
1.12.85	Queenstown	Lwazi SHENXANA	
1.12.85	Queenstown	Mkhuseli SHENXANA	ISA 29. Hospitalized, released NSA 26. Shootout after police raid on a home Allegedly in possession of explosives ISA 50. At funeral of victims of police violence Barney's release reported 12.12.85
5.12.85	Mitchell's Plain	Shahida ISSEL	
5.12.85	Mdantsane	Five unnamed men, 2 women	
Rep.5.12.85	Oudtshoorn	Unnamed Man	
8.12.85	Queenstown	Zalisile BARNEY	
8.12.85	Queenstown	Sapu SUZILE	Member, QSA
8.12.85	Queenstown	Three unnamed people	
8.12.85	Queenstown	Sibusiso LAMA	
8.12.85	Queenstown	Malungisa MAKHASI	
8.12.85	Queenstown	Michael NGXOBONGWA	
8.12.85	Queenstown	Mabuti NKONKI	ISA. Member, SAAWU. Member, QSA Exec., NEUSA Exec. QRC After UDF Council mtg. in E. London.
8.12.85	Queenstown	Mxolisi OLIPHANT	
8.12.85	Queenstown	Mbuyiselwa SONGELWA	
12.12.85	Johannesburg	Jabu NGWENYA	
13.12.85	Durban	Ishmael MKHABELE	
14.12.85	Mamelodi	Joe HLONGWANE	ISA. Nat. Pres., Azapo. During annual conference ISA 50. Pres., Mamelodi Chamber of Commerce ISA 50. Pres., Mamelodi Parents Assoc. Consumer boycott Member, Mamelodi Chamber of Commerce ISA 50. Chair, Rathanda Civic Association ISA 29. In hiding from police since Aug 85 ISA 29. Released January 1986 ISA. Consumer boycott. Members KAYCO, KRC, CBC
14.12.85	Mamelodi	Louis KHUMALO	
14.12.85	Mamelodi	John TAU ISA 50	
15.12.85	Heidelberg	Obed NKOSI	
16.12.85	Athlone	Johnny ISSEL	
16.12.85	Athlone	Zubeida JAFFER	ISA 50 ISA 50 ISA 50 NSA 26. Arms find ISA 50. Mamelodi Boycott Committee ISA 50. Former Chair., Mamelodi Taverners Association ISA 50. NGK priest. Consumer boycott After burning of Ciskei bantustan school. Rel. 21.12.85 ISA 29. Sec., Medical Students Rep. Council ISA 29. Soap company employee ISA 29. Medical Student ISA 29. University Student. Married to Vijay Ramlackan ISA. School pupil. Taken from home ISA 29. Member, UDF. Medical doctor. Married to Sandra Africa ISA 29. Medical student ISA 29
18.12.85	Krugersdorp	Unnamed 14 people	
Rep.18.12.85	W. Cape	Abraham BEKEER (PEKEUR)	
Rep.18.12.85	W. Cape	Titus HENDRICKS	
Rep.18.12.85	W. Cape	John KEARNS	
Rep.18.12.85	Mdantsane	Unnamed alleged guerillas	Arrested in shebeen. Arms seized TPSA. Fieldworker, Transkei Council of Churches
Rep.18.12.85	Mamelodi	Jabu CHAKA	
Rep.18.12.85	Mamelodi	Johannes KENANA	
Rep.18.12.85	Mamelodi	Lucas Kema MABUSELA (Rev)	
19.12.85	Uitenhage	Kholisile ZINTO (22)	
24.12.85	Durban	Dudu BUTHELEZI	ISA 29. Medical student
24.12.85	Durban	Themba LUTHULI	
24.12.85	Durban	Percival MAHLATI	
24.12.85	Durban	Sandra AFRICA	
24.12.85	Lamontville	Ordway MSOMI	
24.12.85	Durban	Dr Vijay RAMLACKAN	ISA. During consumer boycott
24.12.85	Durban	Qwazi (Kwazi) SITHOLE	
Rep.30.12.85	Durban	Thanpal NAIDOO	
Rep.30.12.85	Durban	Lulami XATE	
Jan. 86	Butterworth	Unnamed alleged guerilla	
6.01.86	Umtata	Ezra SIGWELA	ISA29. Arms find in Soweto Arms find in Soweto Former political prisoner ISA 50. Resistance to bantustan incorporation ISA. Consumer boycott ISA. Member, Kagiso Residents Organisation ISA. Member, Kagiso Residents Organisation ISA. Member, Kagiso Residents Organisation ISA. During consumer boycott
7.01.86	Soweto	Samson THABETHE	
7.01.86	Soweto	Boboy THABETHE	
7.01.86	Soweto	Unnamed Several people	
Rep.7.01.86	Ciskei	Ndiko MYUTE	
10.01.86	Moutse	Godfrey MATHEBE	ISA. Member, Kagiso Residents Organisation ISA. Member, Kagiso Residents Organisation ISA. Member, Kagiso Residents Organisation ISA. During consumer boycott
13.01.86	Kagiso	Joe MAGOTLO	
13.01.86	Kagiso	Anna MOGASE	
13.01.86	Kagiso	Isaac MORAFE	
13.01.86	Kagiso	Lawrence NTLOKOA	
13.01.86	Munsieville	SATEH?	

## ABBREVIATIONS

Laws: ISA, Internal Security Act; NSA, (Ciskei) National Security Act; TPSA, Transkei Public Security Act

Organisations: AZAPO — Azanian People's Org.; CBC — Consumer Boycott Cttee.; KAYCO — Kagiso Youth Congress; KRC — Krugersdorp Residents Cttee.; MBC — Mamelodi Boycott Cttee.; MCC — Mamelodi Chamber of Commerce; MPA — Mamelodi Parents Assoc.; NEUSA — National Education Union of SA; NGK — Dutch Reformed Church; QRC — Queenstown Residents Ad-Hoc Cttee.; QSA — Queenstown Students Assoc.; RCA — Rock-lands Civic Assoc.; SAAWU — SA Allied Workers Union; TCA — Tumahole Civic Assoc.; UDF — United Democratic Front

# POLITICAL TRIALS

## COMPLETED TRIALS MALGAS

In November 1985 Tsepo MALGAS (26), a schoolteacher from Cala in the Transkei bantustan, was acquitted of charges under the Transkei Public Security Act in the Umtata Regional Court. He was first reported to be in detention in June 1984. (FOCUS 55 p.2)

Malgas was charged with harbouring an alleged guerilla and possessing offensive weapons. The state alleged that he had accommodated Sisa Ngobane knowing him to be a 'terrorist'. Police claimed to have searched Malgas' house in the absence of Ngobane and found a hand-grenade and a shotgun, but admitted that Ngobane did not return to the house. The magistrate ruled that there was no *prima facie* case against Malgas and discharged him. (City Press 22.9.85; DN 26.11.85)

## MAPUMULO AND OTHERS

The trial of 13 people charged in the Estcourt Supreme Court in connection with the ANC's armed struggle ended in December 1985 with the conviction of seven of the accused. The charges stated that four trained guerillas established arms caches and bases in the Ingwavuma district of the KwaZulu bantustan, close to the Swaziland border and recruited local people for training in the use of weapons.

Evidence was given by members of various branches of the police force who had participated in operations in the area between 13 and 24 December 1984. A lieutenant in the Special Task Force, based in Pretoria, told of shooting dead an alleged guerilla named as Linda Fikekahle in a cave hideout said to contain arms, ammunition, food and cooking utensils as well as ANC and SACP literature.

