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focus

ON POLITICAL
REPRESSION IN
SOUTHERN AFRICA

News Bulletin of the International Defence & Aid Fund

No. 42 SEPT-OCT 1982

TOKEN RELEASE OF PRISONERS

There has been widespread criticism of the recent much-publicised parole of political prisoners in South Africa. There is a belief among members of organisations concerned with political prisoners that the 'new dispensation' is no more than a publicity stunt by the government to impress the international community.

On 16 March the Minister of Justice, Kobie Coetsee, announced that a new Advisory Release Board was to be established to review the sentences of prisoners. Because the new board did not exclude from its power the recommending of remission and parole for political prisoners, hopes were raised that for the first time the sentences of political prisoners might also be subject to review.

In mid-May the Minister confirmed that prisoners under the principal security laws might in future qualify for remission and parole.

The appearance of a changed attitude toward political prisoners was welcomed by many, both in South Africa and abroad. Many organisations have campaigned for years for the granting of remission and parole to political prisoners.

At the same time as the new Advisory Release Board met for the first time at the beginning of July a number of political prisoners were released from prison. Much publicity followed and a number of political and legal personalities in South Africa made statements praising the government's 'new flexibility' and its move away from 'the strict remission policy of the Vorster era'.

The Department of Prisons refused to name those released but would only say that all had been on Robben Island and that none of the 'well-known security prisoners' were included. The Minister of Justice said that the requirements for remission would only apply to 'those prisoners with a good prognosis - in other words, to those who have co-operated and have shown that they have turned their backs on crime'.

When most of the names of the parolees were discovered, all except four out of 18 known to have been released were serving five year sentences, either in terms of the Terrorism Act or the Internal Security Act. The other four were serving four and six year sentences. Most had only a few weeks of their sentences left to serve.

The names of those known to have been paroled are: Amos MOLOKO, with two months left of a five year sentence; 'Rabbi' Vuyisile Joshua MSITSHANA (54) due for release in August. Sentenced to five years under the Terrorism Act for distributing pamphlets; Henry AFRIKA (25) due for release in August. Sentenced to four years under the internal Security Act for having banned literature; Siphiso PHILLIP NGWENYA (29), sentenced with Henry Afrika; Solomon MUSI, due to be released in November. Sentenced with five others under the Terrorism Act; Odi PENUNYANE had a few weeks left of a five year sentence; Audridge MATHIBE, had a few months left after a five year sentence; Mr MATSELETSELE, released after serving a few weeks short of five years; Sailor PETER, five years with a short time left; two men known only as Sammy and Andy; Joseph MATI (49) due for release in November. Sentenced to five years for being an ANC member and for taking part in ANC activities. He previously served 10 years on Robben Island from 1964; Mluleki GEORGE (35) sentenced to five years in September 1978 under the Internal Security Act. One newspaper named a Mr JAXA and a Mr MATHIEBA as additional parolees.

Three Namibians who were also serving sentences on Robben Island were among those released (see *ROBBEN ISLAND RELEASES* on p. 9 for further details). The Black Sash was one of the organisations which strongly criticised the widely publicised parole of political prisoners, calling it another example of the government 'cheating and misleading the press and the public'.

Tom Manthata, the secretary of the influential Soweto Committee of Ten, said that he thought 'proper remission will not come

willy-nilly, but only through pressure exerted by the liberation struggle' (*RDM* 2.7.82; *RDM/Star* 3.7.82; *S Exp* 11.7.82; *S* 12.7.82; *CT/RDM/S* 14.7.82; see *FOCUS* 40, p. 7, 41, p. 9).

After widespread criticism of the premature releases it was announced that the Advisory Release Board had not been behind the releases - and neither had the prisoners been released on parole.

A senior officer of the Prisons Service said that the releases had been remissions of sentence' and 'conditional releases' which were earned on an individual basis. He also said that the releases had been 'remissions of would depend on the 'executive authority' and should not be confused with the activities of the newly-founded Board (*RDM* 15/20.7.82).

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south africa

POLITICAL TRIALS

A number of major political trials continue in South African courtrooms. Five people in two separate trials have been charged with high treason, which is a capital offence. A number of trade union leaders have appeared in court and face serious charges. It appears that the State will attempt to link their

activities to the ANC and the South African Congress of Trade Unions (SACTU). In other trials the accused face charges of leaving South Africa to undergo military training, of possessing and distributing prohibited publications and of being members of banned organisations.

Large numbers of workers have been brought to trial for participation in 'illegal' strikes and many students face charges of 'public violence' for participating in anti-apartheid demonstrations. Several people have appeared in court charged with possession of banned literature.

CONVICTIONS

MOGOERANE AND OTHERS

Three members of the ANC have been found guilty of high treason, murder, attempted murder and sabotage. Appearing in the Pretoria Supreme Court on 6 August, Thelle Simon MOGOERANE (23), Jerry Semano MOSOLOLI (25) and Marcus Thabo MOTHANG (27), were sentenced to death for their roles in attacking the Moroka, Orlando and Wonderboomport police stations, for sabotaging the railway line at New Canada and for sabotaging an electricity sub-station at Capital Park (*GN/MS 7.8.82*).

At an earlier hearing the three had pleaded not guilty to the charge of high treason and 20 alternative charges.

After the State had given evidence in the trial about the arrest of Mogoerane and Mosololi, the defence gave details of how they were tortured by the police. In order to force Mogoerane to disclose the location of their weapons, the police tied a rope around his neck and one of his hands behind his back. They pulled a plastic bag over his head to make his breathing difficult. He was hanged from a tree and made

to stand on his toes. A dog was also made to bite him. Later both men were subjected to electric shocks. Mogoerane was suspended from a pole between a table and a chair while being shocked. A pistol was placed in his mouth while another policeman banged the table, making a sound like a shot being fired. When the police threatened to arrest his mother he 'confessed' by making a statement.

The judge, who described Mogoerane as 'a compulsive liar', allowed the statement as evidence after deciding that it had been made 'freely and voluntarily' (*RDM 6-23.7.82; CT 20.7.82*).

SITHOLE AND OTHERS

Three members of the ANC, Fana George SITHOLE, Jabulani Wilfred NGCOBO and Titi Aloia MTENYANE (MTHENJANE), were each sentenced in the Durban Regional Court on 8 July to an effective five years imprisonment.

All three had pleaded not guilty to the charges against them. The court found them

guilty of having encouraged people to undergo military training outside South Africa and of conspiring to commit acts of violence and sabotage. Sithole was also sentenced to 30 days on each of the 15 counts of contravening his banning order (*CT 9.7.82*).

GRAHAM DYSON

A Johannesburg lawyer, Graham Eric DYSON (30), was sentenced on 8 June in the Johannesburg Magistrates Court to a R200 fine or three months imprisonment on a charge under the Prisons Act.

He was found guilty of attempting to take three tissues from the Johannesburg Fort Prison after receiving them from his client, Elaine Mohamed, who was being held under the Internal Security Act.

The prosecution claimed that a poem written on the tissues could have contained a message. Dyson told the court that he had picked up the tissues from the floor and intended disposing of them. He was not aware that there was anything written on them (*RDM 11.6.82*).

CONTINUING TRIALS

HOGAN AND MAYSON

In the previous issue of *FOCUS* it was stated that Barbara HOGAN (30) and Cedric MAYSON (54) were to appear in a combined trial with Alan FINE (26), Thozamile GQWETA, Sam KIKINE and Sisa NJIKELANA.

Now the trials have been split, with Hogan and Mayson appearing together but separately from the others, Fine on his own, Njikelana and Gqweta together but also separately from the others, and Kikine on his own.

The six appeared on 14 June in the Johannesburg Regional Court where they were charged and remanded until they were due to appear in their separate trials.

No date has yet been set for the appearance of Hogan and Mayson but their appearance will be in the Rand Supreme Court where they are to be tried for high treason. They will also face alternative charges under the Terrorism Act.

Some of the charges against Hogan are that she: joined the ANC in Swaziland in 1977; agreed to work in the field of labour to further the aims of the ANC; established a system of communications with the ANC; visited ANC officials in Botswana several times to whom she conveyed information and from whom she received instructions; compiled documents which she handed to another person to have transmitted to Botswana

and London.

Charges facing Mayson are, amongst others, that he: became a member of the ANC in 1977; had talks with ANC and South African Congress of Trade Union (SACTU) officials in Botswana in 1981; received and made tape recordings of ANC speeches and songs and passed them to others; received and distributed large quantities of ANC literature between 1977 and 1981; had talks with ANC commanders in London in 1981 (*RDM 15.6.82*).

Two security policemen appeared in the Johannesburg Regional Court on 23 July as the result of a charge of assault laid by Hogan in January while she was a Terrorism Act detainee. Hogan claims that she received 25 to 30 blows while she was being interrogated and this was interspersed with aggressive questioning, screaming and shouting. One interrogation session lasted for more than 24 hours, during which she was refused permission to go to the toilet. The hearing continued on 29 July (*RDM 23.7.82*).

ALAN FINE

Alan Morris FINE (26) appeared in the Johannesburg Regional Court on 21 June and had his trial date set for 2 August.

He is charged with furthering the aims of the ANC and SACTU. Alternatively he

is charged with allegedly unlawfully taking part in the activities of the organisations, both in South Africa and in Botswana.

Fine was not asked to plead and was remanded in custody. He had been in detention for nine months prior to the appearance (*RDM 22.6.82*).

GQWETA AND NJIKELANA

The National President of the South African Allied Workers' Union (SAAWU), Thozamile GQWETA, and the national vice-president of SAAWU, Sisa NJIKELANA, appeared in the Grahamstown Magistrates Court on 30 June. They were not asked to plead, no charges were laid and they were remanded in custody until they appear again on 31 August. The Grahamstown court ruled that it had no jurisdiction over the men and referred the case to East London (*S 1.7.82*).

Previously Gqweta and Njikelana had appeared with the General Secretary of SAAWU, Sam Kikine, in the Johannesburg Regional Court in connection with an allegation that they had contravened the Terrorism Act (*RDM 29.6.82*).

SAM KIKINE

The General Secretary of SAAWU, Sam KIKINE, was taken into police custody on 29 June immediately after Terrorism Act

charges against him were withdrawn by a Johannesburg magistrate. He had appeared with two other SAAWU officials, Thozamile Gqweta and Sisa Njikelana (see above).

