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CRACKDOWN ON SWAPO



NAMIBIAN LEADERS DETAINED – RALLIES ATTACKED

Police actions against SWAPO office-bearers which took place during a period of intense political and labour mobilisation have been seen as an attempt to clamp down on SWAPO after calls from the South African Administrator-General for 'legal steps' to be taken against the movement. Six SWAPO leaders, including two trade unionists, were detained under the Terrorism Act in August and held in solitary confinement for more than three weeks. Security Police raided the homes of SWAPO supporters, the offices of trade unions and community organisations, independent schools and churches, searching premises and confiscating documents. (Nam 24.7.87)

On the night of 19 August five SWAPO leaders were detained under the Terrorism Act. They included SWAPO Vice-President Hendrik WITBOOI, Deputy Chairman Dan TJONGARERO and Foreign Affairs Secretary Nico BESSINGER. The general secretary of the Namibian Food and Allied Workers Union (NAFAU), John PANDENI, and the treasurer of the National Union of Namibian Workers (NUNW), Anton LUBOWSKI, both leading SWAPO members, were also detained. (Star 20.8.87)

Simultaneously, homes and offices in at least a dozen centres in Namibia, as well as four private schools in the south of the country, were raided by armed police. Books, magazines, pamphlets and cassettes were seized. Among the homes searched was that of SWAPO Acting President Nathaniel MAXUJILI in Walvis Bay. Police also surrounded and searched the offices

of the NUNW in Katutura, Windhoek, as well as those of the Namibia National Students Organisation (NANSO). Three trade unionists – Barnabus TJIZU (NUNW chair), Macdonald KANTLABATHI (NAFAU chair) and Gabriel ITHETE (NAFAU organiser) – were detained under Proclamation AG9 but released after a few hours. (Nam 21.8.87)

Nico Bessinger was able to issue a short statement before his arrest, while his home was being searched. He linked the crackdown to a strike at the Tsumeb Corporation copper mines (see *TCL STRIKE*) and preparations SWAPO was making for a rally at the end of August to mark the 21st anniversary of the launch of the armed struggle. (Ind 20.8.87)

The South African Administrator-General stated that the detentions were 'purely a criminal investigation' linked to a bomb blast in the Windhoek city centre in July. Two unnamed men were arrested soon after the blast. According to police, one of them was responsible, and the SWAPO leaders were detained because they were 'involved'. No further details about the two arrested men were made public. (WA 24/27.8.87)

Also detained on the grounds of involvement in the Windhoek blast was Asser KAPERRE, Chairman of SWAPO's Western Region and an official of the Mineworkers Union of Namibia (MUN). He was detained in Arandis, near the Rossing uranium mine, prior to a SWAPO rally at the end of July, and was released with the other leaders in September. Rossing workers were reported to be discussing a protest strike over his detention. (Nam 31.7.87; WA 7.8.87; FOCUS 72 p.9)

A seventh SWAPO member, Ben UULENGA, was detained on 26 August at Windhoek airport, on his return from an overseas tour in his capacity as general secretary of the MUN. Uulenga was aware that the police intended detaining him, and was questioned

when he passed through Jan Smuts airport in Johannesburg. He decided to return, declaring: 'There is no justification for my arrest whatsoever, for I have not committed any crime. Any infringement of my freedom can only be seen as an act of evil and unprovoked repression of the Namibian workers, especially the miners whom I represent.' (MS 28.8.87)

The detentions were widely condemned both inside Namibia and internationally. The UN Security Council, in a statement issued by its President, demanded the immediate release of the detainees and condemned their arrest as well as 'the repressive measures against student and labour organisations'.

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namibia

POLICE VIOLENCE REVEALED

Lawyers acting for the family of Ruben (Aita) EDMUND (30) who was detained on 28 November 1986 discovered in July that he had died shortly after his arrest.

Edmund's uncle, David Ekondo, from whose house he was taken, had made a High Court application for his release, citing as respondents the MPC administration and the South African Minister of Defence. This was brought to court in late June and postponed to 24 July, at which point a sworn statement from the Deputy State Attorney made it clear that Edmund had died on 28 November. A judicial inquest was held in December though no verdict was reported. A post-mortem report was amongst documents submitted to the court. Faced with this information Edmund's family withdrew their application for his release and said they were seeking 'alternative legal remedies'.

Affidavits before the court came from David Ekondo and Andreas ABISAI, who was detained with Edmund. On the morning of 28 November the two men fled in fear from a contingent of police (presumed by Abisai to be 'Koevoet') which approached them near Oitende.

Abisai was captured and detained for one week. He was severely assaulted when he denied that Edmund, whom he had known for years, was a 'trained insurgent'. He was beaten with sticks, whips and a hosepipe; was suffocated by having his head forced into a hole in the ground and covered with sand; and kept blindfolded for long periods. Part of Abisai's detention was spent at the Ruacana military base.

An eye-witness told Ekondo that his nephew, who had run in the opposite direction from Abisai, was also captured by police. He was 'seriously assaulted, . . . loaded into a Casspir and taken away'. Ekondo took action immediately, getting a local official to make enquiries at the Outapi police base. They were told that Edmund was being held for questioning and would possibly be released after a few days. When they made further enquiries on 9 January they were told that neither Edmund nor the police who had previously answered their questions were then at the base. At the end of January Ekondo asked the Lutheran Church to take up the matter, a request which culminated in the High Court hearing in July.

While these enquiries were being made the authorities were aware that Edmund had died. A post-mortem was carried out on 5 December giving the cause of death as 'subarachnoid haemorrhage', indicating damage to the brain or spinal cord. The face and body were marked by 'multiple contusions and abrasions'. In addition the body was 'markedly dehydrated'.