On 5 December Justice Wilson found Wilfred MAPUMULO, Robert DUMISA, James MARUPENG and Norbert BUTHELEZI guilty of 'terrorism' in that they were active members of the ANC. The four had refused to participate in the trial, neither appointing a lawyer nor cross-examining witnesses themselves, stating that as members of Umkhonto we Sizwe they should be granted prisoner-of-war status.

Dumisa was sentenced to 12 years' imprisonment, Buthelezi to 10 years' and Mapumulo and Marupeng to eight years' each. Vusumuzi Zebilon NYAWO and Dumesweni MYENI were convicted of 'terrorism' for aiding the first four accused in the furtherance of their activities. They were each sentenced to seven years' imprisonment. Also convicted was Boy MVUBU, for failing to report the actions of the other accused although he knew of their illegal activities. No details of his sentence appeared in the press.

The remaining accused were acquitted on the basis of a 'defence of necessity'. The judge ruled that they had not acted freely when undertaking training. They were Vusumuzi Nyawo's mother, Nokuhamba, Bafana MAFU, Bhekizazi MTHETHWA, Amos MAFULEKA, Joel MAKHUNGA and Mfinywani BAMALI (DN 13/15/11.85; 6/7.12.85; CT 13.11.85; DD/CT/Star 6.12.85; BBC 9.12.85)

## SHOBA AND OTHERS

Jan SHOBA (26), Mlandeli Morris KETYE (30), Alby JULY (26), Michael Mosana IQAMANA (23) and Bonise Raymond IKABINDE (26) who were charged with furthering the aims of the Pan Africanist Congress of Azania (PAC) were convicted and sentenced in the Benoni Regional Court in December 1985. All had pleaded not guilty to four main charges under the Internal Security

and Terrorism Acts and four alternative charges. The alleged offences included undergoing military training, recruiting people for the PAC (and military training) and unlawfully entering South Africa with the intention of overthrowing the government.

The trial began in the Potchefstroom Regional Court and was transferred to Benoni between 28 October and 18 November. Although trials may be transferred from one court to another, this should normally occur before the accused have pleaded or evidence has been lead. In this case, according to newspaper reports, the accused pleaded in Potchefstroom and 'a trial within a trial' commenced to decide on the admissibility of confessions allegedly made by the accused. The press did not report the outcome of the procedure nor the circumstances surrounding the move to Benoni.

The main evidence against the men came from David Simon MAGWAZA who was allegedly an accomplice who turned state witness (presumably Seymour Magwaza in FOCUS 60 p.3). The six had been detained on 30 January 1984: some at Park Station, Johannesburg, and July and Ggamana in Mafikeng.

On 9 December the five were convicted of 'terrorism'. Nkabinde was also convicted of being in possession of a forged passport and Shoba of being in possession of an unlicensed firearm and 40 rounds of ammunition. Shoba was convicted *in absentia* as he was in hospital.

In mitigation of sentence the defence said that the PAC had not carried out any acts of violence since 1982. However, the magistrate sentenced Nkabinde to eight and a half years, Shoba to eight years and July, Ggamana and Nkabinde to seven years' each. (DD 29.10.85, 14.12.85; S 18/18/20/21/22.11.85; Star 10/11.12.85; CT 10.12.85)

## ZONDO AND OTHERS

The trial of Salusha Malinga ZONDO (70), Kathazile MAPHUMULO and Cornelius Mzama ZULU (45) (FOCUS 61 p.5) was split into two separate trials and the proceedings were moved from Estcourt to Eshowe Regional Court. The charges followed an operation by armed police in the Nongoma region of the KwaZulu bantustan in January 1985.

In early November Zulu pleaded guilty to two main charges of furthering the aims of the ANC and possessing firearms. He had worked as a chauffeur to King Goodwill Zwelithini but was dismissed by bantustan leader Gatsha Buthelezi. He then worked as a driver for the Swaziland government. He told the court he became an ANC sympathiser because of the regime's removals policy and the killing of Saul Mkhize in 1983. He agreed to act as a courier for the ANC and find accommodation for their members in his home district of Nongoma. He admitted conducting three armed ANC men to Zondo's homestead. They then left for Vryheid via Maphumulo's place, where a shootout with police occurred in which two of them were killed along with a policeman and another person.

Zulu was sentenced to nine years', four of which were suspended for five years. It emerged that his first defence lawyer had withdrawn from the case after his house was burnt and property destroyed.

Zulu was later brought from prison to court to testify in the trial of Zondo and Maphumulo. The court was told that Zondo was unaware that the men brought by Zulu were ANC members. The trial was due to continue. (S. Tribune 17.11.85)

## CONTINUING TRIALS GXAVU AND OTHERS

Eight youth activists appeared in the Burgersdorp Regional Court in December charged with 'terrorism', subversion and furthering the aims of a banned organisation, in a trial aimed at linking unrest within South Africa to the ANC. They are Zukile GXAVU (22) and Ncedile MAKU (21) both of Port Elizabeth and Denmark TUNGWANA (21), Lungile NOMEVA (26) Ntsikelelo QAKU (29), Andile XINTOLO (35), Tembeni SAMUEL (22) and Simon SPEELMAN (18) all of Queenstown. (See FOCUS 57 p.4, 5 and 60 p.5: where some of the spellings may differ) The accused, most of whom were active in the Congress of South African Students which has since been banned, were detained in August 1984.

The charges alleged that they attempted to bring down the government by violent and other means through recruiting people for the ANC's armed wing, distributing ANC publications and propaganda, planning acts of subversion and sabotage and mobilising people in boycotts and other protests against government policy. One person named as a potential recruit was Professor BACELA, who was detained at the same time as the accused.

The prosecution sought to prove that certain organisations were 'fronts' in a 'total onslaught' on the government, orchestrated by the ANC. These organisations included COSAS, the Queenstown Youth Organisation, the South African Allied Workers Union, the African Food and Canning Workers Union and the South African Congress of Trade Unions (SACTU). It was this 'total onslaught' which linked together apparently unconnected events which allegedly occurred in Queenstown, Port Elizabeth and Maseru and featured in evidence. An unnamed state witness described as a trained ANC member testified that she had been sent from Maseru to co-ordinate the activities of the group.

According to defence counsel much of the evidence concerned SACTU, which he noted was not a banned organisation, and alleged contacts between the defendants and the ANC. He stated it was not an offence to visit or be in the company of ANC members 'whether you are accused number one in this trial, an illustrious businessman or a Stellenbosch University student'. Furthermore, COSAS was not a banned organisation at the time of the alleged offences and it would not matter if its aims coincided with those of the ANC. Judgement was reserved to 10 March. (DD 18/19.12.85)

## MOTAUNG AND OTHERS

Three men appeared in the Johannesburg Regional Court in September 1985 charged in connection with an alleged conspiracy to launch armed attacks. Daniel MOTAUNG (25), Phoza (Charles) MBEZA (33) and Esau RAMONTSHU (27), who were detained in March 1985 (FOCUS 59 p.3) were not asked to plead to charges of 'terrorism' and membership of an unlawful organisation or alternative charges under the Arms and Ammunition Act. The trial was postponed until 9 January.