Kikine appeared again in the Durban Magistrates Court on 13 July in connection with a further allegation of contravening the Terrorism Act. No charge was put and no details given. The hearing was adjourned until 6 August and Kikine was released on R500 bail. He has to report twice a week to a police station (S 14.7.82).

RADEBE AND OTHERS

Four alleged members of the South African Youth Revolutionary Council (SAYRCO) appeared on 20 July in the Kempton Park Regional Court to face two charges under the Terrorism Act.

The accused are Stanley RADEBE (27), Ephraim MADALANE (24), Ernest MOHAKA-LALA (23) and Innocentia MAZIBUKO (20). A fifth accused, Elizabeth MOTHIBEDI (20) had charges against her withdrawn.

They were not asked to plead, and will appear again on 21 September.

The state alleges, amongst other things, that the four underwent military training outside South Africa with the intention to return and overthrow the government by violent means. It is alleged that they had held meetings to recruit others to SAYRCO and that they had been to Botswana and Lesotho to further the aims of the organisation (S. 20.7.82).

REV. IVOR SHAPIRO

An Anglican Minister from Kimberley, Rev.

APPEALS

TSOTSOBE AND OTHERS

The date for the appeal against the death sentences of the three ANC members convicted of treason has been set for 3 September in the Bloemfontein Appeal Court.

The three, Anthony Bobby TSOTSOBE, Johannes SHABANGU and David MOISE, were sentenced to death on 19 August 1981 (S. 8.7.82; see FOCUS 37 p. 4, 38 p. 5).

JOB MOLAHLOE

Job MOLAHLOE, who was sentenced to five years imprisonment for refusing to testify in the Khotso Seatlholo case early this year, was acquitted on 21 June by the Johannesburg Supreme Court.

According to a notice submitted by Molahloe's representatives he was detained on

OTHER TRIALS

YOUTH AND STUDENTS

- Twenty people accused of public violence were referred from the Zwelitsha Magistrates Court on 7 July to the Ciskei Supreme Court after the magistrate ruled that he did not have the jurisdiction to decide whether Proclamation R252 was still valid in an 'independent' Ciskei. Proclamation R252 was the major piece of security legislation used in the bantustan prior to its 'independence'.

The trial is a sequel to the stoning of the Ciskei president's motorcade at the Fort Hare graduation ceremony on 1 May. Seventeen of the accused are Fort Hare students (S. 8.7.82).

- Nine youths from Mamelodi appeared in the local magistrates court to face charges of public violence that allegedly resulted from a June 16 commemoration service held on 19 June this year (S. 20.7.82).

- The chairman of the Atteridgeville branch of the Congress of South African Students,

Ivor SHAPIRO, who edits 'Seek', the Anglican Church newspaper for South Africa, appeared in the Kimberley Magistrates Court on 14 June charged with offences under the Internal Security Act and Unlawful Organisations Act.

Rev. Shapiro was not asked to plead and the case was postponed to 26 July. He was released on R1,000 bail.

The court appearance was a sequel to an earlier appearance on 5 May, the day on which he was detained and when security police searched the 'Seek' offices (Cit 15.6.82).

BILA AND TWO OTHERS

One of the three alleged ANC members facing 10 charges of being in possession of prohibited publications, putting up illegal posters and promoting the interests of the ANC, was acquitted in the Pretoria Regional Court on 30 June.

He is John QOTSO (35). The magistrate acquitted him after the prosecutor had told the court that the State had no proof that he was implicated.

Strike Ishmael BILA (28) and Bernard MOKGONYANA (19) are charged with taking part in ANC activities, but, according to the defence, the State had failed to show that those whom the accused had visited in Botswana were ANC members. Further, the painting of slogans approved of by the ANC and possession of ANC literature was not proof that the two took part in the organisation's activities.

Judgement in the case will be given on 20 August (RDM/S 1.7.82).

DUNA AND OTHERS

In the first Terrorism Act trial held in the

22 June last year under section six of the Terrorism Act. When he refused to testify he was sentenced without his lawyers or relatives knowing. He only managed to get proceedings started on his behalf while he was in prison (S. 23.6.82; S. 2.7.82).

DAVID MAMPANE

One of the four men convicted of being members of the ANC in September last year, David Linda MAMPANE (20), has appealed against his 16 year prison sentence.

His co-accused were effectively jailed for 10 years. The disparity in sentences arose out of a further conviction which Mampane received for 'intending to murder a policeman'. In the appeal Mampane claims that the 'intention to kill' does not materially affect the issue. There

Desmond NKOSI, together with five other youths, appeared in the Atteridgeville Magistrates Court on 1 July on charges of public violence and theft.

They were not asked to plead and the case was referred to the Pretoria Regional Court for hearing on 13 August. They were granted R200 bail each on condition that they did not interfere with state witnesses and that they report to the local police station twice a week (S. 2.7.82).

LABOUR

- An organiser of the General Workers Union of South Africa, Donsie KHUMALO (30), appeared in the Pretoria Regional Court on 25 June charged with inciting laundry workers in Queenswood, Pretoria, to strike.

He pleaded not guilty. The case was postponed to 26 September (RDM 26.6.82).

- Sixty black mineworkers, arrested during the unrest at the Kloof gold mine early in July appeared in the Westonaria Magistrates Court

Ciskei, a witness was sentenced to two and a half years' imprisonment on 19 July for refusing to take the oath. Another witness claimed he had been assaulted by the security police and had sustained a damaged eardrum.

The accused, Mabone William DUNA (31), Dumisani Bizette MANINJWA (31) and Luyanda Patrick MAYEKISO (23), are charged with participating in terrorist activities, with being members of the ANC and being in possession of banned literature.

The trial began in early March and is still proceeding (S. 21.7.82).

OSCAR MPETHA

In the ongoing Oscar MPETHA trial two witnesses have been charged with perjury. One of the witnesses, Shadrack Ponomo NCAPAYI (21) was sentenced in the Parow Regional Court on 27 May to 15 months imprisonment.

The court found that evidence given in the Mpetha trial by Ncapayi conflicted with two sworn statements he made to the police earlier (S. 28.5.82).

The other witness, Mpumelelo YAWA (21) was accused in a Cape Town regional court on 19 July of committing perjury by making a conflicting statement while under oath.

He pleaded not guilty to the charge and was extended bail of R50. He was due to appear again on 22 July (CT 20.7.82).

The trial of Mpetha and 18 others continues in the Cape Town Supreme Court but little detail of this trial has been reported in the press. Mpetha has been excused from court appearances due to a serious deterioration in his health (see past issues of FOCUS).

was no evidence that he had actually taken any steps to kill the policeman (RDM 12.7.82; see FOCUS 37 p. 4).

MZILIKAZI KHUMALO

The appeal court has allowed the appeal of Mzilikazi Godfrey KHUMALO against his conviction and sentence of five years imprisonment on a charge of taking part in terrorist activities. However, the court dismissed his appeal against convictions and sentences on a further two counts of participating in terrorist activities.

He was convicted in the Natal Supreme Court on 1 March 1979 and sentenced to an effective 20 years imprisonment. The effective sentence will now be 17 years (Cit 1.6.82; see FOCUS 22 p.3, where his sentence was incorrectly given as 16 years).

on 23 July charged with public violence.

The 60 were held in prison awaiting trial for nearly two weeks. The miners, mostly migrant workers from Lesotho, were arrested when they went on strike after new pay scales were introduced. The workers are said to have damaged mine property when they allegedly went on the rampage (S. 22.7.82).

BANNED LITERATURE

- Boy Boy MPULAMPULA (26), who lives in Mdantsane which is in the Ciskei bantustan, appeared in the Mdantsane Regional Court on 11 May on a charge of being found in possession of three banned publications.

His defence argued that no act had been passed in the bantustan since its 'independence' prohibiting possession of the books. Previously South African legislation applied in the Ciskei. The case was postponed to 21 June and bail was extended (DD 12.5.82).

- A reporter on the Natal Witness, Nalini

continued on p.7

DETENTIONS

Inquests held into the deaths in detention of Tshifhiwa MUOFHE and Neil AGGETT provided detailed evidence of torture of detainees. Meanwhile the government's new Internal Security Act came into effect, introducing some changes but no real safeguards.

There were further signs of restrictions on the release of information when security police used a section of the Police Act for the first time to prevent the press reporting a number of detentions. Figures compiled by the South African Institute of Race Relations stated there were 202 people in detention on 2 June (*Star* 17.7.82).

DETAINEE BEATEN TO DEATH

An inquest in July found that Tshifhiwa Isaac MUOFHE was beaten to death by security police in the Venda bantustan. Muofhe, a Lutheran lay preacher whose death was reported in *FOCUS* 38 p.2, died two days after his detention on 10 November 1981. He was one of a number of Lutherans detained following an armed attack on the Sibasa police station in October last year (see *FOCUS* 39 p.7).

Post mortem reports showed that Muofhe died from internal bleeding and widespread bruising all over his body. He had lost more than a litre of blood and a senior pathologist reported that he found ten instances of injury to the back alone.

On 11 November Muofhe was interrogated for the whole day by Captain M L Ramaligela and Sgt P J Manganga. The magistrate found that these two policemen were responsible for the unlawful assault which led to his death. An eye-witness testified that when Muofhe was returned to prison after the interrogation he was unable to walk properly and had to be carried to his cell. He was unable to talk or open his eyes. The following morning he was found dead.

The two policemen claimed that Muofhe had confessed to harbouring guerillas and was driven in an open police van to point out where he had sheltered them. During an escape or suicide attempt his injuries were caused. This story was refuted by medical evidence showing the injuries were too systematic to have been accidental. In addition the police logbook showed that the police vehicle was out of service on the day in question.

Following the inquest verdict it was reported that Muofhe's family were suing the commander of the Venda National Force for R385,000 for the loss to his wife, mother and son. The presiding magistrate at the inquest said he would prepare a judgement which the Attorney General would consider with a view to laying charges against the policemen (*ST (Jhb)* 18/25.7.82; *S. Exp* 18.7.82; *T* 21.7.82).