Sergeant Jan Johannes Labuschagne, a member of Koevoet based at Opuwo, spoke of Edmund's death. He said that his unit (Z5-Tango) was deployed in the area following reports of insurgent activity. He alleged that they followed tracks to a homestead from where a man (Edmund) ran out into the path of their vehicle. They arrested and interrogated him and in the 10 minutes before he died Labuschagne alleged that Edmund admitted being a 'terrorist' and having buried his gun in Angola before infiltrating the country. Labuschagne went on:

'During the interrogation it looked as if the man was playing the fool, since he was pretending to lose consciousness. He was given a few light blows as well as a few blows on the buttocks with a stick. In each case he reacted except in the last instance.'

Ekondo denied that his nephew had ever been to Angola or received any military training. In his words, 'any belief to the contrary on the part of the security forces must be mistaken'. (FOCUS 69 p.9 under EDMUTH; WO 4.7.87; Nam 31.7.87)

David Smuts, the family's lawyer, drew attention to a similar case which is also under investigation by him - that of Simeon AMUKOTO who died shortly after being detained on 3 December last year. As in Edmund's case, the armed forces denied all knowledge of the detainee. Finally a relative went to the mortuary at Oshakati where he identified Amukoto's body on 13 January. The Deputy Attorney General had since ascertained that 'the deceased's death occurred during his detention and that prior to his death he sustained injuries consistent with assaults'. (Nam 31.7.87)

POLICE ACCUSED

Three members of the police Counter-Insurgency Unit have been named as criminally liable for the death of an elderly Namibian killed at his home in Omopumaka. Magistrate G B van Pletzen ruled that Amaladu IITA (68) was killed

by a number of policemen, three of whom he named. He said that the file on the inquest, concluded in early September in the northern circuit, would be passed to the Attorney General for a decision regarding prosecution. The news report did not mention the date of Iita's death.

Iita, a long-time worker with the Tsumeb Corporation, was severely assaulted by Koevoet on two occasions, the second time fatally. Ndayola Iita described how the police picked her husband up by the arms and legs, swung him and hurled him against a split-pole fence so violently that the mine helmet he was wearing broke in two. He was repeatedly assaulted when he was unable to answer questions about 'insurgents' allegedly operating in the area. After this attack his whole body was swollen and he was unable to eat. She had no medicine and could only apply hot compresses to soothe his pain.

A few days later, before he had recovered, the police returned. This time they whipped Iita and his 17-year-old daughter Marie using *mak-alani* sticks made from the central rib of a palm frond. His 13-year-old son Josef watched through the outer fence as his father was forced to kneel down and be beaten. He was able to identify at least one of the attackers, Tulonga Anomas, as they beat his father until he keeled over. The police ordered Marie to pour water over him to revive him but he was already dead. (WO 12.9.87)

DETENTIONS

ANGULA, Jason

Jason Angula, the SWAPO Secretary for Labour and private secretary to the general secretary of the Council of Churches in Namibia, was detained under Proclamation AG9 on 7 October. (WA 7.10.87)

HALUDILU, Hishiinawa

Hishiinawa Haludilu, a workman employed by the South African Defence Force at Oshakati, was arrested on 8 August. Two days previously he was among a group of employees who had refused to attend a 'course of instruction' at an undisclosed venue. (Nam 25.9.87)

KAVARA, Abbey and MUREMI, Nimrod

Nimrod Murami and Abbey Kavara, two residents of Rundu in the Kavango bantustan, were detained in August following rumours that they were organising a strike of administration workers in the town. Muremi, an employee of the Forestry Department, was detained on 21 August while Kavara, a businessman, was picked up four days later. Both were held under Proclamation AG9. A third man detained with them was subsequently released. It was thought the men were being held at the Mururani checkpoint between the Kavango bantustan and Grootfontein. Friends were particularly worried about Kavara who was ill. (Nam 18.9.87)

SHIGWEDHA, Julius Eino

On 14 August police belonging to the Counter-Insurgency Unit COIN (formerly Koevoet) took Julius Eino Shigwedha from his home at Elombe in the Ondonga region after first assaulting him. According to the evidence of his family the police were originally looking for his brother Ismael. When they were told Ismael was

away at school they alleged he had left the country to undergo military training with SWAPO and took Julius instead. (Nam 4.9.87)

SHIIMI, Paulus

Paulus Shiimi (21), a teacher in Ongandjera, was abducted from his workplace on 5 August during a large-scale campaign of terror by members of the South African Defence Force. A 13-year-old girl, Line EELU, was amongst scores of people beaten up and tortured with electric shocks. Others named were Amadhila NEHEMIA, a teacher, and Abraham MOSES (60). Over a week later Eelu was still receiving medical treatment.

The soldiers went from house to house interrogating and assaulting the residents. They also erected road blocks, beat up students at Etalaleko Secondary school and ordered shops to close. The community was questioned about SWAPO guerrillas allegedly active in the area. Shiimi's mother told reporters that she feared he would be 'branded as a guerrilla and taken away for good'.

The army recently moved its base from Ongandjera at the request of the bantustan authorities, and soldiers were quoted as saying: 'You were happy because we left your area, but now we are back to show you who is the boss here.' (Nam 7/14.8.87)

RELEASE

Martin MULONDO who was detained in the Caprivi bantustan in April (FOCUS 70 p.2), was charged in July with possession of a banned publication, namely a 1986 issue of the PLAN journal, *The Combatant*. In August he was released on bail and the following month charges were withdrawn. Mulondo works for the Council of Churches in Namibia. (Nam 25.9.87)

TCL MINERS STRIKE

A month-long strike during July and August by some 4,000 Namibian mineworkers exposed the hazardous working conditions, low rates of pay and poor fringe benefits and housing conditions to which they were subjected. The striking miners were employed at three copper mines owned by the transnational-controlled Tsumeb Corporation Ltd (TCL).