The state alleged that Motaung left the country in 1982 to undergo military training on behalf of the ANC. He returned in January 1985 with a rifle and hand-grenades and the aim of recruiting people for military training. He is alleged to have trained Mbeza and Ramontshu and to have conspired with them to attack either Jabulani or Protea police station or a church in Krugersdorp. (DD/Star 19.9.85; DPSC Bulletin October 1985)



## PELSER

Eric William PELSER (21) of Hillbrow appeared in the Johannesburg Magistrates' Court on 30 December charged with high treason. PELSER, who was detained in July, was not asked to plead. His legs were chained throughout the proceedings during which he was refused bail. The trial was set for 20 February in the Rand Supreme Court. (FOCUS 62 p.7; Cit. 31.12.85)

## TALAKUMENI

A man detained in a raid by armed police on a house in Guguletu in June later appeared in court charged under the Internal Security Act with harbouring alleged guerrillas. The charge is connected to hand-grenade attacks on the homes of members of the segregated parliament,

community councillors and the Langa police station.

Ntozelizwe TALAKUMENI (27) appeared in the Cape Town Magistrates' Court in October and December and was remanded in custody to appear on 7 March. The postponement was at the request of the defence to allow them time to prepare the case. Talakumeni's first lawyer, Abdullah Omar was unable to continue as he had been detained. (See *BANS for Omar's subsequent banning*) His mother told how police detained the whole family — including five sons, cousins, her husband and two year old daughter — after surrounding the house: 'they were . . . even on top of the roof, with their guns pointing at us'. Four of the sons were subsequently detained: Clifford NTENETYA and Titus SELEPE were released in July but Nicholas and Thomas remained in

custody. (FOCUS 60 p.5; *Grassroots*, August, 1985; CT 9.10/12.12.85)

## THEBANE AND OTHERS

Frank THEBANE (TABANE), Thabo Prince CHILOANE and Patrick Elphus MOGALE appeared in the Nelspruit Regional Court in November in connection with clashes between armed police and guerrillas in the Eastern Transvaal on 19 and 20 March. Thebane was charged with undergoing military training in Angola, Mozambique and the German Democratic Republic as well as 10 alternative charges of 'terrorism'. Chiloane and Mogale were charged with harbouring guerrillas. A number of people were detained in March and April following the incident, many of whom were subsequently held as potential witnesses. (FOCUS 59 p.6, 7; 59 p.3; 60 p.2, 3; 61 p.3; *Star* 29/30.11.85)

## OTHER TRIALS

A disclosure that magistrates and prosecutors had attended an SADF briefing at police headquarters in Durban on 15 November provided an indication of the closeness of the links between the judiciary and the state.

With the approval of the city's Chief Magistrate, between 50 and 60 court officials watched an SADF video film of a King William's Town funeral at which a police informer was killed. The film was accompanied by an hour-long talk which, according to one of those present, 'took a strong anti-ANC/UDF slant'. It appears that the same film was shown to SADF personnel involved in the attempted suppression of protests in the townships. (*Sunday Star* 1.12.85)

The Department of Justice denied that the briefing was the first of a series to be held throughout the country, but an SAP officer commented: 'It happens quite often that law enforcement bodies come together to inform each other about what is going on'. (*S. Star* 1.12.85; *Cit/CT* 2.12.85; *S. Tribune* 8.12.85)

Following publicity concerning the briefing, one magistrate in Aliwal North in Cape Province discharged himself from hearing a bail application by eight people charged with public violence on the grounds that his independence had been prejudiced. This was apparently in response to a call for such action by a law teacher at Potchefstroom University. (*S. Tribune* 8.12.85; *DD* 11.1.86)

On 14 January the Judge President of Natal advised magistrates who had attended the briefing not to preside over political trials of any kind 'in view of the unfavourable press publicity and comments which it has attracted'. (*DD* 15.1.86)

These developments followed the resignation at the end of August of South Africa's only Coloured magistrates, who worked in the Athlone courts in Cape Town. In a statement in October the two magistrates explained that they did not want to preside over 'political trials' which they defined as 'trials that are unrest-related'. (*CH* 7.9.85; *DD* 2.10.85; *CT* 2.10.85; *S* 3.10.85; *S. Tribune* 6.10.85)

In November alone 17 such trials were completed, involving 1,409 people. Of these 35 were convicted, while 430 were acquitted and charges against 944 people were withdrawn, often because of a lack of evidence arising from the indiscriminate nature of police actions when they were confronted by large crowds of demonstrators. (*WM* 13.12.85)

In Cape Town it was announced on 14 November that owing to 'the increasing number of cases' two more extra magistrates' courts were to be opened in Wynberg and that these 'might become a permanent feature'. These courts were in addition to a new court opened in Wynberg on 4 November. (*CT* 15.11.85)

A 'huge increase' in the number of people convicted for murder, arson, malicious damage

to property, public violence and sedition lies behind the proposal in the new Criminal Procedures Amendment Bill to extend corporal punishment in the form of whipping to those found guilty of such offences. (*BBC* 29.10.85; *FM* 13.12.85)

## MURDER HEARINGS

In addition to the ten trials referred to earlier (see page 1) eight others involving charges of murder arising from political and industrial unrest were reported in the press in recent months. Ninety-one people stood accused, including at least 18 minors. Most appearances were before courts in the Eastern Cape and the progress of those hearings had not been reported in the press by the end of the year.

The four Eastern Cape trials were of Rex QUMA (22) of Port Alfred, accused of killing two men in June; seven youths charged with the murder of a policeman on 3 September in Grahamstown; 25 Motherwell residents said to have killed a policeman; and 25 residents of Duncan Village. (*CT* 27.9.85; *Star* 9.9.85; *DD* 13/20.9.85)

In the Transvaal, Matlakala MOTAUNG (27) and ten other residents of Duduza were accused of killing an informer at a funeral in July, while Solomon and Paulus MOTSOAGOA and three others were due to appear before Nigel magistrates on a murder charge on 20 November. (FOCUS 61 p.5; *Star* 31.7.85; *Detainees' Parents Support Committee Report*, October 1985)

In Natal ten BTR-Sarmcol workers were charged with the killing of three strikebreakers at Howick in April, and Vuyani YENGO (21) and six others were due in Zwelitsha Magistrates' Court on 11 November to answer charges of killing a policeman in September. (FOCUS 61 p.9; *Worker News*, June 1985; *DD* 24/5.10.85)

## CISKEI BANTUSTAN

No further information is available concerning the progress of the trial of Vuyisile Mabuti MDA (21), five other men and a minor for the murder of a policeman last September (FOCUS 62 p.9), but more evidence of the nationwide character of popular actions against state personnel is provided in a new case also before the Zwelitsha Magistrates' Court.

The killing of a member of a bantustan military unit last August at the funeral of the murdered lawyer Victoria Mxenge in Rayi village (FOCUS 60 p.8) was the subject of hearings in Zwelitsha and the Bisho Supreme Court in November, December and January.

Five men are charged with his murder and public violence: Monde MXENGE (28), Vuyisile MATI (24), Bonisile MXOLISA (32), Reed DYANTYI (23) and Fundile MAYOYO (27). Monde Mxenge is a brother-in-law of Mrs. Mxenge, and Vuyisile Mati the son of a former Robben Island prisoner, Joe MATI. (FOCUS 61 p.3)

In response to an allegation by Mxenge's uncle that the police had acted improperly in detaining him on 16 August under Section 26 of the National Security Act, as well as assaulting him and unlawfully interrogating him, the police justified their actions in the Supreme Court on 15 November by claiming that because the killing of the 'soldier' was a political act it fell within the ambit of the NSA. (*DD* 14/30.11.85; *DD* 3/31/12/85; 24.1.86)

However on 24 January, the charges against the five were withdrawn and they were served with subpoenas requiring them to give evidence at an inquest into the death of the 'soldier', which is to be held on 6 March.