Further evidence of torture in the Venda bantustan was provided by Rev Simon FARISANI, the Lutheran dean of the area who was released on 1 June. He was detained in November 1981 and spent over three months of his detention in hospital. He alleged brutal assault by blows to his head which burst his ear-drums and said on one occasion he was hooded and given electric shock treatment during a 13 hour interrogation (*FOCUS* 39 p.9; *Obs* 25.7.82).

AGGETT INQUEST

During June the inquest into the death of Neil AGGETT continued. A statement made by

him alleging assault was given widespread publicity.

Morris Smithers, a former detainee now banned, gave evidence of seeing Aggett abused. He was the source of a letter quoted in Parliament by Helen Suzman (see *FOCUS* 40 p.3). Thirteen other detainees submitted statements to the court alleging ill-treatment and the magistrate gave permission for eight of them to be called as witnesses.

Evidence stated that Aggett was interviewed for 62 hours between 28-31 January. The inquest was adjourned on 29 June until 20 September during which time the magistrate is to decide whether to order the police to produce a statement allegedly made by Aggett during this period (*DN* 9.6.82; *RDM* 15.6.82, 23.6.82, 30.6.82).

ANOTHER DEATH IN DETENTION

On 8 August security police in Johannesburg announced the death in detention of Ernest DEPALE. Depale (21) was detained on 5 August under the Internal Security Act and held at John Vorster Square. Police said he was found hanged in his cell by a piece of blanket during the early hours of 8 August. Police gave no reason for Depale's detention but said he was due to appear in court on 9 August (*T/Tel* 9.8.82).

INTERNAL SECURITY ACT

A new Internal Security Act was published in June which replaced or partly recalled many earlier pieces of security legislation. It confirmed the power of the state to detain people as witnesses (Section 31), for interrogation (Section 29, which replaced Section 6 of the Terrorism Act) and also reaffirmed preventive detention (Section 28). Under the new Act detentions for a period longer than one month now require the written authorisation of the Minister of Law and Order. Another change enables the Inspector of Detainees to visit detainees in private. The Act was based on the recommendations of the Rabie commission (see *FOCUS* 40 p.1). No changes were made with regard to solitary confinement of detainees or interrogation practices, two areas of recent public debate (*RDM* 15.5.82).

REPORTING RESTRICTIONS

A number of people including prominent members of the Media Workers Association of SA (MWASA) were detained in police action in Johannesburg, Natal and Pietersburg on 24 June. Joe THOLOLOE, a journalist who was banned in January 1981 on the day he was appointed senior reporter on the *Sowetan*, was taken from his Soweto home. Also detained were Mathata TSEDU, former reporter on the banned 'Post' who is also banned, Vas SONI, of the 'Natal Post' and Quraish PATEL of the 'Daily News'. Initial reports also named Joyce MOKHESI, acting general secretary of the Commercial Catering and Allied Workers Union, and Sol RAPHALALANI, of the Lutheran Church in Pietersburg. Mokhesi was formerly a reporter with the 'Voice' newspaper and an executive member of the Young Christian Workers (*S* 25.6.82).

After these first reports the police invoked Clause 27c of the Police Act to prevent publication of any further details or even a repetition of the names of the people concerned. This wide-ranging clause prohibits publication of details of police action aimed at 'preventing or combatting terrorist activity' (*RDM* 25.6.82).

After three days reporting restrictions were lifted and details of further detainees became known - Veli Truman MNGUNI and Victoria Motlala MAKHETHA in SOWETO and Ali MPHAKI, a Soweto student studying at the University of the North, in Pietersburg. In early July all these detainees, who were initially detained under the General Law Amendment Act, were redetained under Section 29 of the new Internal Security Act. By the beginning of August all were released except Thloloe and Tsedu (*RDM* 28.6.82; *CT* 9.7.82; *S* 26.7.82).

PIETERMARITZBURG

There was a delay of three weeks before police confirmed the names of a group of people detained in Pietermaritzburg on 10 June. The Pietermaritzburg Agency for Christian Social Awareness said that Section 27c of the Police Act had enabled police to isolate detainees by withholding names and information. Those detained under Section 6 of the Terrorism Act were named as Sicele KHUMALO, Mandla MBENSE, Nkosinathi HADEBE, Dumisani MATHONSI, Bigboy MNGUNI, Nkosenye NDLOVU and Duma GOUBULE. Gqubule, the 17-year-old son of Simon Gqubule, president of the Methodist Church in Southern Africa was previously detained for 5 days in 1980. Tapes and documents were confiscated from Gqubule's room when he was taken away in handcuffs (*S* 14.6.82; *Star* 1.7.82).

KIMBERLEY

Further details were made public about the detention of a number of Kimberley school-children detained in early 1981 following unrest in Galeshewe arising out of the 1980 school boycott. At the end of March 1981 nineteen of the twenty-four original detainees were re-detained as potential state witnesses in the trial of MOTLHABAKWE and four others (*FOCUS* 35,36,38,40). In May 1982 the state closed its case in this trial having called only four of the detained witnesses. Lawyers for the remaining fifteen applied to the Northern Cape Division of the Supreme Court for their release on the grounds that the reason for their detention had fallen away but this application failed in July. The Supreme Court ruled that it had no jurisdiction to order the detainees' release. At the hearing it was stated that defence lawyers in the Motlhabakwe case took statements from the fifteen and planned to call them as defence witnesses (*RDM* 22.7.82).

TRADE UNIONS

The repression of trade unionists continued in the Ciskei bantustan. On 18 June Bonisile NORUSHE, acting national organiser of the African Food and Canning Workers Union, was detained with Zodwa MAPHELE & Boy SOCI, two South African Allied Workers Union (SAAWU) activists. They were stopped at a roadblock outside Mdantsane when returning from Port Elizabeth. Their detention was condemned by the Western Cape Solidarity Committee which is composed of six major independent unions. Major-General Sebe, head of the Ciskei security forces, alleged the three were held for furthering the aims of the African National Congress (ANC) and the South African Communist Party (SACP) and would be charged. However, on 8 July they were released without any charges being laid. Norushe was released from prison in April after serving a one year sentence for refusing to testify against Mandla GXANYANA (see *FOCUS* 35 p.5; *CT* 23.6.82; *S* 24.6.82; *RDM* 9.7.82).

David THANDANI, branch secretary for Eastern Province of the General Workers Union (GWUSA) was detained for two weeks by the Ciskei Intelligence Services (CIS) (S 12.7.82: RDM 26.7.82).

POLICE ACTION

Police action interrupted memorial meetings held in Soweto in June. On 13 June a service was held at the YMCA in Dube to commemorate Joseph MAVI, General Secretary of the Black Municipal Workers Union who was killed in a motor accident on 8 June and Petrus and Jabu

NZIMA (Nyaose), ANC workers who were killed by a car bomb in Swaziland on 4 June. Everyone present, a crowd of some 250, was arrested: most were released overnight. At least two people were held longer. Mildred HOLO, who addressed the meeting on behalf of the Cape Town Women's Front Organisation was detained for 72 hours. Siphwe THUSI was held from 13-30 June (S 18.6.82, 1.7.82: CT 17.6.82).

Reporters were prevented from reporting on the annual memorial services held at Regina Mundi church in Soweto on 16 June. Over 50

foreign and South African Journalists were detained for some hours at Protea police station and had their permits to enter Soweto withdrawn before they were released. After the service was over police teargassed and whipped some of the congregation outside. of 10, whose arm was broken, and three members of the AZAPO executive (RDM 17.6.82; S 18.6.82).

RELEASES

Monty NARSOO, a trade unionist who was *continued on p.12*

DETAINEES Additional to previous FOCUS lists

Approx. date	Place	Name (age)	Details (where known)
January '82	Durban	Gavin MACFADDEN	Student Univ. College of Swaziland
January '82	Durban	Enoch BULUNGA	Student, Univ. College of Swaziland. TA
9.5.82	Pretoria	Unnamed man	Alleged ANC commander
17.5.82	Protea	Paul MAJOLA	Det. at home. Police later claimed he had escaped from custody
30.5.82	Ciskei	Sipho HINA (unnamed in FOCUS 41)	Det. at funeral. R252. Rel. by 8.7.82
June '82	Ciskei	Andile MNYANDA	Lawyer. R252. Rel. after 5 days
June '82	Ciskei	Rev Simon NGIDI (37)	Independent Church minister. Alleged assault. R252. Rel. after a month
10.6.82	Pietermaritzburg	Duma GQUBULE (17)	Son of Pres. Methodist Church. Sec. 50 CPA, then TA
10.6.82	Pietermaritzburg	Dumisani MATHONSI	TA
10.6.82	Pietermaritzburg	Nkosinathi HADEBE	TA
10.6.82	Pietermaritzburg	Mandla MBENSE	Hospital worker. TA
10.6.82	Pietermaritzburg	Sicelo KHUMALO	TA
10.6.82	Pietermaritzburg	Nkosenye NDLOVU	TA
10.6.82	Pietermaritzburg	Bigboy MNGUNI	TA
13.6.82	Soweto	Siphwe THUSI	Member of a workers cttee. Det. at memorial service. GLA. Rel. 30.6.82
13.6.82	Johannesburg	Mildred HOLO (53)	Ch'man Women's Front Org. Det. at memorial service. Sec. 50 CPA. Rel. 16.6.82
16.6.82	Ciskei	Mzukile BUNGU	Wounded during shooting between police and alleged guerillas. R252
17.6.82		Sipho KHUBEKA	Unconfirmed
17.6.82		Tsepo SELEBI	Unconfirmed
18.6.82	Ciskei	Bonisile NORUSHE	Act. Nat. Org. AFCWU. Jailed April '81-82 R252 Rel. 8.7.82
18.6.82	Ciskei	Zodwa MAPHELA	Branch secretary SAAWU. R252. Rel. 8.7.82
18.6.82	Ciskei	Boy SOCI	SAAWU. R252. Rel. 8.7.82
24.6.82	Soweto	Joe THLOLOE	Banned 'Sowetan' reporter. MWASA member GLA, then Sec. 29 ISA
24.6.82		Mathata TSEDU	Banned journalist. MWASA member. GLA, then Sec. 29 ISA
24.6.82	Sandton (Johannesburg)	Sol RAPHALALANI	Lutheran church worker. GLA, then Sec. 29 ISA. Rel. 23.7.82
24.6.82	Durban	Quraish PATEL	'Daily News' reporter, MWASA member. GLA, then Sec. 29 ISA Rel. 20.7.82
24.6.82	Durban	Vas SONI	'Natal Post' reporter. MWASA member. GLA, then Sec. 29 ISA. Rel. 20.7.82
24.6.82	Soweto	Veli Truman MNGUNI	GLA, then Sec. 29 ISA
24.6.82	Sandton (Johannesburg)	Victoria MAKHETHA	GLA, then Sec. 29 ISA. Rel. 23.7.82
24.6.82	Sandton (Johannesburg)	Joyce MOKHESI	Former journalist. Acting Gen. Sec. Commercial Catering & Allied Workers. Union GLA, then Sec. 29 ISA. Rel. 23.7.82
24.6.82	Pietersburg	Ali MPHAKI (21)	Student at Univ. of North. GLA, then Sec. 29 ISA. Rel. 23.7.82.
28.6.82	Transkei	Ezra SIGWELA	Transkei Council of Churches
4.7.82	Sandton	Leonard MALAMBULE	AZAPO member. Sec. 29 ISA Rel. 23.7.82
8.7.82	Ciskei	W.M. FANTI	Ch'man Mgwali Committee against Removals. R252
8.7.82	Pietersburg	Alleged guerilla plus other unnamed people	Allegedly trying to contact people at Univ. of North
10.7.82	Ciskei	David THANDANI	Branch secretary GWUSA. R252. Rel. 22.7.82
22.7.82	East London	Peter JONES	Banned former Black Peoples Convention organiser. Rel. and charged 26.9.82.