It was one of the longest strikes on record in Namibia and a critical test of the strength of the Mineworkers Union of Namibia (MUN). An almost total strike, it showed overwhelming support for the union. Production at TCL was cut by half and the company lost approximately R8 million during the course of the dispute.

ANTI-UNION TACTICS

However, employers and the authorities appear to have selected the strike to try to break the emerging union movement in Namibia which has scored several victories since mid-1986. TCL pursued a hard-line policy of refusing to negotiate over substantive demands. The miners were dismissed *en masse* and the MUN's base at TCL mines was severely undermined. (FOCUS 68 p.11, 71 p.11, 72 p.9; WO 8.8.87; WA 25.8.87)

During the strike, the authorities detained key leaders of the SWAPO-aligned National Union of Namibian Workers (NUNW), which includes the Mineworkers Union of Namibia (MUN) among its affiliates. Several strikers were also detained during the dispute. (See CRACKDOWN ON SWAPO)

The strikes took place at TCL's main site and smelter plant at Tsumeb and at its Kombat and Otjijase mines. Low wages and other grievances had earlier been the cause of a widely supported consumer boycott of white-owned shops by Tsumeb miners and residents of the local township, Nomtsoub. There were indications in the local press that businesses were being seriously affected. The mine management refused to concede on the issue of wages however, claiming that they were not 'financially in a position to meet the demands'. (FOCUS 72 p.9; Nam 17.7.87)

In late July worker committees affiliated to the MUN at the three sites drew up a list of 15 demands which were presented to mine management. These included wage increases of between 120 and 150 per cent; paid leave; an end to the practice whereby miners had to buy their own safety equipment; provision for family living quarters; improvement in hostel conditions and abolition of racial segregation of mine facilities. They also called on TCL to demand that the South African Government agree to UN Resolution 435 in order to end the Namibian war and bring about independence for the territory. The majority of the workforce at the three mines were contract workers from the north of the country, the region most affected by the war. (Nam 24.7.87; WA 30.7.87)

Although TCL management agreed to negotiate with individual worker committees at the mines, officials of the MUN were barred from the meeting. Management said that 'negotiations to recognise the union had not been finalised'. Workers decided to strike when it became clear that TCL was not prepared to make concessions on the substantive issue of wages.

On 28 July an estimated 4,600 workers (mainly unskilled and semi-skilled contract workers) came out on strike – the biggest single stoppage in the country since the general strike by contract workers in 1971–2. It later extended to domestic workers employed in the homes of TCL personnel and to farms owned by the company. Workers at the Oranjemund mine owned by Consolidated Diamond Mines threatened sympathy action. (Star 29.7.87; WA 5.8.87; Nam 14.8.87)

DISMISSAL AND EVICTION

TCL management formally dismissed strikers who failed to observe an ultimatum to return to work. Almost all the workers failed to do so, occupying their hostels and refusing to be paid off. Although negotiations continued between TCL and the individual worker committees, the company refused to make concessions unless the strikers returned to work. It reiterated its opposition to any increase in wages. The MUN initially insisted that its members would not return to work without negotiations. It later modified its wage demands, dropping its ceiling

for increased wages to between 34 and 65 per cent; it also stated that strikers would return to work if TCL would put in writing that no action would be taken against strikers and commit itself to a definite date for negotiations. TCL management, however, failed to respond positively to these offers. (Nam 31.7.87; WO 1.8.87; FT 7.8.87)

There was a high level of police intervention in the strike. Truckloads of police were brought into Tsumeb and more Casspirs than usual were stationed at the local police station. In the first week of August, 16 workers were detained in police raids in Tsumeb and intensive police patrols in Nomtsoub were reported. There were regular police roadblocks in the region well into mid-August. At the end of August another four workers were detained for a week and later charged. The charges were not specified in the press. (WO 1/10.8.87; Nam 7/21.8.87)

TCL management followed its dismissal of the workforce by taking legal action to evict strikers from hostels on mine property. The union unsuccessfully appealed against a ruling of the Windhoek Supreme Court that TCL was acting legally in doing so. (South 13.8.87; WA 20.8.87)

In late August some 3,000 workers were bussed out of the mine premises and TCL began recruiting a new workforce. Although strikers were invited to re-apply for their jobs, the MUN alleged that union members were being 'systematically victimised' in the re-selection procedure. TCL used employees of 'the Labour Control Office, the Mine Captain and informers' to identify workers suspected of being MUN members. According to MUN estimates only one-third of those dismissed were re-employed: 'The majority had lost their jobs because they were suspected of belonging to the MUN'. Many who were re-employed were not appointed to the positions which they had held before dismissal. There were further allegations that TCL was recruiting workers from the bantustans of Caprivi and Kavango in preference to those from Ovambo, the traditional TCL recruiting area. Workers also alleged that TCL was weeding out employees approaching pensionable age and those who had been injured to avoid compensating them. (WA/Nam 25.8.87)

CRACKDOWN ON SWAPO

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The Security Council members also expressed 'their grave concern over the continuing deterioration of the situation in Namibia resulting from the ever-increasing repression of the Namibian people by South African occupation forces throughout the territory'. (CT 25.8.87; Nam 28.8.87)

Protests were also issued by the EEC and the UN Council for Namibia, as well as the Southern African Catholic Bishops Conference and the Council of Churches in Namibia. The Society of Advocates in Namibia called on the authorities to charge or release the detainees. (WA 24.8.87; NN 27.8.87; Nam 28.8.87)