Charges against 46 people arrested for holding an illegal gathering last September in a local church were withdrawn in the Mdantsane Magistrates' Court on 11 December. This followed an application by the defence lawyer on the grounds that the state witnesses were not available. No pleas had been sought or evidence led at any of the four hearings held since September. (*City Press* 31.11.85; *DD* 13.12.85)

## COMMUNITY RESISTANCE

During November and December a large number of people continued to appear in courts charged with offences relating to incidents of popular resistance. The majority of trials taking place since November occurred in the Western Cape and the Transvaal with fewer in the Eastern Cape and Natal.

• Of those trials which have been completed the majority ended with the accused being acquitted or having their charges withdrawn, indicating that their detentions and prosecutions were based on weak state evidence. Several allegations have been made that people have been arrested long after they had allegedly committed the offences. (See FOCUS 59 p.6)

Four hundred and twenty one pupils were found not guilty of attending an illegal gathering when they appeared in the Zwelitsha Magistrates' Court on 28 November 1985. The pupils were acquitted after their defence had pointed out that the Ciskei National Security Act under which they were charged was not intended to deal with meetings held to discuss school boycotts but to provide for the security of the state and the maintenance of law and order.

Defence evidence showed that the pupils had gathered to discuss returning to school. Police at the meeting had not given the pupils a warning to disperse and had made dispersal impossible by surrounding the church where the meeting was being held. (*DD* 29.11.85)

The State declined to continue prosecution of the UDF leader, Dr Allen BOESAK and 18

continued on p.8

# BANS AND BANISHMENTS

## NEW EMERGENCY BANS

In December and January 54 anti-apartheid activists were served wide-ranging restriction orders under the emergency regulations. Many are prevented by the orders from continuing their education or their employment. The restrictions last for the duration of the State of Emergency. Most of the 54 were detained in the Western Cape under the Internal Security Act on 25 October, the day before the emergency was extended to Cape Town, and were then held under emergency regulations. Five others in the Transvaal are already under similar restrictions (See *FOCUS* 62 p.11).

- Forty-five community activists, including teachers, school and university students, church workers, journalists and most of the leadership of the Western Cape branch of the UDF were released from detention at Pollsmoor and Victor Verster prisons on 30 December and immediately placed under restrictions. Most of them had been detained on 25 October. Many are confined to the magisterial districts in which they live. The individual banning orders vary, and include bars on involvement with the UDF or from entering educational premises or criticizing the government 'in any way'. Many students are effectively prevented from continuing their education. (CT 31.12.85; S3.1.86)

- Rev Robin PETERSEN (28), detained in Cape Town on 25 October and released on 4 December, was immediately restricted to the magisterial district of Wynberg. He is forbidden from involvement in activities of the Ecumenical Action Movement (TEAM), the UDF and COSAS; from entering educational premises; taking part in the production of any publication or attending any gatherings at which the government or local authorities are criticised, or any student gatherings. Petersen, a member of the Churches Urban Planning Commission, is prevented from continuing his job with TEAM. (CT 5.12.85)

- Abdullah OMAR, a lawyer who has defended many opponents of the regime, was restricted to Wynberg on his release from detention on 12 December. Omar was first detained for six weeks from 23 August and redetained on 25 October. He is prohibited from taking part in UDF affairs, from contributing to any publication, entering educational premises and attending meetings criticising the government or local authorities. Omar cannot continue his present practice in the Cape Town magisterial district. (CT 13.12.85)

- A German Lutheran pastor, Gottfried KRAATZ, also detained on 25 October and released on 12 December, was restricted to Wynberg and subject to the same restrictions as Omar. (CT 13.12.85)

- Three school teachers from Mitchell's Plain and two school students were banned from teaching or attending school after they were released from detention on 8 January. The teachers, Gordon EDWARDS (31), Shahied HARTLEY and Yussuf MOHAMED (24) and pupils, Christopher HENDRICKS (15) and Mark LACKAY (19), are also banned from assisting in the production of any publication, attending public gatherings or entering educational institutions. (CT 9.1.86)

- In the Eastern Cape, the General Secretary of the Motor Assembly and Component Workers' Union (MACWUSA) and the General Workers' Union (GWUSA), Dennis NEER was confined to the Port Elizabeth magisterial district on his release from detention in December. He may not enter educational premises or take part in activities of MACWUSA, the Port Elizabeth Youth Congress, the UDF, the Release Mandela Committee or the Port Elizabeth Black Civic Organisation. Neer was detained on 21 July, the first day of the emergency, along with many other community and union leaders. He said that while in detention he was tortured and repeatedly assaulted during numerous interrogation sessions. (Amnesty International 4.10.85; CT 1.1.86)

## WINNIE MANDELA

On 21 December 1985 Winnie MANDELA was served with a revised banning order and immediately arrested for contravening it by being in an area from which she is excluded. Since 1977 Mandela had been confined to Brandfort, in the Orange Free State under a series of orders. However, since her house and clinic in Brandfort were damaged by a firebomb in August, she has defied her ban, returning to her home in Soweto and addressing various meetings. She spoke at a mass funeral in Mamelodi and a meeting to commemorate Benjamin Moloise.

Police served a notice on Mandela in November, ordering her to return to her house in Brandfort after it had been repaired. She refused, and the Minister of Law and Order finally issued a revised order which ended her confinement to Brandfort, but forbade her from entering the magisterial districts of Roodepoort and Johannesburg, in which Soweto is situated. She is no longer required to report to a police station and may attend social gatherings of students but remains banned from all political gatherings and from entering educational premises; she may also not be quoted or communicate with other banned people.

When Mandela refused to co-operate with police delivering the order, she was forcibly removed from her home and driven to a hotel on the outskirts of Johannesburg. She returned home and was arrested the following day, held in custody overnight and appeared in the Johannesburg Magistrates' Court on 23 December. She was warned to appear again on 22 January to face contravention charges. Following a further arrest and court appearance, she was released on bail of R500. It was later reported that she was in a 'safe place'.

In the meantime Mandela had lodged an urgent application with the Rand Supreme Court against the Minister of Law and Order and the Commissioner of the South African Police, challenging the revised ban as unreasonable and invalid. On 13 January her application was dismissed, but leave to appeal against the ruling was granted. (S Star 22.12.85; Star 24/28/31.12.85, 2.1.86; GN 14.1.86)

## MKHIZE; MKALIPI

The fourth banning order served on Florence MKHIZE (49), a leading anti-apartheid activist since the 1950s, expired on 30 June last year. Mkhize was first banned in 1962. She was an organiser of the ANC Women's League for Natal in 1956 and an ANC organiser in Natal from 1955 until its banning in 1960. During 1960 she became prominent in the newly established Federation of South African Women and was a founder member of the Natal Release Mandela Committee. (See *FOCUS* 48 p.2)

Kwede MKALIPI was banished on his release from prison. (See *PRISONS*)

# PRISONS RELEASES

A former member of the PAC, Kwede MKALIPI, was released from Robben Island in December last year after being imprisoned for 20 years.

Mkalipi was charged in the Cape Town Supreme Court in 1965 with inciting others to undergo military training outside South Africa and with being a member of the PAC. He was sentenced on 4 February 1966.

On his release he was sent under escort to the Transkei bantustan where he was banished to Baziya near Umtata (Star 20.12.85; Prisoners of Apartheid, IDAF, 1978; see *BANISHMENTS*)

## NELSON MANDELA

On 23 November last year Nelson Mandela was discharged from hospital in Cape Town, where he had undergone surgery to remove an enlarged prostate gland, and returned to Pollsmoor Prison.