ABBREVIATIONS

Organisations

AFCWU	African Food and Canning Workers Union
AZAPO	Azanian Peoples Organisation
GWUSA	General Workers Union of South Africa
MWASA	Media Workers Association of South Africa
SAAWU	South African Allied Workers Union

Laws

CPA	Criminal Procedure Act
GLA	Section 22 of the General Law Amendment Act
ISA	Internal Security Act
R252	Ciskei Emergency Proclamation R252
TA	Section 6 of the Terrorism Act

BANS AND RESTRICTIONS

NEW BANS

Albertina SISULU was banned in June for the fifth time since 1963. Sisulu was served a two-year banning order shortly after her release from a Soweto police station where she was detained for a brief spell along with 250 others who attended a memorial service for trade union leader, Joseph Mavi and two murdered ANC members (see *DETENTIONS*). Her last banning order, also for two years, expired in August last year (see *FOCUS 37 p.6*). Under the terms of the new order she is prohibited from attending any social and political gatherings and from gatherings of pupils or students for purposes of addressing or giving them instruction. The order expires on 31 March 1984 (*S 15.6.82*).

The prominent Port Elizabeth playwright, Rev Mzwandile MAQINA, was served with a three-year banning order on 15 June just over two months since his first banning order expired at the end of March (see *FOCUS 41 p.10; S 17.6.82*).

BANS LIFTED

In addition to those bans reported lifted in the last issue of *FOCUS*, the following people had their bans lifted in May, according to the Government Gazette:

- Baptiste MARIE, research officer with the

BANISHMENTS

NEW STYLE OF BANISHMENT

Two formerly banned people presently living in the Ciskei bantustan were in July declared 'prohibited immigrants' by the South African government and are now effectively restricted to the vicinity of Zwelitsha. They are Charles NQAKULA, acting president of the Media Workers' Association, whose ban was lifted in May this year, and Malusi MPUMLWANA, a first-year theology student whose ban was lifted in February (see *FOCUS 41, p.10; 40, p.6*). In terms of the Aliens Act of 1973 unless visas are granted to them by the Department of Internal Affairs they will be unable to leave the Zwelitsha area, since to reach other major centres beyond this part of the Ciskei involves travelling through the rest of South Africa. It is therefore uncertain whether Mr Mpumlwana will

MEETINGS

NEW LEGISLATION

Two new acts arising from the recommendations of the Rabie Commission, which may be used to further limit the freedom of assembly in South Africa, were published in June.

The Intimidation Act makes it an offence to compel or induce a person to do or abstain from doing any act or to assume or abandon a particular standpoint through an act of violence

Institute for Black Research. His banning order was lifted one week before its expiry date at the end of May (*FOCUS 12 p. 13; RDM 2.6.82*).

- Kader HASSIM, former Pietermaritzburg attorney and political prisoner, served with a five-year banning order on his release from Robben Island in April 1980 (*FOCUS 29 p.12; RDM 19.6.82*).
- Fikile MLINDA, a former member of the Zimele Trust Fund, a black charitable organisation established to assist political prisoners on release and which was banned in October 1977. He was banned in February 1979 for five years (*FOCUS 22 p.4; S 1.6.82*).
- Diliza MJI, a medical student and a former president of the South African Students' Organisation (SASO) detained in October 1977, banned on release in November 1978 for five years (*FOCUS 20 p.8; RDM 19.6.82*).
- Deborah MATSHOBA, literacy director of SASO's literacy programme until SASO was banned in October 1977. She was detained from February 1977 to December 1978 and banned on release for five years (*FOCUS 20 p.8; RDM 19.6.82*).

BANS EXPIRED

- The fourth banning order to be served on Helen JOSEPH, the well-known anti-apartheid campaigner active since the 1950s, expired at the end of June. However, as a person listed under the Internal Security Act, she still cannot be quoted nor can her work be published in South Africa. First banned in 1957 when she

was able to continue his studies at Pietermaritzburg (*S 14.7.82; Star 17.7.82*).

The prohibition orders thus constitute yet another method of banishment made possible by the process of granting 'independence' to the bantustan areas. The government can restrict movement under the Aliens Act so as effectively to banish people for life from all areas of South Africa not designated as 'independent' bantustans, as in the case of Nqakula and Mpumlwana; it can also remove bantustan 'citizens' from these areas permanently to the bantustan to which they are supposed to belong, as in the case of Mfethi (see above under *BANS EXPIRED*).

OTHER BANISHMENTS

Mr C P VANDA, the Town Clerk of Butterworth, in the Transkei bantustan, was banished to his family home in the Nqamakwe district on 11 June by the Transkei Security Police. They declined to give reasons for the banishment (*Cit 16.6.82*).

BANISHMENTS LIFTED

Orders for the deportation from the Ciskei

or damage or the threat of violence or damage. The onus for proving a lawful reason for such an act rests with the accused person. The Act repeals six sections of the Riotous Assemblies Act of 1956, most of which were specifically concerned with the conduct of striking workers and are now made redundant by the wider terms of the new Act. Maximum penalties for an offence under the Act are a R20,000 fine or ten years imprisonment, or both (see *RDM 3.4.82*).

The Demonstrations in or near Court

was a defendant in the Treason Trial, Helen Joseph has been listed for 25 years and banned for 16, but she has been able to address meetings, unquoted, since 1971 (see *FOCUS 29, p. 12; S Exp 4.7.82; S 2.7.82*).

- The banning order on Mongezi STOFILE, a former president of SASO, expired on 31 May. The five-year banning order on another SASO member, a former general secretary, Thami ZANI, expired on 30 June. Zani is now living in exile (see *FOCUS 11 p.4, 12 p.4*).
- The five-year ban on Maphefo Jane PHAKATHI, former regional director of the Christian Institute in the Transvaal, expired in March. Phakathi fled South Africa shortly after being banned in March 1977 (see *FOCUS 10 p. 10*).
- Phindile MFETHI, a former trade unionist and secretary of the Industrial Aid Society, who was banned in May 1977 for five years until May 1982, is no longer a banned person but remains banished to the Transkei since his removal there from the Transvaal in July 1978 under the Aliens Act (*FOCUS 11 p. 4, 18 p.12, 19 p.6*).

CORRECTION

An error was made in the last issue of *FOCUS* concerning the banning order on M D NAIDOO (*FOCUS 41 p.10*). His ban expired on 31 May and was not renewed. A banning order was served on M J NAIDOO, Durban attorney and former acting chairman of the Natal Indian Congress, to be effective from 10 May 1982 until 31 March 1984.

bantustan of three former executive members of the King and Districts Rugby Union (Kadru) were cancelled in May by the Ciskeian Supreme Court. The three men, Amon NYONDO, Kadru president, Albert TYULU, vice-president, and Douglas MAKU, treasurer, were deported from the Ciskei last September along with Mr F MABECE whose banishment order was lifted in February on his request for a pardon. Kadru is a union campaigning for multi-racial sport (see *FOCUS 40 p.6; CH 12.6.82*).

BANNING UNDER THE NEW INTERNAL SECURITY ACT

The new Internal Security Act which implements the recommendations of the Rabie Commission of Inquiry into Security Legislation, provides for the petitioning of the Minister of Law and Order to review any banning within 14 days of its being published in the Government Gazette. A board of jurists will review cases of banned people on a six-monthly basis and may, at the discretion of the Board's chairman, hear evidence from the restricted person before repeating its findings to the Minister (*CT 24.4.82; Star 15.7.82*).

Buildings Prohibition Act prohibits 'all demonstrations and gatherings in any building in which a court-room is situated or at any place in the open air within a radius of 500 metres from such building' except on weekends or public holidays, or if permission has been granted by the district magistrate. A demonstration is defined as any demonstration by one or more persons 'which is connected with or coincides with any court proceedings or the proceedings at any inquest'. Maximum penal-

continued on p.12

REVIEW: PASS LAWS

A process of imposing more severe pass law restrictions on the majority of Africans, accompanied by some relaxation of restrictions on a minority, has been continuing since at least the middle of 1979. Legislation introduced in June 1982 at end of the Parliamentary session, and due to be discussed again in 1983 will, if implemented in its present form, greatly extend that process. This review describes the principal developments in the pass law system during 1981 and the first half of 1982, and outlines the main aspects of the proposed legislation.

The proposed legislation is contained in the *Orderly Movement and Settlement of Persons Bill*. After studying it in detail the Black Sash concluded that it would 'make influx control much more effective' and that it seemed designed to exclude people in the bantustans from access to jobs in the 'white' urban areas. The *Financial Mail* commented that 'the net effect of the Bill is to give the Government almost total demographic control over urban Africans mainly through the medium of housing and provision of land to townships', and that it provided for more stringent exclusion of non-urban Africans from the principal areas of economic activity (S. 15.6.82; FM 18.6.82).