TWO HOSPITALISED

Throughout their detention the seven were denied access to their families or lawyers and the authorities refused to disclose where they were being held. After their release, the men revealed that they had been held in solitary confinement in corrugated-iron 'cages' at the Osire detention centre 200 kilometres north of

Windhoek. (Nam 18.9.87)

During their detention Anton Lubowski and Dan Tjongarero were both admitted to Windhoek hospital. Relatives and a personal doctor were refused access even though Tjongarero was recently diagnosed as suffering from an extremely serious kidney disease requiring urgent specialist treatment. (Nam 4/11.9.87; NN 10.9.87)

RELEASE

On 10 September an urgent application for the release of the men was filed in the Windhoek Supreme Court by their wives. They stated that the detentions had been carried out for political reasons by the police, who resented the successful SWAPO rallies and public events organised over the past year. There was no basis for believing that the men were involved in the Windhoek bomb blast, or that they were withholding information as the police alleged.

The seven were released the following day, the judge ruling that the police could not have reasonably believed the men were withholding information as they had made no effort to question them before detaining them. The administration declared that it would appeal against the judgement. (WA 15/17.9.87)

Despite the detentions, SWAPO went ahead with a Namibia Day rally in Katutura on 30 August. An estimated 4,000 people attended the event. (Nam 4.9.87)

Ten people were arrested before the rally, as police vans patrolled the area. Two of those detained later appeared in the Windhoek Magistrates' Court charged with possession of dangerous weapons. Also facing this charge at the end of the August was Shiimi SIMON, a senior SWAPO steward. The stewards, who are known as 'SWAPO police' keep order at rallies and public meetings. Simon was arrested with several other people at a SWAPO Youth League rally on 5 July, which was attacked by baton-wielding police. (FOCUS 72 p.9)

Simon's defence lawyers pointed out in court that a number of SWAPO rallies had been attacked by police or troops in civilian clothes armed with knives, sticks and other weapons. Last year SWAPO leader Immanuel Shifidi was assassinated at a rally and the 'SWAPO police' were thus needed for protection. (Nam 21.8.87)

In early August an amendment to the Police Act outlawed the 'SWAPO police' by introducing criminal penalties of up to five years' imprisonment for establishing an unofficial force. (WA 7.8.87; GG 24.8.87)

BATTLE FOR HEARTS & MINDS

While blocking Namibian independence negotiations since 1981 the South African regime has been systematically strengthening its military presence in the territory. New bases and units have been set up and large military exercises carried out. Greater attention has been paid to psychological warfare in an attempt to 'win hearts and minds' through propaganda and pseudo-cultural organisations and by involving the army in education and development projects.

A variety of SADF and SWATF publications are widely distributed throughout the territory, and troops give 'information' lectures in the war zones as part of their operational strategy. The military runs several 'educational' projects, training courses and 'adventure' camps for youths.

EDUCATION

The most obvious form of military interference in education has been the system of posting white soldiers to schools as teachers. While armed troops are still widely deployed, they were withdrawn from schools in the Ovambo bantustan in 1985 following protests by the bantustan authorities. The troops were accused of trying to organise unauthorised extra-curricular activities, and of blowing up a school building. At the same time, troops deployed as medical personnel in the bantustan health services were also withdrawn. (*FOCUS 63 p.11*)

Despite their removal from classrooms in the main war zone, troops still exert influence over Ovambo bantustan schools. Military and police operational bases have been set up close to schools and pupils have been harassed, detained and tortured. The army has been accused of recruiting pupils and teachers to spy on school activities, and earlier this year there were reports that some pupils had been issued with firearms and were taking them to school. (*SS 17.6.87; Nam 31.7.87*)

Outside the military 'operational areas', the army exerts influence by arranging extra-curricular events, through the schoolboy cadet system and through involvement in youth projects and 'leadership' training centres.

One of the centres, the Friedenau Youth Centre, about 50 kilometres west of Windhoek, has been described by the Namibian National Students Organisation (NANSO) as an 'indoctrination and spy recruitment centre'. Pupils recruited on the grounds of 'leadership potential' are taken to the centre from several Windhoek schools for 'awareness' courses of up to three days duration. (*Nam 30.1.87, 13.2.87*)

In Ganigobes, in the south of Namibia, troops visited the local school to question staff about their attitudes to the army, and some teachers were flown to the northern war zones for lectures on 'communism'. Shortly afterwards the Nama bantustan authorities announced that the school would be closed to make way for a new Youth Centre. This would provide 'physical and spiritual' training to pupils from local schools on a rotational basis. From Walvis Bay, there were similar reports earlier this year of army involvement in a youth club established by the municipality. (*Nam 20.3.87, 17.4.87*)

The use of schools for registration for compulsory military service has been a cause of widespread student protests. Black Namibians have been selectively conscripted into the occu-

pation army since 1981. Military and police representatives also tour schools on recruitment drives, showing films and videos and demonstrating equipment. Pupils at Katutura Senior Secondary School in Windhoek boycotted a police recruitment meeting in September this year. (*Nam 21.3.86; 11.9.87*)

Military influence is also maintained through the cadet system. Cadet training is compulsory for white boys between the ages of about 12 and 17 in schools run by the Administration for Whites, and some black schools also have cadet detachments. Many male teachers at white schools are involved as cadet officers. The system is closely linked to the military and involves training during school holidays at army bases. (*Nam 25.9.87*)

The Administration for Whites conducts compulsory training courses for white women teachers, in lieu of cadet duties. The five-day courses, which are held at the Keikanachab base under the auspices of the SWATF, are aimed at making 'the teacher as wife and educator able to defend herself against the total onslaught'. Lectures on topics such as 'Patriotism', 'Aims of Communism', 'The KGB', 'The Onslaught Against the Youth and Pop Music' and 'SWAPO and Front Organisations in SWA' are interspersed with flag raising ceremonies, slide shows on 'ethnic groups', Bible studies and campfire singing. (*Nam 25.9.87*)

CULTURAL FRONTS

At least three 'cultural' organisations have been established by the authorities to garner support for the military occupation and to promote the bantustan concept. Etango and Ezuva, both meaning 'sun', operate in the Ovambo and Kavango bantustans respectively, while Namwi is active in the Caprivi.