While he was in hospital there was speculation that he was about to be released and sent out of the country. The speculation arose after Mandela was held in the hospital for longer than necessary, was permitted an interview with his legal representatives, and Winnie Mandela was allowed an extension on her visiting time in hospital. (ST 24.11.85)

After his return to Pollsmoor, Mandela was held apart from his fellow prisoners in the prison hospital. His daughter Zinzi issued a statement on 9 December in which she said that any agreement between the South African government and a foreign government for her father's release into banishment or exile without his knowledge or consent would be totally rejected by him. (BBC 11.12.85)

## continued from p.7

others, following their arrest on 10 August 1985 when they defied an order and entered the African township of Guguletu in Cape Town to attend the funeral of a youth shot by police during unrest. (CT 26.11.85; *FOCUS* 61 p.6)

Charges of attending an illegal gathering were withdrawn against 48 people alleged to have attempted to march to Pollsmoor Prison on 28 August 1985. Among the accused were Professor Charles VILLA-VICENCIO, professor of theology at the University of Cape Town and the Rev Abel HENDRICKS, former head of the Methodist Church. (CT 26.11.85; *FOCUS* 61 p.6)

- Many trials in recent months have involved minors. Children as young as nine years were brought before the courts, to face serious charges, in some cases.

Two hundred and twenty six people were due to appear in court in Oudtshoorn on 18 December on charges of public violence and murder. Among those due to appear were said to be two boys aged nine and ten, several under the age of 15 and a woman with a 10 month old baby. (CT 5.12.85)

Four hearings in the Johannesburg Magistrates' Court on 7 January, arising out of unrest on the East Rand between August and October 1985, involved juveniles. Three 17 year olds from KwaThema and Kagiso appeared to face charges of public violence, alternatively arson: Zandizile MUSI and four youths aged between 15 and 17 appeared on a charge of attempted arson for allegedly intending to set the Kagiso Secondary School alight; three 15 year old boys and a 14 year old girl were charged with illegally possessing petrol bombs in Kagiso in October last year; and a 13 year old was charged with 12 others with public violence in Soweto in October. Because the defendants include juveniles, all these trials are being held *in camera*. (Star 8.1.86)



# SEVEN FACE TRIAL

Windhoek Supreme Court, where two SWAPO combatants were sentenced to 24 years' imprisonment each in October 1985, was due to be the scene of a new political trial in February. Seven Namibians face charges of 'terrorism' and 'promoting the aims of communism'. The men were allegedly detained in connection with sabotage attacks carried out in the north of the country.

The accused are Frans ANGULA (28), from Onanghulo in Oukwanyama; Norbert ANKOME (25) from Otshikutshatshipya in Uukwambi; Elkan Shoombe SIMON (21) from Onathing; Bernadinus Petrus SHIKONGO (47) also from Otshikutshatshipya but employed as a school principal in Etayi; Desiderius ANKOME (26) a teacher at Valombola Technical College, Ongwediva; Erastus UUTONI (28) from near Oshakati and Vilho KASHILULU (21) from Olupandu in Oukwanyama. (*These spellings correct those used in FOCUS 61 p.10*)

The men have made two court appearances — in August in the Windhoek Magistrates' Court and in October in the Supreme Court. On neither occasion were they asked to plead to the charges. The postponement from 15 October 1985 to 4 February 1986 was at the request of the defence who required time to appoint a leading counsel. The prosecution was due to be led by Hendrik Liebenberg, a

former attorney-general in South Africa. Now in private practice, Liebenberg has been 'assigned for special duties to the SWA High Court'. As well as preparing this case Liebenberg represented police interests in the inquest into the death of detainee Thomas Nikanor. (*See Detentions*) Justice Strydom presided over the hearing — there is no trial by jury.

Some of the accused will have been in detention for over a year by the time the trial commences. In addition there are known to be many more people being held as potential witnesses for the prosecution. In November the Multi Party Conference (MPC) administration said that some fifty-six people were being held under Proclamations AG9 and AG26. Of these, six were detained under AG26 and about fifty under AG9, most 'to appear as witnesses' in forthcoming trials. The conditions of those detained as potential state witnesses are harsh — in addition they have no right to a lawyer with whom to discuss their case. The decision as to who will be a defendant and who an accused may be made only after months spent under interrogation. In October it was reported that three Barclays Bank employees held since January (*see FOCUS 60 p.9*) were then regarded as potential witnesses.

The South African legal system — which has been extended to Namibia under the illegal occupation — makes frequent use of statements made after long periods spent in detention. Whether made after torture and assault or after long periods spent in solitary confinement,

## namibia

such statements are regarded as unreliable by international experts. Brutality against detainees in Namibia has been frequently documented. Thomas NIKANOR, detained at the same time as some of the accused, was found dead after five days in custody. (*See FOCUS 62*)

Although no details of the exact charges have been made available to the press, the men are said to have been involved in a number of sabotage attacks. In particular, the trial has been linked with the explosion at the Okatana service station, outside Oshakati, in April 1984 in which one Namibian and two United States representatives died. The two men, the head of the US Liaison Office in Windhoek and a Lieutenant-Colonel, were on a visit to the northern operational area. Press reports quoted police investigations as indicating that the device (a plastic bottle filled with explosives) had not been planted with the US personnel as targets: their death had been an 'unfortunate coincidence'. The area around the gas station was heavily militarised: it was 35 metres from a Koevoet post and half a kilometre from the headquarters of the South African security branch.

Police monitored the public closely during the court appearances — photographing them and, in the case of the Supreme Court, evicting those who did not conform to certain dress regulations. Bishop Boniface Hausiku was one of those asked to leave. (*WA 21/22.8.85; CCN Information Sept/Oct. 85; S/WA 16.10.85; Nam. 18.10.85; WA 15.11.85; WO 16.11.85*)

## SWAPO MEETINGS ATTACKED

The regime intensified attacks on meetings organised by SWAPO when three of the liberation movement's office-bearers were charged under the Prohibition and Notification of Meetings Act.

During 1985 SWAPO's defiant demonstrations of mass support brought it into conflict with the authorities on a number of occasions: their twenty-fifth anniversary rally, Kassinga Day Commemoration, a protest against installation of the MPC administration and the Namibia Day rally.

In November charges were laid against Nathaniel MAXUILILI, Frans KAMBANGULA and Jerry EKANDJO in connection with SWAPO's anniversary rally in April 1985. The rally drew an attendance of over 5,000. (*See FOCUS 59 p.11*) Maxuilili is SWAPO's Acting President, Kambangula, the Secretary for Transport and Ekandjo, National Secretary of the SWAPO Youth League.

The men appeared in court on 13 December when the case was postponed to 13 March. Defence lawyers challenged the validity of the

Prohibition and Notification of Meetings Act and the matter was referred to the Windhoek Supreme Court. None of the men was asked to plead. (*Nam 15/22.11.85, 20.12.85*)

It was reported in December that 34 people have issued summonses against the MPC administration claiming damages for alleged police assault. The claims relate to injuries suffered after an anti-MPC rally in Katutura on 17 June was dispersed by police using teargas and batons. The total being claimed is R170,000. Twenty-six of the claimants are women and two are minors. (*Nam 20.12.85*)

On 26 January an open air festival organised in Katutura by the SWAPO Youth League was broken up by police using teargas and wielding whips and batons. At least five people were injured and almost sixty arrested as the crowd regrouped in spite of police intimidation and brutality. The event was to mark the United Nations International Year of Peace.