The proposal of such measures came after successive years in which the application of the pass laws has been intensified and the controls strengthened. In its annual report for 1980 the Black Sash Advice Office in Johannesburg stated that 'We have never experienced a worse year than this one' and spoke of 'the greater severity with which influx control is now being enforced' and of 'the increasing exclusion of black people who live in the bantustans from participating in the economic development of the so-called white areas' (FOCUS 34, p.12). In its report for the following year the same organisation said that influx control during 1981 became more rigid, more people had their South African citizenship taken away and more people became hungry as unemployment in the bantustans soared (FM 12.3.82).

This steady tightening of the system of pass laws is a consequence of the implementation of a policy along the lines recommended by the Riekert Commission, appointed after the uprising of 1976. Central to the policy are measures which make it more difficult for Africans from outside the 'white' areas to enter those areas, together with other measures which give greater freedom of movement to the minority who do already have rights of residence in those areas. Riekert also recommended that the implementation of the pass laws should be shifted away from 'the street', where the police carried it out, to places of employment and accommodation.

continued from p.3

NAIDOO, appeared in the Pietermaritzburg Regional Court in April on charges of possessing 'undesirable' literature.

The literature was found by security policemen who searched her house when they went to question her about another case in which she was to be called as a witness.

The case was adjourned to 26 May for further evidence (DD 2.4.82).

MISCELLANEOUS TRIALS

• Twenty five Reiger Park residents were acquitted in the Johannesburg Magistrates Court

The first steps to put the policy into practice were taken in July 1979. The fine to be paid by employers employing 'illegal' or unregistered Africans was raised from R100 to R500. Many thousands of people were either put onto a migrant labour basis with one year contracts, or evicted from the 'white' areas. At the same time regulation of jobs through the labour bureaux system was tightened. A policy was initiated by which preference in employment was given to people who already had rights to reside in the 'white' areas, and there was a cut in recruitment in the bantustans (FOCUS 27, p. 16, 34 p. 12).

In June 1980 there was a relaxation of restrictions on those with rights to reside in 'white' urban areas: those with such rights no longer needed to register with a labour bureau when taking up a new job and were free to move from one area to another, provided they had a job and accommodation (FM 12.3.82).

While the numbers who could in practice benefit from the change were severely restricted by the acute housing shortage resulting from government policy, the change was a significant one for that minority. However the number who benefitted was further restricted in May 1982, when the relaxation was overridden in the case of the Western Cape area by a new law. The new law re-established the restrictive policy known as the Western Cape Coloured Labour Preference Policy (this requires Coloured people to be employed in preference to African people) (RDM 18.5.82).

The Black Sash report for 1981 notes that 'the effects of Riekert are biting deep. The urban black labour preference policy (not yet officially named as such) following the model of the Coloured Labour Preference Policy in the Western Cape, increasingly means that jobs are reserved for urban people. Recruitment from the bantustans is being steadily reduced' (FM 12.3.82).

However, even though the difficulty of access to jobs is being increased, the pressures of poverty and unemployment in the bantustans are such that people are driven to evade the system of controls.

Some of the consequences were seen during 1981 in the Western Cape with the continued existence and establishment of unofficial ('squatter') townships by people without 'authorization' to be in the Western Cape. The government responded with drastic action. There were over 50 police raids in the second half of 1981 at Nyanga, and over 2,000 people were sent by bus to the Transkei bantustan. An immigration law was used to enforce summary eviction without any court appearance of those deemed to be 'citizens' of the bantustan. When many of the people tried to return physical barriers were erected in the form of road blocks (FOCUS 36 p. 5, 37 p. 12, 40 p. 6).

The actions and developments outlined above foreshadowed what is now being proposed in the new bill (FM 11/18.6.82; S. 28.6.82).

on 19 July of charges of public violence.

The 25, including the Transvaal leader of the Coloured Labour Party, Jac RABIE, had been charged with alleged participation in the uprising that took place in Reiger Park in May 1981. Several shops and motor vehicles were gutted in the incidents, and state witnesses claimed losses totalling about R1,000,000.

The magistrate failed to prove beyond reasonable doubt that each of the accused had participated in the uprising (S. 20.7.82; see FOCUS 41 p. 7).

• Four men from Crossroads appeared in the

• Control at the place of employment and accommodation. The Bill proposes increasing the fines on employers of unregistered labour tenfold, from R500 to R5,000. A new penalty of R500 or six months in prison is proposed, for anyone giving accommodation to people not authorised to be in the area.

• Increased penalties for not showing passes. Even those who couldn't benefit from the relaxations of the kind referred to above, have to carry documents or 'a certificate stating their status'. Failure to produce such a document if requested can mean a fine of up to R500 or six months in prison for a first offence (the current penalty is R20 or two months in prison for a first offence).

• Powers to act against 'squatters' resisting removal. Anyone in an urban area in an unofficial or 'squatter' township can be removed if the Minister thinks that they are acting in a way calculated to canvas support for a campaign to change or limit any laws.

• Control in 'white' rural areas. The controls proposed in the Bill extend to 'white' rural areas, prohibiting any African from residing in them without permission. The government can order owners of such land to reduce the number of Africans living on the land and create 'farm tenement boards' to regulate the number of Africans on white-owned farms. The penalty for being illegally in a rural area is a fine of up to R500 or six months imprisonment, and eviction to a bantustan.

• Use of immigration laws. The use of the immigration laws to evict people from Nyanga in August 1981 was the first time they were used in this way. Under the new Bill this would become a normal procedure. It proposes that a large number of officials of the Department of Co-operation and Development be designated as passport officers with powers under the *Admission of Persons to the Republic Act* (the law used at Nyanga in 1981). With the imposition in December 1981 of the status of 'independence' in the Ciskei bantustan, the total number of people made liable to control by the immigration laws is now eight million.

Many of the measures described above were contained in an earlier draft bill published in November 1980. It was withdrawn in the face of strong opposition. The present bill has been referred to a Select Committee on the Constitution and there have been strong calls for it to be amended. However it is clear that the measures it proposes are consistent with the developments of the last three years. It is also clear that the government is determined to strengthen its powers to control the movement of Africans from outside the 'white' rural areas and to keep unemployed people inside the bantustans as far as it can.

For further information on aspects of 'influx control' and the pass laws, see 'Removals and apartheid: the enforced relocation of black people in South Africa' Briefing Paper No. 5, IDAF July 1982.

Athlone Magistrates Court on 29 June to face charges of public violence. All pleaded not guilty.

The State alleges that the men were with a group of people who assaulted three policemen who were attempting to cordon off a group of 120 'squatters' to enable Administration Board officials to arrest them. When the police had asked the people to lay down their weapons they were 'stormed' by the 'squatters'.

The hearing was adjourned to 9 September and bail of R75 was granted to all four accused (CT 30.6.82).

namibia

POLICE AND ARMY CO-OPERATION

The close co-operation between the SADF, the South African Police (SAP) and local Namibian police units, particularly the Special Police counter-insurgency unit Koevoet, were publicised by the South African military authorities in Namibia when journalists were allowed to visit a secret Koevoet base at the end of May. During a press briefing, South African army officers also gave details of the various functions the police carried out in the north of the country. The publicity came shortly after SWAPO's military wing, PLAN, had carried out a number of successful operations in the farming region around Tsumeb, Otavi and Grootfontein, which caused a countrywide alert and extensive mobilisation of South African military and police units stationed in Namibia.

KOEVOET

The existence of a Special Police counter-insurgency unit operating under the name Koevoet (crowbar) first came to light in May 1980, following the discovery of a death list naming a number of individuals to be assassinated by Koevoet (*FOCUS 29 pp.7-8, 36 p.4*).

According to information given by the commander of the unit, Brigadier Hans Dreyer, to the press, Koevoet is almost entirely composed of Ovambo Special Policemen under the command of mainly white South African Police officers who are stationed permanently in Namibia. The unit has been in operation for

nearly four years. It started with 60 men, but is now estimated to number around 1,000. New recruits are selected after intensive training by the South African Police Counter-insurgency Unit. They are stationed at a base outside Oshakati, described by reporters as 'a hot and sandy tin and tent camp'. Reporters noted that at the camp, weapons of various makes and calibres were always at the ready, and guards were permanently posted. Brigadier Dreyer stressed the close co-operation between SADF and SAP forces in the north of Namibia. The Special Police unit was involved in 'locate and destroy' operations along the northern border with Angola, and, according to Dreyer, operated entirely inside Namibia. The men's dress was 'unconventional', presumably to avoid being identified by local civilians. (*32 Battalion, a unit of South African soldiers, mercenaries of various nationalities and UNITA rebels is the equivalent of Koevoet operating inside Angola on a similar basis; see FOCUS Special Issue No.2*).

Members of Koevoet have become notorious for atrocities and killings carried out among civilians in the north of Namibia. During the trial of one member of Koevoet, accused of killing an Ovambo Home Guard in March, the state prosecutor said that in about 90 per cent of all murder cases dealt with by the Supreme Court, mainly Special Constables were involved (*Star 29.5.82; CT 31.5.82; WA 1.7.82*).

THE SAP

Members of the SAP play a significant role in the border war, according to Colonel Durand, officer commanding the battalion of police in Ovambo. The SAP have a number of bases in the area, and play a supportive role to the

SADF. They make use of the South African air force, the defence force's medical facilities and other aids, Colonel Durand said. In addition, the SAP provides trained special constables to act as body-guards to local tribal leaders and patrols the area in support of the SWA Police. SAP members are responsible for protecting and escorting civilians, including lecturers and contractors.

The homes of 57 Ovambo tribal leaders are under police protection. According to journalists visiting the area, the houses look more like military camps than private residences. The home of Pastor Cornelius Ndjoba, former head of the Ovambo tribal authority, is surrounded by high sand banks and inside, armed special constables in camouflage uniform are on patrol. Some of the private homes have almost as many special constables as there are civilian residents, according to one report.

The Special Constables are all Ovambos who have received training by SAP officers at a police training camp near Ondangwa. Recruits are given 16 weeks drill and counter-insurgency training at the camp at any one time (*CT 31.5.82; RDM 3.6.82*).