Recruits for Etango, which was formed in 1982, were initially drawn entirely from the army and police force, but it now aims at teachers, bantustan administrators, health workers and other potentially influential groups. The organisation is administered by an ex-SADF soldier, Andre van der Kolff, from offices in Oshakati, the military headquarters of the area. Van der Kolff claimed at the end of last year that Etango had a staff of 15 people and a monthly budget of R18,000, all of which was donated by individuals or 'culture organisations'. He stated that 10,000 people had undergone Etango courses but the organisation intended to reach half a million. (*WA 21.11.86*)

Etango runs a variety of training courses which stress 'ethnic' identity and support for the South African occupation, and warn against SWAPO and 'communism'. It has also established a church, the Evangelical Reformed Church in Ovambo, which attacks the pro-independence stance of the main Namibian churches. According to Abisai Shejavali, the General Secretary of the Council of Churches in Namibia, 'Etango people are working very hard to penetrate every sphere of community life in Ovambo... They try to win over the youth by involving them in sporting competitions. At schools Etango members organise tours whereby they fly students to remote areas to undergo courses...' (*CCN Information, Dec 1985/Jan 1986*)

The organisation is closely associated with the feared Koevoet police Counter-Insurgency Unit, many members of which have undergone courses. Etango has been accused of intimidation and atrocities in rural areas, but has blamed these actions on Koevoet. In turn, Koevoet has accused Etango of responsibility for violent inti-

midation. Although Etango promotes bantustan concepts, it has incurred the opposition of the Ovambo bantustan leader, Peter Kalangula, who has accused it of promoting his opponents. Kalangula has refused to join the MPC administration although he participates in bantustan structures. (*Nam 5.9.86; WM 16.5.87*)

In addition to Etango, the SWATF's 101 Battalion, a locally-recruited unit more than 2,000 strong, despatches teams of 'communicators' backed by troops and armoured vehicles, who tour homesteads in the bantustan, giving lectures similar in content to those of Etango. According to local people, they tell Namibians to 'forget' about UN Resolution 435 - the international plan for Namibian independence - and to support the SADF. (*S 26.11.86; Nam 20.3.87*)

Ezuva is a Kavango bantustan equivalent of Etango, using the same slogan 'We fight for true freedom' and similar methods of organisation. The 'hearts and minds' programme is more developed in Kavango, and Ezuva has a firm grip on the bantustan administration. Virtually all bantustan employees are reported to have undergone courses at the Ezuva training centre at Diyundo, near 32 Battalion headquarters in the remote Western Caprivi, and according to a Namibian church delegation which visited the area 'Ezuva exerts total control over the people of the region'. (*Nam 24.1.86, 4.4.86, 23.5.86*)

Many church schools in Kavango have been closed by the authorities on 'security' grounds. Students are recruited for Ezuva-oriented youth camps, and teachers are sent on special courses. The organisation is closely associated with the SWATF's 202 Battalion, which also carries out 'hearts and minds' activities. (*Nam 4.7.87, 1.8.87, 27.3.87*)

In the Eastern Caprivi bantustan the Namwi Foundation has been established to 'promote traditional and cultural values'. It holds training courses on Hippo Island in the Kavango River, which is an SADF 'recreational' base. Namwi propaganda, notably a magazine called 'Buniti', which virulently attacks the Council of Churches, SWAPO and the Namibia National Students Organisation, is distributed by troops. There have also been reports of Namwi propaganda being dropped by aircraft. According to a Namwi pamphlet, it is 'not a military organisation but wishes to cooperate with all military persons who support the aims of Namwi'. (*Nam 12.12.86, 16.1.87, 19.6.87, 4.9.87*)

CHRISTIAN GROUPS

In addition to bantustan 'cultural' organisations, two Christian groups have been set up in Namibia to support the illegal South African occupation. Christian Action, headed by a SWATF officer, Colonel Desmond Radmore, has distributed propaganda widely, attacking the Council of Churches and accusing it of being a 'communist front'.

Frontline Fellowship, a South African-based Christian group, has been actively promoting 'a dynamic Biblical response to the dangers of communism, liberation theology, immorality and pacifism'. According to a spokesperson, the fellowship is supported by many army chaplains and is active amongst troops. (*Nam 27.3.87, 18.9.87*)

Another South African organisation which has recently become involved in promoting the cause of the SADF in Namibia is Veterans for Victory. It has distributed propaganda 'saluting the peace keeping forces in South West Africa' and praising the SADF for 'leaving a legacy of peace' in the territory. (*Nam 18.9.87*)

CONFLICT OVER MAJORITY RIGHTS SHARPENS

South
Africa

Proposals for a National Statutory Council, presented by the government as a 'negotiating forum' for African political rights, were made in September in a way which indicated that the regime is preparing for major conflict over the scheme. Immediate responses to the publication of the National Council Bill were sharply divided. They confirmed that the opposition to constitutional schemes which will continue to deprive the majority of South Africans of effective political rights, is strong and broader than ever.