The following day 58 people appeared in the Windhoek Magistrates' Court charged under the Riotous Assemblies Act. They were released on bail of R100 and the case postponed to 5 May. It was then reported that the two

cases arising from the Namibia Day rally had been postponed to the same date. They were due to come to court on 20 February. (*WA 27.1.86; Nam 31.1.86*)

## RELEASES

At the end of November four people were released from detention: Rev Junius KAA-PANDA and Heikki SHILILIFA (NAKAYALE) who had been held since 22 October, and Helena MULEKA and Esther HANGO who were detained on 15 November. Newspapers reported 'an international outcry' as well as local protest at the detention of Hango in particular. She is in charge of a rural clinic at Onayena in northern Namibia and her detention focussed attention on health services in the Ovambo bantustan which are effectively under military control.

The South African Medical Services (SAMS) branch of the SADF has the decisive say in the administration and staffing of the bantustan's health services. (*WA 21.11.85, 9.1.86; WO 21.12.85*)

## DETAINEES — Additional to previous FOCUS lists

Approx. date	Place	Name (Age)	Details
5.12.85	Windhoek	Paddy MWAZI	AG9. SWAPO activist from Caprivi bantustan
End Nov	Northern Namibia	Tobias IIMENE	Teacher in Elombo
End Nov	Northern Namibia	Josua Shilongo KOMOMEYA	Businessman
End Nov	Northern Namibia	Rusa Nelenge MUMPOLO	Teacher
End Nov	Northern Namibia	Fillemon NEWAYU	Businessman from Omuntene in Elombo
End Nov	Northern Namibia	Ndakondjelwa SHAUMBWA (40)	Nurse at Okalongo

## UNIONS RESTRICTED

Against a background of increased organisation among Namibian workers some aspects of labour legislation in the South African-occupied territory have been revised.

Independent South African trade unions have begun recruiting in Namibia and a Workers Action Committee has been formed 'to encourage and assist workers to join effective labour movements or to form unions'. These organisations supplement the National Union of Namibian Workers, aligned to SWAPO, which has suffered severe repression. (Nam 29.11.85)

Legislation covering the sphere of industrial relations in Namibia, has closely resembled South African labour legislation.

Namibia's *Wages and Industrial Conciliation Ordinance* was amended in 1978, allowing for the official registration for the first time of trade unions representing African workers. Previously African workers were barred from membership of registered trade unions and consequently from participating in official bargaining machinery on wages and working conditions. The amendment anticipated similar legislative changes in South Africa, passed in 1980 in the wake of the Wiehahn Commission report. The report had recommended that the existing system of labour relations be overhauled to allow for the participation of African workers in the official bargaining system. In both countries agricultural workers and domestic workers are still prohibited from joining registered unions. In terms of the amended ordinance, unions in Namibia representative of African workers seeking registration, were

subject to several restrictive criteria, including a prohibition on affiliation to or receipt of funds from political parties. Registration was also made subject to the industrial registrar approving the constitution and financial status of the union. Similar restrictions were included in South African labour legislation.

The *Wage and Industrial Conciliation Amendment Bill*, passed towards the end of 1985 in the National Assembly of the MPC Administration, introduced new restrictions on labour organisation. The Bill prohibits unions registered in South Africa from establishing branches in Namibia. It also prohibits 'non residents' of Namibia from 'advocating, encouraging or promoting the establishment of a trade union'. Similarly, persons not ordinarily resident in Namibia are prohibited from becoming officials or members of trade unions registered in the territory. (Nam 22.11.85; WA 19.11.85)

These restrictions are aimed at preventing the independent trade unions in South Africa from extending their organisation into Namibia or assisting in the formation of new unions. The South African National Union of Mineworkers (NUM) has, for example, recruited members at the Consolidated Diamond Mine (CDM) and at the time the legislation was passed was engaged in negotiations with management for a recognition agreement. Workers at the Rossing Uranium Mine have also approached the NUM to assist in the formation of a union, at the mine. Including its membership at CDM the NUM was reported to have 4,000 members in Namibia. (Nam 22.11.85; 6.12.85)

Similar legislation has been adopted in the Ciskei and Bophutatswana bantustans in

South Africa where the authorities were fearful of opposition from independent unions.

The *Wage and Industrial Conciliation Amendment Bill* has not yet been promulgated. The Administrator General has referred the legislation back to the 'cabinet' of the MPC administration because the wording of certain clauses may technically contravene the constitutional framework within which the MPC administration was set up. (WA 31.12.85)

In other spheres of labour relations, legislation has been passed bringing local conditions further into line with South African practices. A draft *Bill on Conditions of Employment*, presented to the 'cabinet' of the MPC Administration provides for a maximum 46-hour working week and maximum daily working hours for sectors not covered by previous legislation. It extends existing legislation on overtime work to shop, office, hotel, transport and building workers. The Bill includes most of the provisions contained in legislation passed in South Africa in 1983. As in the case of South Africa, however, agricultural and domestic workers and state employees remain excluded from minimum legal protection of any kind. At the same time no provisions are made for a legally enforceable national minimum wage. (WA 4.10.85)

If the Bill is enacted Namibian workers will be covered by legislation similar in most respects to that applying in South Africa, with the exception of the *Machinery and Occupational Safety Act* which provides for minimum standards of health and safety, in the workplace. The Act was passed in South Africa, partly to pre-empt issues of health and safety becoming shop floor issues.

## MILITARISATION OF CAPRIVI

There have been strong indications over the past year that the South African regime has plans to separate the Caprivi Strip from the rest of Namibia. The Caprivi area extends eastwards from northern Namibia to the Zambian border. As a highly militarised area providing unique access to Zambia, Botswana and Angola, it is of vital strategic significance to the South African Defence Force (SADF).

Pretoria has already annexed the port and railhead of Walvis Bay, which has also been militarised. Continued South African control over Walvis Bay and the Caprivi area would give the apartheid regime forward bases for its campaign of destabilisation in Southern Africa in the event of Namibian independence.

In December last year, South African military intelligence officers in northern Namibia made it clear to a visiting journalist from the *Philadelphia Enquirer* that the SADF would 'never give up' the Caprivi. The journalist reported that 'it became clear that the SADF is digging in, making improvements and tightening security' (Business Day 11.12.85)

The Caprivi Strip consists of the Western Caprivi, which is zoned as a nature reserve, ruled directly by the central administration in Windhoek, and the Eastern Caprivi, which has been designated as a bantustan, and nominally ruled by a 'Representative Authority'. However, as a result of resistance within the 'Representative Authority', in 1983 the South African Administrator-General for Namibia appointed a Commissioner for the Caprivi to oversee its affairs. (Nam 29.11.85; WA 30.3.84, 28.7.84)

In December 1984 a Constitutional Committee was established under the chairmanship of Lukas Kruger, who in his capacity as chief legal advisor to the South African Department of Cooperation and Development, played a leading role in drawing up the constitutions for some of the regime's nominally 'independent' bantustans. Kruger was charged with drawing up 'a new dispensation' for the region. (WA 30.3.84, 9.1.85)

The proposed 'constitution' was published in 1985, and drew a storm of protest from people living in the Eastern Caprivi who regarded it as 'an independence declaration'. The document provided for a 'national' flag and anthem and declared that Katima Mulilo, the site of a major SADF base, should be 'the seat of government'. (Nam 30.8.85)