OTHER PARAMILITARY FORCES

Centres have reportedly been established at Oshakati and Ogongo where recruits are trained as saboteurs and informers. According to *The Combatant*, people who have been forcibly abducted from their homes are trained against their will at these camps. The PLAN journal has also reported that a new paramilitary force known as Onyiki (Bee) is being formed, whose role is intended to be similar to that of Koevoet (*The Combatant, Vol III, No.3, March 1982*).

MILITARY IMAGE-BUILDING

Following the creation of a military board of inquiry in March to investigate reports of atrocities committed by the security forces, the SADF has announced further measures designed to deflect growing criticism of the behaviour of its forces (*FOCUS 40 p.9*). The chief of civic affairs at army headquarters in Oshakati, Commandant Kleynhans, told journalists that a special liaison committee had been set up in the operational area, involving the head of the Ovambo tribal government, church members, local businessmen and Defence Force commanders. The committee's task is to investigate complaints from the civilian population.

The official claimed that people who had been scared to lay complaints in the past were now coming forward, and that the committee had already investigated several cases of assault or mistreatment for which members of the forces had subsequently been charged. He gave no details of the incidents or names of the people involved. While admitting that South African troops have committed some atrocities,

Kleynhans claimed that 'considering the conditions and the number of troops the rate of atrocities is very very low'. He announced that each soldier was now required to sign a special card stating that he respects the local population and that he would never resort to using physical violence against local inhabitants (*ST (Jbg) 30.5.82; T 2.6.82; CT 29.4.82*).

The SWA Territory Force announced in early July that it had established an office in Windhoek to investigate allegations of maltreatment of civilians by members of the security forces. The office would be run on a permanent basis by the Military Law Division. Complaints could be lodged in writing or in person (*WA 2.7.82*).

These measures, involving the very forces who have been accused of committing atrocities against civilians, would seem to fall far short of reassuring black Namibians. As the head of the Southern African Catholic Bishops' Conference, Archbishop Hurley, pointed out, people are unwilling to expose themselves to risk by coming forward with complaints. During his visit to Namibia, he found that people were only prepared to speak about their experiences on the understanding that their names would

not be revealed, for fear of reprisals (*see this issue*).

Church leaders have denied that they agreed to be represented on the army's liaison committee, stressing that the church was unwilling to give credibility to a body where the army is both accused and judge. The church leaders in Namibia lacked confidence both in the liaison committee and in the board of inquiry set up in March (*FM 21.5.82; WA 26.6.82*). Archbishop Hurley said the church would welcome an independent board of inquiry consisting mainly of persons versed in law (*BBC 28.5.82*).

The military Board of Inquiry, whose brief was extended by one month until the end of July, investigated forty allegations of atrocities by South African troops in the three months since March, according to a statement by SADF headquarters in Pretoria. The statement said that several soldiers would be prosecuted and one man had already appeared in court. In Kavango, allegations of theft, intimidation, rape and fatal shooting incidents were investigated; in Ovambo, only one of 24 allegations had not been solved. No details of the cases were released (*RDM 5.6.82; T 5.6.82*).

PRISONERS AND DETAINEES

ROBBEN ISLAND RELEASES

Three Namibians were among a number of political prisoners released in South Africa under a widely publicised parole in early July (see p.1). All three, who had been serving their sentences on Robben Island, had virtually completed their terms of imprisonment. They had been transferred to Windhoek Central Prison and were released on 6 July. The three are Sakaria Nashandi (34), Michael Shikongo (42) and Nabot Imene (43).

Nashandi was serving a six year term for aiding guerillas in northern Namibia. He was due to be released on 4 September. Shikongo was sentenced to five years imprisonment in July 1977, for allegedly providing food to SWAPO guerillas and carrying a message for SWAPO. He was due to be released a week after being let out under the parole. Imene was arrested in November 1976 and tried in the

Windhoek Supreme Court in July 1977 on a charge of aiding and abetting SWAPO guerillas. He was sentenced to five years imprisonment under the Terrorism Act. On 9 December 1977, in the presence of a Commissioner of Oaths, Imene signed a declaration describing his torture during the nine months he was held in custody before his trial. According to his testimony, he was given electric shocks, suspended on an iron rod between two petrol drums and repeatedly assaulted. His appeal against his conviction and sentence was dismissed by the Blomfontein appeal court in March 1978. Imene was due for release in August (FOCUS 16 p.8).

A spokesman for the Prisons Department in Windhoek said that 43 Namibian political prisoners are still serving sentences on Robben Island (WA 7.7.82; S. Expr. 11.7.82; see also 'Namibian convicted political prisoners' in Remember Kassinga and other papers on political prisoners and detainees in Namibia, IDAF July 1981).

DISAPPEARANCES

Three persons have been reported missing after having spent a period in detention, according to SWAPO. They are Victor Iyambo SHIKONGO, a teacher at Ekamba in northern Namibia, who was arrested in April 1981, Kasita KAMBUNDU, also a teacher in northern Namibia who spent 15 months in detention, and Jeremia KANGONGA, a worker at the Lutheran Church press in Oniipa who spent about eight months in detention. The authorities reportedly claim that the three men escaped from prison, but they have not been heard of for some time.

There have been a number of mysterious disappearances of people, particularly in the north (see FOCUS 25 p.7, 32 p.3). A case recently come to light was that of Johannes Kakuva, who disappeared while being held in detention. Fellow detainees testified that he died in detention as a result of torture, while the police claimed that he escaped (FOCUS 39 p.2). The case was scheduled to be heard in court in September.

POPULATION CENSUS

Results of the official population census conducted in May 1981 have been released, giving the population of Namibia as 1,009,900, an increase of 247,716 (33 per cent) since May 1970, when the last census was held. In 1974, official estimates put the population at 852,000. The census figures are broken down into 'population groups' though, unlike the 1970 and 1974 figures, the current ones give no data for the Kaokoland and Bushmen 'population groups' who constituted 7,000 and 26,000 people respectively in 1974 (see Table). It appears that these have been amalgamated with other 'population groups' (FOCUS 35 p.10; BBC 27.5.82).

For some purposes, including the Turnhalle constitutional conference in 1975-6, the South African authorities amalgamated the Kaoko 'population group' with the Hereros. A category for 'Others', representing 15,089 people in 1970 and 15,000 in 1974, has also been dropped.

A noticeable feature of the current official population figures is the enormous increase in the population of Kavango (97.9 per cent since 1970) and the comparatively small increase of Damara (15.9 per cent). For most of the other 'population groups', the increase since 1970 averages around 52 per cent, though the Ovambo population has increased by 46.5 per cent. The higher percentage increases of some of the individual 'population groups' compared to the overall percentage increase in the Namibian population would appear to be partly due to the fact that the number of separately listed groups has been reduced from 13 in 1970 and 1974 to ten in the 1981 figures (no details about the methods used in computing the figures for different 'population groups' were available by August). The white 'population group' is the only one to register a decline of 16.5 per cent since 1970. This is due to an increasing number of whites leaving Namibia to return to South Africa, for many their country of origin, as the war has encroached on traditionally white farming regions.

One probable reason for the inflated figure for the Kavango region is the influx of large numbers of refugees into northern Namibia from Angola. Estimates put the number of refugees living in the north at more than 70,000 (WA 22.9.81). Around 35-40,000 are reported to be living in Kavango (Africa Now, Dec 1981). The refugees appear to fall into two categories

— those who entered Namibia after South Africa's abortive invasion of Angola in 1975-76, and those who fled in recent years, particularly after Operation Protea, the South African invasion of Angola in August 1981, which left large areas of southern Angola devastated.

5,500 Angolans were reported to have fled across the border into Namibia in the two months following Operation Protea, in August 1981 (Frontline, May 1982). Many of these appear to have been forced to leave their country by South African soldiers and Unita rebels. A journalist was told by a couple who had fled their home: 'The South African soldiers forced us here. They say we were giving food to SWAPO. The soldiers burnt our kraal and corn and threatened to kill us unless we moved into Ovamboland. Later, Unita came along and drove away our cattle.' Other refugees confirmed that the South African army had threatened to kill them unless they moved south into Namibia. The refugees are reportedly issued with identification cards by the tribal authorities in the north, and become integrated into the local population, whose language they speak (New African, January 1982).

There are, however, also thought to be a

large number of Unita supporters among the more recent batch of refugees, who are suspected of diverting refugee aid given by various bodies into supporting attacks against Angola (Africa Now, December 1981).

The census figures exclude the estimated 73,000 Namibians living in exile, mostly in refugee settlements in Angola (FOCUS 36 p.4).

The accuracy of South Africa's population figures has been questioned in the past by various experts. For instance, a study prepared in 1978 by the United Nations Institute for Namibia estimated that Namibia's population was around 1,250,000, a much higher figure than that given by the South Africans (Towards Manpower Development for Namibia — Background Notes, by Prof. R.H. Green, UN Institute for Namibia, 1978).

The population census has considerable political significance for the holding of United Nations supervised elections in Namibia. The presence of a large number of Angolan refugees, dependent on the South African-sponsored internal regime for aid, would be likely to influence the voting pattern in the north were they to be allowed to participate in elections.

Official population figures

Population group	Number		
	1970	1974	1981
Ovambos	352,640	396,000	516,600
Whites	90,583	99,000	75,600
Damaras	66,291	75,000	76,800
Hereros	50,589	56,000	77,600
Kavangos	49,512	56,000	98,000
Namas	32,935	37,000	49,700
Coloureds	28,512	32,000	43,500
East Caprivians	25,580	29,000	39,500
Bushmen	22,830	26,000	—
Rehoboth Basters	16,649	19,000	25,800
Kaokolanders	6,567	7,000	—
Tswanas	4,407	5,000	6,800
Others	15,089	15,000	—
Total	762,184	852,000	1,009,900

Sources:

The population figures for 1970 and 1974 are from the South West Africa Survey 1974, published by the South African Department of Foreign Affairs. Those for 1970 are from the South African government's Population Census of 6 May 1980 and those for 1974 are official estimates. The figures resulting from the census conducted in May 1981 were officially released in the National Assembly in Windhoek (BBC 27.5.82).