The move to introduce a National Council is one of several elements in the current phase of the regime's long-term constitutional strategy. There were also proposals to devolve more powers to the bantustans, against a background of continuing consolidation of the regime's regional and local political structures. (See *Focus* 72 p.3 on *Regional Service Councils*)

NATIONAL STATUTORY COUNCIL

The National Council Bill had not been adopted by the apartheid parliament when the session ended in October, even though the government had hoped to have it enacted before then. (*Star* 14.9.87, 8.10.87)

A 'Black Council' in which Africans could participate without effective political power was included in the proposals which initiated the reshaping of the apartheid constitution in 1979 - membership of the council would then have been limited to bantustan leaders. Widespread opposition forced the government to withdraw the plan. Since then sustained mobilisation of mass resistance has delayed further moves in this sphere while the regime attempted to modify its plans in ways that might divide those who opposed it without abandoning those aspects which were needed to secure the continuation of minority political power.

The present proposals differ from the first in three respects. In September 1984 the government abandoned the policy that Africans could only exercise political rights beyond the local level through the bantustans. Local councils in African townships were identified as the basis of a separate political structure for Africans permanently resident outside the bantustans. They would be included in the planned Regional Service Councils and the Urban Councillors Association of South Africa (UCASA) was recognised by the government as the representative of those who were administered by the councils. At this stage the proposed national council was to be an informal forum consisting of members of 'interest-groups', including UCASA and the National African Federation of Chambers of Commerce (NAFCOC), along with bantustan representatives.

The forceful rejection of the councils by township residents during the past two years, the splitting of UCASA in the face of popular pressure, as well as the refusal of NAFCOC to give its support, form part of the background to

the second modification of policy, namely the proposal in September's National Council Bill that the 'representatives' of Africans living outside the bantustans should be elected directly.

'NEGOTIATING FORUM'

The third departure from the 1979 proposals, and one which reflects the strategy of the regime in trying to cope with the massive popular resistance to its plans, is that the council is presented as a transitional mechanism, a forum for 'negotiating' a new constitution. The government's view is that by securing participation in such a body of people it can present as 'leaders', it will be able to present its plans as having legitimacy. It appears to consider that even a very low level of participation will serve its purposes. During August, a 'highly informed source' spoke to a newspaper about the government's views. He was reported as saying that the government was not 'overly concerned' if there was a low voter turn-out: 'We don't care if the turn-out is 2 per cent, 20 per cent or 80 per cent.' Africans 'will have had the opportunity to vote and if they don't want to exercise it *en masse* then that's not our business. At the end of the day we will have a properly-elected, representative body.' (*DN* 13.8.87; *S. Trib.* 16.8.87)

The background to this attitude and to the conviction that the regime can hold elections to a body rejected by the great majority of those it is supposed to represent, is the last two years of State of Emergency rule. The campaigns to boycott the elections to the tricameral parliament and to the local township councils were coordinated and led by organisations which have suffered sustained repression - officials and activists of the UDF or UDF-affiliated organisations have formed the bulk of detainees under the successive States of Emergency, and continuing restrictions on organised political activity will place further obstacles in the way of mobilisation against elections to the National Council. Even so, the regime is anticipating boycotts, as the above remarks make clear. In introducing the bill the Minister of Constitutional Development and Planning gave a further indication of preparations for conflict, when he said that 'the safety of those involved will be a priority for the Government, as will be the safety of all voters and candidates'. (*DN* 12.9.87)

INSTRUMENT OF APARTHEID

The council will have at least 30 members. It will be chaired by the State President, and include amongst its members the Minister of Constitutional Development and Planning, together with any other member of the Cabinet whom the President wishes to include. There will be a Chairman from each of the Councils of Ministers of the Indian, Coloured and White houses of Parliament. There will be up to 10 members appointed by the State President. The remaining members will consist of six bantustan leaders from the non-'independent' bantustans, and nine people elected by Africans living permanently outside the bantustans. The composition of the council makes it one which is

not only constituted on the basis of apartheid divisions, but also wholly under the control of the central government and the ruling white minority. (*DN* 12.9.87)

When the bill was introduced, and in the weeks preceding its introduction, the government not only portrayed it as a step towards future 'negotiations', but said the bill itself was a product of negotiations that had already taken place. A version of the bill was published in May, and the government said that it had received comments from a wide range of sources. The principal groups with which it consulted appeared to have been bantustan leaders and urban councillors. The Self-Governing Territories Bill, which was published in August and which would replace the National States Constitution Act of 1971, was also said to be the outcome of two years of 'negotiation' with the non-'independent' bantustans, henceforth to be termed 'self-governing territories'. The aim of the bill was 'to increase the internal autonomy of these territories, giving them regional authority as entities within South Africa'. (*Cit.* 12.8.87; see also *FOCUS* 70 p.12)

OPPOSITION

Responses to the proposals were put in terms which make it likely that there will be a large-scale boycott of any elections that might be held.

Even organisations which participate in the political structures of apartheid at other levels - such as the bantustans and township councils - are divided over the question of participation in the National Council. While UCASA has said it would participate, as have most of the non-'independent' bantustans, some bantustan leaders and councillors have stated preconditions for participation which have not yet been realised. Gatsha Buthelezi, of the KwaZulu bantustan, and Tom Boya, leader of the United Municipalities of South Africa (UMSA) which broke away from UCASA, have stated that they will not participate until Nelson Mandela and other political prisoners have been released, banned organisations unbanned and discriminatory legislation abolished.