In November last year, a bill was introduced in the 'National Assembly' of the South African-established Multi-Party Conference administration to amend the constitution of the 'Representative Authority' of the Eastern Caprivi bantustan. The intention was clearly to establish a viable bantustan administration, and the move followed the setting up of a new bantustan party participating in the MPC, the United Democratic Party (UDP). The UDP was formed as a result of a merger between the Caprivi Alliance Party, which, through its affiliation to the Democratic Turnhalle Alliance, was participating in the MPC administration, and a faction of the Caprivi African National Union (CANU), led by Mishake Muyongo. Muyongo, who joined SWAPO in the 1960s, left the liberation movement in 1980, committed to establishing the Eastern Caprivi bantustan as an 'independent' state. He negotiated an amnesty with the occupation authorities and returned to Namibia in June

1985. With police and army assistance, he held a series of public meetings in the Caprivi area at which he propagated the idea of secession. (DD 10.7.85; WA 12.7.85; 13/18/19/30.9.85, 21.11.85; Nam 1/22.1.85)

Developments in the Eastern Caprivi bantustan have been accompanied by moves to further extend military control over the population of Western Caprivi. In September, senior military commanders, including a colonel from 32 Battalion, a mercenary unit based in the area, met with the nature conservation officials nominally in control of the area. Colonel Deon Ferreira, the military sector commander, disclosed to the press that he was proposing the removal from the area of all 'illegal' inhabitants not attached to South African military bases. He also wanted stricter control over the only major road leading to the Western Caprivi and compulsory identification documents for 'bona fide residents'. (WA 26.9.85)

In December it was announced that a 400 square kilometre 'development zone for Bushmen' would be established near Bagani, the site of 32 Battalion. The majority of the population of Western Caprivi are classified by the apartheid system as 'Bushman'. Most of them are attached to an SADF base at Omega and have been recruited from Angola.

A spokesman for the occupation regime declared that there 'would be no forced relocation of Bushmen to the new zone' in the Western Caprivi, but that 'services would be provided only in the area and would be withheld from people outside the area'. Although the zone would be placed under the overall authority of the central administration in Windhoek, all facilities would be controlled and staffed by the SADF. (WA 2.12.85)

# REVIEW OF EDUCATION IN NAMIBIA

Education has become a source of considerable conflict in Namibia. Pupils and teachers have been increasingly active in opposing aspects of the repressive segregated education system.

In the middle of 1985 the National Namibian Students Organisation (NANSO) held a five-day conference at Dobra College near Windhoek, to review the progress of the organisation behind the slogan 'Conscientise the youth towards the unity and liberation of the oppressed and exploited'. In July the organisation held a demonstration outside the Apollo Restaurant in Windhoek, the last exclusively white restaurant in the city. (WA 8.7.85; CCN July 1985)

In November last year NANSO organised a meeting in Arandis, the township in which workers from the Rossing uranium mine live. SWAPO representatives addressed the meeting, and a NANSO spokesperson made it clear that Namibian youth were 'determined to challenge the colonialist system of education'. (Nam 22.11.85)

Police temporarily detained for questioning two Namibian students, Percy McNALLY and Harry GOWASEB, in September after they had addressed a gathering at the Academy for Tertiary Education in Windhoek on the boycotts of schools and universities in South Africa. Both were students at the University of the Western Cape near Cape Town. In the same month the 'Minister of National Education' in the South African-installed Multi-Party Conference (MPC) administration, Andrew Matjila, stated that Namibian students studying at black South African universities and colleges affected by boycotts should apply to white South African universities to continue their studies. His statement was rejected by NANSO: 'How can we carry on a normal academic career at a university amid such abnormal social circumstances? Whether we are at a "white" university does not alter the fact that abnormal conditions prevail at present. We will always remain black and therefore will always sympathize with the black struggle and identify ourselves with our fellow black students in South Africa'. (Nam 13.9.85)

In November 1985 the Academy for Tertiary Education was given formal university status. However, under Proclamation AG 44 of 1985, possibilities for student organisation are severely restricted. While the proclamation made provision for a Students' Representative Council, the governing body of the university — the Council — has been empowered to determine the SRC's composition, mode of election, tenure of office, duties and functions. The Council can also dissolve the SRC at any time. (WA 29.8.85; 5.9.85; Nam 8.11.85)

Secondary schools in Namibia have also been a site of conflict. At the Okahara Secondary School an exam boycott took place in November, following the suicide of a student, Adolf Mbasuva. Tensions at the school appear to have arisen when the principal instructed teachers to reset school exams, because the initial papers were 'too easy'. Mbasuva committed suicide after writing a letter to the principal in which he stated that the latter bore 'personal feelings of hatred' towards him. (Nam 15.11.85)

Student grievances have also emerged at the Augustineum High School. Pupils and parents have complained that the white principal carried out excessive corporal punishment and threatened students with expulsion for minor misdemeanours. The pupils, most of whom are believed to support SWAPO, also have political grievances. (Nam 22.11.85)

The presence of 'cabinet ministers' from the

MPC Administration at the annual prize givings of two Catholic Schools, became a source of controversy in November. The Commission of Justice and Reconciliation of the Catholic Church urged Catholic schools in Namibia not to collaborate with the administration, which was established by the South African regime last year. (Nam 1.11.85)

## NEW STATISTICS ON EDUCATION

Figures contained in the budget allocation of the Department of National Education and in recent official reports, provide further insights into the critical state of black education in Namibia. In terms of Proclamation AG 8 of 1980 which established eleven separate political authorities, one controlling the affairs of each 'ethnic' group in the Namibian population, corresponding separate education authorities were set up. Tertiary education, the education of children classified as 'Bushmen' and some primary and secondary schools outside the bantustans are, however, the responsibility of the Department of National Education.

Despite a 16.4 per cent increase in the 1985/6 budget allocation for the Department of National Education, the actual amount available for expenditure for the running of schools falling under the Department has decreased over 1984/5. Nearly fourteen per cent of the increase will be absorbed by the Academy for Tertiary Education and the South West African Broadcasting Corporation. Increases in staff salaries and operating costs have further reduced the amount available for schools to 1.4 per cent of the original allocation. Of the total budget of R64,699,000 this amounts to only R3 million (R518,900 less than in 1984/5). The Department, which is responsible for 78 schools (33,032 pupils), has had to reduce expenditure by R1 million over 1984/5 to stay within its budget. (WA 17.7.85; Nam 20.9.85)

By comparison the Administration for Whites has budgeted R40 million for the 67 white schools (16,047 pupils) under its jurisdiction, R3 million of which will be spent on sport facilities. While there are no figures available on the education budgets of the bantustan authorities, recent statistics indicate large discrepancies between bantustan schools and those falling under the white administration. While in white schools the teacher/pupil ratio is approximately 13 to one, in those controlled by the Ovambo and Hereroland administrations it is 44 to one and 31 to one respectively. Similarly, while in white schools there is one classroom for every 11 pupils, in the Ovambo and Hereroland bantustans there is one to every

59 and 38 pupils respectively. (WA 16.8.85; Nam 20.9.85)

Figures released by the 'Minister of National Education' in August shows a drastic deterioration in the quality of education since its division under separate authorities. Whereas 87 per cent of matriculation pupils in schools falling under the Kavango bantustan authority passed in 1980, in 1984 only 16 per cent did so. The corresponding figures for the Damara authority were 64 per cent and 30 per cent, for the Rehoboth authority 76 per cent and 45 per cent and for the Coloured authority 73 per cent and 45 per cent. In schools falling under the Administration for Whites 93 per cent of matriculation pupils were successful in 1980 and 88 per cent in 1984. (WA 8.8.85)