WORKERS UNDER ATTACK

PRISON LABOUR MURDER CASE

The partly decomposed body of Kasere Thomas, aged 20, was found on a white farm in the Tsumeb region in April. Thomas, a prisoner on parole, had been handed over to a white farmer to work on the farm as a labourer. According to reports, he was tied to a tree for two days and attacked with a steel crowbar and other weapons which were later recovered by the police. The farmer, another white man and a black man who was also doing forced prison labour on the farm, were arrested. The two white men were subsequently released on bail (*WO 17.4.82*).

RAIDS ON KATUTURA

Tension in Katutura mounted during June and July as a result of a number of incidents involving Police Special Constables. Several people were reported to have been killed. This follows incidents during May, when Special Constables attacked Katutura residents (*FOCUS 41 p.3*).

In a pre-dawn raid on the Ovambo workers compound in June, armed policemen stationed at the compound, assisted by municipal officials and Ovambo home guards, surrounded the area and forced thousands of workers to leave their beds and pass through the entry gates for identification checks. Residents were ordered to leave their doors unlocked and searches were carried out for 'illegal residents'. Two police vans loaded with workers left the compound; according to a police spokesman, 25 people had been arrested and would be charged with trespassing. According to one of the compound residents, the police were 'more abusive than usual' during the raid (*WA 24.6.82*).

Three people were reported to have been killed, and twelve seriously injured, during an

incident at the Ovambo single quarters in Katutura on 6 June. According to a spokesman for the residents at the single quarters, the killings and assaults had been carried out by Special Police Constables. No further details were made available (*WO 26.6.82*).

Tension between the police and residents at the Katutura single quarters flared up again in July, causing panic among hundreds of men, women and children in the section. The immediate cause of the disturbances remained unclear, but was reported to involve home guards housed in a section of the single quarters complex and civilian residents. The presence of home guards and special constables in Katutura has caused bitter resentment among the workers and their families living there. The home guards complex is a fenced off area in the single quarters, with a South African flag flying on a tall pole. It has the appearance of a police station.

According to a police report, the incident was sparked off by a clash between a home guard and a group of male residents. The home guard fetched a rifle and returned with other home guards to confront the civilians. Police fired shots in the air as a deterrent, but no-one was hurt. Residents gave other reasons for the clash. According to one report, the home guards were trying deliberately to create discord between the different ethnic groups living in the complex (*WA 14.7.82*).

TSUMEB MINERS DETAINED

Six employees of the Tsumeb copper mine, who were amongst 46 detained by the South African police on 2 February, have died in detention, according to one of the detainees who escaped. Theophilus Johannes described the arrest and subsequent events in an interview with *The Combatant*.

The miners were arrested on returning from work by police asking for their identity docu-

ments, which they had left at the mine. They were taken to Tsumeb police station for interrogation, and forced to agree that they were 'SWAPO terrorists' since they were not carrying identity documents. They were given no food and, after four days, no water either. They were forced to work daily in the prison garden. Six of the detainees died as a result of being deprived of nourishment. Johannes managed to escape through a small window accidentally left open, and reached Angola with the help of local inhabitants. There has been no news of the remaining detainees (*The Combatant Vol.III, No.9, March 1982*).

ROSSING'S PRIVATE ARMY

The chairman of Rio Tinto Zinc, which manages and jointly owns the Rossing uranium mine, admitted in a letter that the company maintains a private army in its Namibian subsidiary. Presented by the Namibia Support Committee, a London-based solidarity organisation, with a leaked secret internal Rossing memorandum, Sir Anthony Tuke confirmed its validity. The document contains details of the arms stored at the mine, and of arrangements made for the deployment of the mine's military personnel in the instance of any attack.

According to the document, the mine management maintains three separate security units: Rossing Security Department, consisting of 15 men; the Security Department Auxiliary unit, consisting of 30 men; and the Swakopmund Commando with 24 men. Armaments held at the mine include automatic rifles, 9 mm pistols, semi-automatic shotguns and tear gas.

While the RTZ chairman claimed that these arrangements were for the protection of employees, such provisions could no doubt also be used in the case of any organised labour activities by the workers at the mine. While two of the units recruit from among Rossing employees, the third is, according to Sir Anthony, a 'local citizens' vigilante group' (*GN 28.5.82*).

PRISONERS-OF-WAR

The trial in Windhoek earlier this year of three captured combatants of PLAN (People's Liberation Army of Namibia) drew public attention inside Namibia to the demand for prisoner-of-war status for guerillas of the liberation movement (see *FOCUS 41 pp.1, 4*). Internationally, the IDAF has in recent months raised the issue of the treatment of captured combatants at two United Nations forums, firstly at a seminar organised under the auspices of the United Nations Council for Namibia, and secondly in evidence to the Ad Hoc Working Group of Experts of the UN Commission on Human Rights.

In its evidence, the IDAF drew attention to what appears to be a small but significant shift of attitude on the part of the South African military in Namibia, towards publicising the capture and detention of SWAPO guerillas and others by the SADF. In the past, as has been previously recorded in *FOCUS* (eg *No.37 p.10*), the apartheid regime has generally concealed the existence of prisoners taken in the course of its military operations, both inside Namibia, and into neighbouring states.

Since the launch of Operation Protea in August 1981, however, members of the South

African and Namibian press corps have reported seeing captured PLAN combatants on a number of occasions (eg *FOCUS 38 p.8; 30 p.10*). This seems partly to reflect a decision on the part of the regime to exploit the propaganda potential of guerilla captives; in early 1982, for example, two Namibians described by the South African authorities as former PLAN combatants, Dickson Namolo and Emmanuel Hashiko, were taken to Washington to give evidence before the United States Senate Sub-Committee on Security and Terrorism, established on the initiative of Senator Jeremiah Denton.

It would seem highly likely that the South Africans make efforts to persuade or force captured SWAPO combatants, through a combination of physical and psychological pressures, to join or at least co-operate with their own armed forces in various capacities. The immediate reason for capturing combatants alive is undoubtedly to obtain information on the policies, strategy and tactics of PLAN and the liberation movement generally. Speaking in July 1981, Maj-Gen Lloyd, the head of the SWA Territory Force, said that in the past the South African military had 'made use of' captured PLAN combatants, 'but I am not

saying how' (*DD 14.7.81*). General Constand Viljoen, Chief of the SADF, has recently confirmed that captured SWAPO members are not killed but are taken into custody (*Star 5.6.82*).

Nevertheless, it is still the case that very little information is forthcoming on the treatment of captured combatants or where they are held (*The capture and treatment by South African forces of combatants of the People's Liberation Army of Namibia (PLAN)*, evidence submitted by the IDAF to the Ad Hoc Working Group of Experts of the UN Commission on Human Rights, London, 12.7.82).

In Vienna, the UN Council for Namibia was urged by IDAF and other seminar participants to 'increase its efforts to secure the release of all the combatants of the People's Liberation Army of Namibia (PLAN) held by South Africa's military and other forces in Namibia, insisting on their prisoner-of-war status under the 1949 Geneva Conventions and 1977 Additional Protocol I' (*Conclusions and Recommendations of participants, Seminar on the Military Situation in and Relating to Namibia, UN Council for Namibia, Vienna, 8-11 June 1982*).

CONGREGATIONS ATTACKED

Sunday services were disrupted and members of the congregation assaulted by South African security forces in two incidents in northern Namibia in May 1982. Bishop Dumeni of the Evangelical Lutheran Ovambokavango Church (ELOC) who was at Elombe parish near Ondangwa for an episcopal visitation, described events at Elombe church in a report sent to the Ovambo 'government', the South African military authorities and the Administrator General

According to his report, two unregistered army trucks arrived at the church in Elombe on Sunday, 16 May, while the service was in progress. Soldiers immediately surrounded the church building. Bishop Dumeni, who had conducted a service for children under a nearby tree, requested the commander to order his men to retreat until the service was finished, as people would otherwise be frightened. His request was met with insults. The soldiers ordered all the people to leave the church, threatening to shoot anyone refusing to leave or trying to run away. The assembled congregation numbered approximately 600-700 people. The pastors were separated from the parishoners, and all the women and children ordered to sit down in a separate place. The men were assembled near the entrance to the church, interrogated one by one and beaten and kicked. The incident lasted for about an hour. Some of the men were so badly hurt that they were unable to continue with the service.

Bishop Dumeni reported that a similar incident took place at Onayena, approximately 15 km from Elombe, on the same day. South African soldiers arrived in two unregistered army carriers at the local church. They surrounded a civilian car on its way to the parish graveyard, ordered the passengers to get out of the car and assaulted them. According to Bishop Dumeni's report, two of the passengers were so badly beaten that they had to be taken to hospital (*A Report about the visitation at Elombe Parish, 16.5.82, by Bishop Kleopas Dumeni*).

International church protests followed the publication of Bishop Dumeni's report. In a telex to the South African Prime Minister, the general secretary of the Lutheran World Federation said the incident had evoked consternation among Lutherans around the

JOHAN VAN DER MESCHT

A South African soldier captured by SWAPO guerillas in northern Namibia in February 1978 and held as a prisoner-of-war in Angola, was released by the Angolan authorities in May. Johan van der Mescht, who had been handed over to the Angolan government in January 1981, was released in an exchange of captives also involving a Soviet citizen, Major Koslov, who had been arrested in South Africa in 1980, and eight West German intelligence agents serving sentences in the Soviet Union for espionage (*BBC/Tel. 13.5.82*).

Speaking about his four years as a prisoner-of-war, van der Mescht said he had not been tortured, though he claimed to have been maltreated. The South African Red Cross confirmed that it arranged food parcels and letters from home to be sent to him (*WA/RDM 13.5.82*).

The status accorded to van der Mescht as a prisoner-of-war, and the access given to organisations such as the Red Cross, stands in sharp contrast to South Africa's treatment of captured SWAPO combatants, many of whom simply 'disappear' (*see this issue*).

world. He pointed out that the report is one of a number the churches have received in recent years 'of harassment, intimidation, and even torture of members of the local population in Namibia, especially in the northern areas. Such violence causes deep resentment and begets counter-violence' (*LWI 23/82, 17.6.82*).

The SADF announced in June that one soldier has been court-martialled for misconduct and that others would probably be prosecuted in connection with the incidents (*Star 12.6.82*).