Organisations which refuse to participate in any apartheid political structures, such as the UDF and AZAPO, have gone further than this, rejecting the proposals altogether. In a statement made after the tabling of the National Council Bill in parliament, the UDF described the council as a 'government-imposed structure designed to enforce and prolong white minority domination'. Anticipating 'massive and widespread rejection' of the council, the UDF contrasted 'this travesty of democracy that the government is forcing down our throats' with the demand by the majority of the country for 'one-person, one-vote in a united and unfragmented South Africa'. (*S/GN* 17.9.87)

The ANC's views were expressed by its President, Oliver Tambo. 'It cannot be that at this late hour we would accept some creature of the apartheid parliament, given to us as a mechanism for negotiation, created by the same illegitimate institutions to which we are opposed, and subject to summary dismissal by the same institutions.' (*Statement at Harare Conference on Children*, 24.9.87)

DETENTIONS

Amidst growing accusations and counter-allegations between the Minister of Law and Order, Adrian Vlok, and various civil rights organisations about the conditions under which political detainees are held, thirty seven affidavits in the possession of the Progressive Federal Party MP Helen Suzman give consistent and detailed evidence of torture and ill-treatment. She said people were detained by 'the simple untested procedures of being identified by an informer'. They are then taken to police stations, police vehicles or secluded spots where 'sophisticated methods' of torture which 'leave no trace of the injuries inflicted' are used to extract the required confession or information. According to her, although police in the Eastern Cape are identified as notorious in their use of such methods, the pattern is the same nationally.

Describing some of these methods, Suzman revealed that they included placing a wet bag over the head of the interrogated person and then pulling it tightly until the victim is half dead. If information is not obtained through this method a bag with electrodes is used. (*S.Trib 6.9.87; DD 3.9.87*)

Five of the six people who had been charged in connection with claims of serious assault by Fr Smangaliso MKHATSHWA, general secretary of the Southern African Catholic Bishops Conference, have since had charges against them dropped. The Catholic priest said that he was left standing on the same spot for at least thirty hours, with his genitals and buttocks left exposed; a creepy creature or instrument was fed into his backside, moving up and down his legs, thighs and invariably ending up biting his genitals. All this was punctuated by a string of insults and laughter. The Minister of Law and Order subsequently revealed that the six officers involved in the torture of Mkhathshwa were members of the South African Defence Force and not the police as first assumed. Fr Mkhathshwa's legal advisor said in September that a private prosecution against the six was being considered. Charges against five were dropped by the State following the payment by the sixth of an admission of guilt fine of R200. (*WM 28.8.87, 9.10.87; S.Trib 6.9.87; Southern Cross 13.9.87*)

EMERGENCY DETAINEE DIES IN DETENTION

Nobandla Elda BANI, a 58 year old emergency detainee, became the fourth person to die in detention since the declaration of the nationwide State of Emergency on 12 June 1986. She died on 9 July allegedly of a heart attack while being held in the prison hospital at North End Prison, Port Elizabeth. (*WM 7.8.87*)

Bani's lawyer Vanessa Brereton said that her client's health had worsened in the latter part of her detention. She had written a letter to the Commissioner of Police to secure access to a private doctor for her client but Bani died before the letter was posted. No further information was available on the circumstances of Bani's death. She had been in detention since 29 August 1986. (*CP 2.8.87*)

NCHABELENG INQUEST

The Seshego Inquest Magistrate found evidence sufficiently overwhelming to conclude in August that Peter NCHABELENG's death was the result of assault by police who were interrogating him. This was despite a police cover-up, misleading affidavits and medically unproven explanations from Lebowa officials on the UDF leader's death within twelve hours of his detention by the bantustan police. 'It was Sergeant Marokane and other members of the

riot squad who assaulted the deceased', said N C Nkoenyane the inquest magistrate. (*Star 18.8.87*)

Nchabeleng's death took place in circumstances typical of those to which many detainees have been subjected throughout South Africa. It is the second such verdict in Lebowa - it follows that of a MWASA (Media Workers Association of South Africa) leader, Lucky Kutumela, who died in similar circumstances only six days before Nchabeleng. Five other inquests are pending in the bantustan.

Peter Nchabeleng, who was detained on 11 April 1986 at the Sekhukhune police station, was interrogated in the garage of that station. Witnesses for the family revealed that screams were heard from the garage during his interrogation. State pathologist Professor David Laubscher reported that Nchabeleng was assaulted with 'at least two' different instruments and that there were at least 35 bruises on his body. According to his report the 'cumulative effect' of repeated beating caused bleeding under the skin, leading to shock which induced unconsciousness. When unconscious Nchabeleng inhaled his own vomit, thus blocking his respiratory system. Laubscher maintained that such a beating could have killed a man much younger than the 59-year-old UDF leader.

Police attempts to conceal the perpetrators of this action were exposed. According to Bob Nugent, counsel for the family, this conspiracy was made at the highest level. No inquiry was instituted until three months after the death and no explanation was given for the delay. Reports were sent to the Attorney-General for his consideration. (*S 18.8.87*)

MYSTERIOUS DEATHS

An increasing number of political activists are being killed in mysterious circumstances which are often explained by police in a manner which leaves many questions unanswered.

● **Caiphus NYOKA** a student leader from Mabuya High School, Daveyton, died in a police raid on his home at about 2.30 am on 24 August. According to his father Moses Nyoka, on their arrival police went straight to the back room where Caiphus and three others were sleeping. The family was prevented from leaving the house and could only look out through the windows. Moses Nyoka said that he saw a mortuary vehicle stop at his gate and then four policemen leave the yard carrying a stretcher with someone on it. Soon after they left he went to look in his son's room and found blood-soaked sheets on Caiphus' bed. His family identified his body the following day. Police maintained that Nyoka was killed during operations following the arrest of two men carrying limpet mines and hand grenades of foreign origin. (*S25.8.87; Ind 26.8.87*)

According to a post-mortem examination carried out by an independent pathologist, twelve bullets were found in his body. The fatal one in the forehead, one in the neck, six in the chest and others in various parts of the body. He was also shot in the back. (*WM 18.9.87; BBC 29.9.87*)