The Education Committee set up in July by the Minister of National Education to recommend improvements to the education system, reported in October and called for the control and management of schools to be removed from the Representative Authorities and placed under 'a central Minister with regional and local bodies at second and third levels'. Officials of the Administration for Whites, rejected the findings of the report, stating that they had constitutional implications and would lower the standard of white education. (WA 3.10.85; Nam 4.10.85)

A confidential report prepared by the Directorate of Development Co-ordination set up to make proposals for development, indicates that the level of resources presently made available for education fall far short of actual needs. The report calculated that to wipe out the present backlog in the shortage of teachers and classrooms and keep pace with future demand, teachers would have to be trained at the rate of 1,000 to 1,300 per year. (Nam 20.9.85; 4.10.85)

## BANTUSTAN AUTHORITIES

Little information has been forthcoming about education in the bantustan areas. Press reports in July, however, indicated that the salaries of teachers in the Ovambo bantustan had been cut without explanation. In a further development 23 South African Defence Force (SADF) teachers stationed in schools in the bantustan were withdrawn following controversy between the bantustan education authority and military commanders. The controversy centred on a sports programme organised for school pupils by the SADF, independently of the education authority, and from which other teachers were excluded. The activities of the SADF teachers constitute an extension of the occupation army's programme to win the hearts and minds of the local population. (WA 17.7.85; Nam 30.8.85)

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## SOUTHERN AFRICA UNDER ATTACK

Following a warning issued by the South African State Security Council on 20 December saying that Zambia, Botswana, Mozambique, Angola, Lesotho, Zimbabwe and Swaziland were aiding the ANC and 'would have a heavy price to pay', the apartheid regime has adopted a more belligerent posture in the region and there has been a significant increase in aggression against Southern African countries. (BBC 7.1.86)

The State Security Council statement came in the context of an intensified armed struggle inside South Africa and indications from both the ANC and SWAPO that the liberation struggle would be sustained at a higher level in 1986. The apartheid regime expressed particular concern about six landmine explosions which resulted from ANC guerrilla operations in the Northern Transvaal between November and January.

### ZIMBABWE

In November last year the SADF accused the Zimbabwean government of allowing ANC guerrillas to cross the border into South Africa to lay landmines. This was denied by both the ANC and the government of Zimbabwe. Nevertheless, the South African Minister of Foreign Affairs, Pik Botha, warned that unless the Zimbabwean government took steps against the ANC the SADF would mount raids across the border. (CT 28.11.85; 17.12.85; FM 20.12.85)

In January the apartheid regime announced that it was planning to build a high-voltage electrified fence along the Zimbabwean border. A ten-mile stretch of fence already exists, but the current is to be increased from 4,000 to 20,000 volts and the fence greatly extended. The South African regime also moved large numbers of troops into the Northern Transvaal and stepped up its programme of arming farmers and deploying troops on farms. (FT 30.11.85; Cit 27.12.85; BBC 2.12.85; GN 13.1.86)

In response, the Zimbabwean government placed its armed forces on alert and stated that it would defend its territory 'at all costs'. (Cit 27.12.85)

### MOZAMBIQUE

Between July and September last year, the Mozambican army, aided by Zimbabwean troops, captured a number of bases of the South African surrogate force, the MNR.

The authorities uncovered a large quantity of documents providing evidence of continued South African support for the MNR after the signing of the Nkomati bilateral security accord in March 1984. In terms of the Nkomati Accord, Pretoria undertook to cease supplying, training and deploying the MNR. Receiving no satisfactory explanations from the South African regime as to its violation of the Nkomati agreement, Mozambique withdrew from the joint security commission responsible for implementing the Accord. (Agencia de Informacao de Mozambique 30.9.85, 1.10.85; S Star 15.9.85; BBC 21.9.85)

### ANGOLA

In mid-November the Angolan defence force disclosed that a force of 20,000 South African troops was massing on the Namibian border. A month later, two battalions of SADF troops were reported to have invaded the Angolan province of Cunene, occupying the ruined border towns of Cuamato and Calueque. The occupation followed other incidents of aggression, including the capture of two Angolan soldiers and the shooting down by a Mirage fighter of an Angolan transport aircraft on a food supply run. (GN 16.12.85, 21.11.85; Star 29.11.85; MS 16.12.85)

By the end of December, the Angolan authorities estimated that four battalions of SADF troops were occupying Cunene. A fifth battalion of the surrogate UNITA force was also being deployed. Regular reconnaissance flights were being carried out by the SA Air Force. The SADF declined to comment on these reports, stating only that military units had carried out a short 'follow-up operation against SWAPO insurgents' in the first week of January. In mid-January, the Angolan defence force issued a detailed report of South African aggression over the previous weeks which concluded that the pattern of attacks followed that of previous mobilisations which marked 'the beginning of offensives against our troops and population'. President dos Santos stated that South African troops had penetrated 150 km into Cunene province. (BBC 14.1.85; DD 24.12.85, 13.1.86; Star 7.1.86)

### BOTSWANA

Threats were made against Botswana following a landmine attack near the Botswana border in the first week of January. The South African regime informed Botswana that it 'reserved its right' to 'take appropriate measures' in response, although the Botswana government firmly denied any involvement in the incident.

(BBC 25.10.85, 8/9.1.86; S 7.11.85; GN 6/7.1.86)

### SWAZILAND

At the end of December, South African troops were accused by the government of Swaziland of crossing the border and entering villages to threaten the inhabitants with reprisals should they support ANC guerrillas. Swaziland was included in the list of countries accused by the State Security Council in December of 'harbouring terrorists'. This was the first time Swaziland has been publicly accused of such activities since it secretly signed a bilateral security pact with Pretoria in 1982. (GN 28.12.85; Star 27.12.85)

### LESOTHO

On 20 December last year South African commandos killed six South African refugees and three Lesotho nationals in a night raid on the Lesotho capital, Maseru. Seven of the victims were massacred at a Christmas party, the other two were gunned down at their home in front of their one year old daughter. The SADF denied any responsibility and blamed the attack on its surrogate group, the Lesotho Liberation Army (LLA). The LLA carried out a number of attacks in the months preceding the Maseru raid, and an LLA member captured in October revealed details of his training in South Africa. (Star 24.9.85; BBC 9/11.10.85; GN/Cit 21.12.85)

On 1 January the South African regime imposed a blockade on Lesotho. This rapidly caused severe shortages of food, essential goods and fuel, and the government appealed for international assistance. (DD 7.1.86; Star 10.1.86; T/GN 15.1.86)

The immediate cause of the blockade was reported to be the Lesotho government's refusal to agree to a 'bilateral security mechanism' with Pretoria. While the government refused to agree to a separate commission, it agreed that security measures could be discussed through an existing liaison committee. This did not halt the blockade however, and tension within Lesotho's political structures and the armed forces began to mount. After a series of incidents in which troops surrounded government buildings, the government of Chief Leabua Jonathan was replaced on 20 January by a military council headed by the chief of the Para-Military Force, Major-General Justin Lekhanya. The blockade was then partially lifted and the South African Deputy Director-General of Foreign Affairs, Neil van Heerden, arrived in Maseru for talks. (MS 20/21.1.86; T/GN/FT 21.1.86)



**The International Defence and Aid Fund for Southern Africa**  
Canon Collins House, 64 Essex Road, London N1 8LR

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- (ii) to support their families and dependants
- (iii) to keep the conscience of the world alive to the issues at stake.

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