CHURCH REPORT

A report published by the Southern African Catholic Bishops' Conference of a fact-finding mission to Namibia contains findings similar to those of other church organisations in recent months (*see FOCUS 40 p.11*). A six member delegation, led by Archbishop Hurley, visited Namibia in September 1981 and interviewed some 180 people. The report contains detailed case studies of arbitrary detention, torture with electric shock, hangings and beatings, as well as break-ins of houses and pillaging of shops by members of the South African security forces.

The delegation noted that it appeared to be commonly accepted by civilians in the north of Namibia that 'in searching out SWAPO guerillas the security forces stop at nothing to force information out of people . . . When the tracks of SWAPO guerillas are discovered by the

security forces the local people are in danger'. The report stressed that people considered it a fruitless and dangerous exercise to report irregularities or atrocities to army commanders.

The delegation found that support for SWAPO is massive, and expressed its belief that SWAPO would be easily victorious in any free and fair elections held under United Nations supervision (*Report on Namibia, by the Southern African Catholic Bishops' Conference May 1982*).

PASTOR KILLED

A Namibian church leader, Reverend Mika Ililonga, was reported to have died due to lack of proper medical care after being wounded in a landmine explosion in western Namibia. Rev Ililonga, who was dean of the western diocese of ELOC, had apparently been travelling with materials and foodstuffs for the people in his diocese. His truck hit a landmine on a dirt road which had earlier been mine-swept by South African forces. According to the report, 'observers reported that the site of the explosion was near a South African army outpost', and that 'it would have been impossible for SWAPO to have placed a mine in that spot during the daylight hours after the army had checked it'. It took five hours for the South African forces to get a helicopter to take Ililonga to a military hospital. He died before the helicopter arrived (*WO 3.7.82; Dateline Namibia, No.3, 1982*).

ANGOLA: NEW ATTACKS PREPARED

In a letter addressed to the President of the UN Security Council, Angola's Permanent Representative to the United Nations warned that the South African regime was still engaged in an undeclared war on Angolan territory, utilizing a massive military machine to terrorise the population and undertake sabotage (*Letter dated 15 July 1982 from the permanent representative of Angola to the UN addressed to the President of the Security Council*). At the close of the People's Assembly session, President dos Santos stressed that Angolans should have no illusions, 'our enemies are preparing fresh attacks against us' (*BBC 22.7.82*).

South Africa increased its incursions into Angola during June and July, killing and injuring a number of Angolans, according to a statement by the Angolan Embassy in Harare. Several economic installations had been destroyed during attacks, and there had been no less than six napalm bombings, the statement said (*BBC 21.7.82*).

A group of about eleven South African Mirage jets bombed the town of Cahama on 20 July, according to the Angolan news agency. A week earlier, the Angolan authorities had

warned that South Africa was making preparations for a new large-scale military assault on Angolan territory (*BBC 24.7.82*). South Africa has apparently established two bases on Angolan territory, at Chiede and Naulila, and is reported to be building an airstrip inside Angola near the Namibian border (*NYT 18.7.82*).

The renewed threat of large-scale South African aggression against Angola came at the same time as the Angolan government was under intense pressure to agree to linking the independence of Namibia with the withdrawal of Cuban forces stationed in Angola. This has been firmly rejected by the Angolan government, which has repeatedly stated that the two issues are distinct and must be treated separately. The Cuban troops, who were invited by the sovereign government of Angola to assist in repelling the South African invasion in 1975, have never been involved in the conflict over Namibia. Angola, which is under constant attack from the South African armed forces, has stressed that the departure of the Cubans can only be negotiated between Luanda and the Cuban government once Namibia is independant and once all South African troops have pulled out of Namibia (*BBC 22.7.82; T 26.7.82*).

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Transvaal co-ordinator of the Wilson-Rowntree boycott campaign, was released on 7 July (FOCUS 39 p.7; CT 8.7.82).

Rev Frank CHIKANE of the Apostolic Faith Mission Church who was detained on 23 November 1981 was released on 9 July. He was subpoenaed to answer questions before a Johannesburg Magistrate on 15 July (FOCUS 39 p.7; S 12.7.82).

Auret van Heerden was released on 9 July. Cedric de Beer was released on 16 July and subpoenaed to give evidence for the state in the trial of Barbara Hogan on 16 August (FOCUS 37 p.3; RDM 12.7.82; CT 19.7.82; see POLITICAL TRIALS this issue).

Johnny ISSEL was released from preventive detention on 30 June (FOCUS 38 p.3; 39 p.10; CT 9.6.82, 1.7.82).

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ties under the act are a R1,000 fine or one year's imprisonment, or both (see RDM 14.5.82).

Both Acts seek to limit even further the possibilities for combining for the purpose of any kind of protest. The Demonstrations in or near Court Buildings Prohibition Act is clearly a response to the persistent, highly organised and effective demonstrations of protest and solidarity engaged in by supporters of the accused during political trials. Such protests have become the custom over a number of years: in 1978 the Minister of Justice, disturbed by their increasing incidence, described to Parliament the behaviour of the accused and their supporters inside the court, and how afterwards, supporters continued outside in the adjoining streets where 'to accompany the singing and the clenched fist salutes, there is dancing, slogans are shouted and posters are displayed for the express purpose of attracting the attention of the press, film and television photographers' (quoted in *The Sun Will Rise, IDAF, 1981, p. 6*). The new Act will now make even a one-person protest an offence.

In addition to these two Acts, the general ban on all outdoor meetings imposed in June 1976 at the start of the uprising of that year, and maintained by successive renewals, was extended for another year from April 1982 until March 1983 on its expiry this March. Only sports gatherings, indoor gatherings and those which are officially authorised, are exempt (see FOCUS 35, p. 6).

A further addition to the legislation governing meetings is contained in the new Internal Security Act. Under Section 46 of the Act a magistrate may impose certain restrictions on gatherings as an alternative to im-

Three people held as state witnesses in the Venda bantustan were released on 1 June at the end of the trial of Rev PHOSIWA and Rev PHASWANE (see RAVELE & Others FOCUS 41 p.7). Rev M MAHAMBAMBA, Dean S FARISANI and Ramano TSHIKORORO were all released without giving evidence (FOCUS 38 p. 3, 39 pp. 7-8; RDM 2.6.82; ST (Jhb) 6.6.82 and this page).

Matthews OLIPHANT, General Secretary of the National Federation of Workers was released on 21 May after two months in detention. He was due to appear in court on 9 July on charges relating to a strike at Melmoth (FOCUS 40 p.3; RDM 25.5.82; DN 26.5.82).

In Cape Town, Frank ANTHONY, Tom BARENDIS and Charles CLAIMS were released from detention on 28 May (FOCUS 39 p.8, 40 p.2; CH 5.6.82).

posing a total ban. These restrictions include prescribing the route to be taken by a procession and requiring the persons forming the procession to travel in vehicles. During the second reading of the bill in Parliament, the Minister of Law and Order explained how these provisions could be used in the case of funerals and memorial services which it was clearly not possible to prohibit altogether (Debates 12.5.82). Such occasions have frequently been used for political protests and have at times been subjected to week-end banning (see FOCUS 34 p. 9, 35 p. 6, 36 p. 10).

Restrictions on funerals and other gatherings are listed below.

BAN ON VAAL MEETINGS

In June the Vaal Community Council banned all public meetings organised by opposition groups in the Vaal Triangle area until the Community Council elections. The Council's chairman, Mr Josia Matjila, said the Council was the only elected body with the right to call meetings in the townships, except during election time. In response, the Lekoa People's Party called on the chairman to announce the election date and said it would continue to hold meetings despite the ban (S. 7.6.82).

RICHARDS BAY STRIKES

A weekend ban on all gatherings in the Lower Umfolosi district of Richards Bay was applied from 25 June until the following Monday evening after a wave of strikes involving over 2,000 workers from at least six companies in the area culminated in the sacking of over 1,500 workers. More than 1,000 of the 1,700 workers from Alusaf, the primary aluminium producer and largest employer in the area,

In early May Ciskei security police release Mkhusele JACK, a school student whom the had detained on 12 February (see FOCUS 4 p.3 where he is wrongly listed as Jack MKHU SELI; DD 14.5.82).

Two churchworkers whose detentions were reported in FOCUS 41 pp. 8-9 were released. Mzwandile MSOKI was freed by 8 July. Re Ivor SHAPIRO was released and charged (S.9.7.82; Cit 15.6.82; see POLITICAL TRIALS in this issue).

Zandisile MUSI, who was detained following a bomb blast at a disused mine which killed three of his friends, was freed on 1 July. Following his detention under the Terrorism Act he was charged under the Explosives and Arms and Ammunition Act. On 1 July he was acquitted on all charges and released (FOCUS 40 pp. 2-3; S 1.7.82).

were on strike in support of demands for the transfer of their pension fund to a private fund. Fifty-four workers were arrested after the ban on meetings was imposed and were to appear in court shortly afterwards (Star 26.6.82; Sunday Tribune 27.6.82).

BANS ON FUNERALS

An order prohibiting the funeral of former ANC member and Robben Island prisoner, Velile Stanford HLEKANI on any weekend, was served on the late Mr Hlekani's wife, Minah Hlekani, in May under Ciskei security legislation. An application against the ban by Mrs Hlekani was dismissed in June. The order was served under Regulation 3 of Emergency Proclamation R252 which states that a magistrate or police officer may prohibit any meeting without providing a reason. An attempt was nevertheless made to hold the funeral in Mdantsane on the Sunday arranged and mourners who gathered for the ceremony were ordered to disperse by members of the Ciskei Security Services. Three people were detained, two of whom are known to have since been released. They are Mzwandile MSOKI of Mdantsane, an official of the Border Council of Churches, and Siphon HINA of New Brighton. The funeral service finally took place on a Monday and was completed by 2 pm as stipulated on the magisterial order (DD 2.6.82, 5.6.82, 8.6.82; FOCUS 41 p. 9; see DETENTIONS).

• All whites were barred from attending the funeral of Joseph Mavi, leader of the municipal workers' union, held in Soweto on Freedom Day. At least 10,000 people attended the ceremony and police manned roadblocks outside and inside the township to enforce the ban (MS 26.6.82, 28.6.82; RDM 28.6.82).

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