● **A Garankuwa teacher, Joseph MOGOTSE** died on 13 December 1986 after a number of cars said to be carrying police forced his car off the road in Sinoville near Pretoria. After being dragged out of their car, Mogotse and his fellow travellers were severely assaulted before being taken to the police station. Only twelve hours after his release from custody, he died at Garankuwa hospital. (*WM 28.8.87*)

● **A former ANC member and detainee, Sithembele ZOKWE**, of Ngqamakhwe in the Transkei bantustan was reportedly forced into a police vehicle and driven to a quarry on the

outskirts of Umtata in August. He was said to have been shot by police following a scuffle and left for dead. Zokwe was previously detained under Section 29 of the Internal Security Act, released and 'deported' to the Transkei bantustan. His mother, Nonceba Zokwe, found that her son had sustained gun shot wounds in the forehead and neck. Family lawyers have written to the Commissioner of Police asking for an explanation of the circumstances surrounding his death. (*FOCUS 57 p.5, 60 p.2; CP 30.8.87*)

BANTUSTAN DETENTIONS

● **Kwandebele** Among several businessmen and other anti-independence detainees is a 101-year-old coal merchant from Siyabuswa, Simon Gotsiwe MNGUNI. According to his family he was detained on 21 August. The police have denied knowledge of his detention. (*NN 1.10.87*)

● **Venda** Tshivhulawi MAKUMBANE, a village headman from Thisahlulu, was detained with 15 others for allegedly harbouring ANC guerrillas of Umkhonto we Sizwe. Traditional leaders are taking an increasingly hostile stance towards the bantustan authorities. The recent formation of the UDF-affiliated Congress of Traditional Leaders of South Africa is meant to give this opposition an organisational base. The detention of these activists provoked various forms of protest in the village including a schools boycott. Other actions were planned by villagers. (*NN 6.8.87*)

Among those detained is the former political prisoner and poet Tendamudzimu Robert RAT-SHITANGA. He was released last year after serving two years and one month of a five year sentence following a successful appeal against his conviction. The Venda bantustan police have threatened another trial. (*FOCUS 53 p.4, 67 p.8*)

● **Lebowa** In an action against a union whose members were engaged in a dispute with Lebowa Transport Holdings, Lebowa bantustan police detained Rhodes MAKANA and searched the offices of his union, the Transport and Allied Workers Union. Makana, who is the regional organiser for Northern Transvaal, was held at the gates of Chenve Resort where negotiations between Lebowa Transport and the union were held.

Another 24 members of the union as well as shop-stewards were detained under the emergency regulations during a 22-day strike by 500 Lebowa Transport workers in Seshego. The strike was sparked off by the dismissal of nine workers who stayed away from work on 16 June. (*S 14.7.87*)

At TAWU's national convention in July, delegates from the Northern Transvaal placed these detentions in the context of 'concerted' efforts by the authorities over several years to crush trade-unionism in the bantustans. (*S 28.7.87*)

One of those recently detained was Louis MASHABANE, a shop-steward from Mahwelereng, where transport workers staged a strike in solidarity with the Seshego strikers. Mashabane was one of several TAWU members detained shortly after the State of Emergency was declared in June 1986. (*IDAF Briefing Paper 21 p.17; S 14.7.87*)

ARMED STRUGGLE

On 25 September the Commissioner of the South African Police, Henrie de Witt, announced the recapture of ANC combatant Gordon WEBSTER, a colleague, and two other people who were helping them. He alleged that they

were detained after illegally entering the country from Botswana. Gordon Webster was previously detained in April 1986 and freed from armed guard in Edendale Hospital by fellow combatant Robert McBride and others. McBride has since been condemned to death for a bomb attack in Durban. (FOCUS 71 p.6) On 28 September police confirmed that McBride's sister Bronwyn was again being detained. She was first held in August but released after lawyers argued that her baby son was

suffering from 'acute maternal deprivation.' (NN 13.8.87; Star 26.9.87; BBC 30.9.87)

Four alleged regional commanders of the ANC were among thirty-three people detained in the Western Cape, according to the Minister of Law and Order. The detentions were said to be related to activities of Umkhonto we Sizwe from July 1986 to July 1987. News reports named one detainee as Jenny SCHREINER, a lecturer at the University of Cape Town. A large quantity of arms and ammunition had been re-

covered in a flat in Wynberg, according to the reports. (Star 2.10.87)

In the Johannesburg and Pretoria areas 12 people alleged to be trained guerrillas, two recruits and two accomplices were detained. Limpet mines, hand grenades, dynamite and an AK-47 rifle were among weapons seized in this operation by police. According to the police the various operations in the Western Cape and Transvaal have resulted in the detention of 49 alleged ANC guerrillas. (S.Star 11.10.87)

DETAINEES — Additional to previous FOCUS lists

22.7.87	Port Elizabeth	MOROBÉ, Murphy	ISA 29. UDF Acting Publicity Sec. Detained by men in balaclavas
22.7.87	Port Elizabeth	VALLI, Mohamed	ISA 29. UDF NEC member Contested detention in Supreme Court
22.7.87	Mitchells Plain	SEMARR, Karima (20)	ISA 29
7.8.87	Durban	PAUL, John (21)	ISA 29. WIP Chair. Det. with John Gordon of USPG (later deported to Britain)
13.8.87	Venda	DAU, Frederick	ISA 29. Amongst 15 people reported detained, including Masindi, an alleged guerilla (See Venda under BANTUSTANS)
13.8.87	Venda	KHAMELI, Tshifiwa	
13.8.87	Venda	MABARA, Christine	
13.8.87	Venda	MAKUMBANE, Tshivhulawi	
13.8.87	Venda	MALADA, Robert	
13.8.87	Venda	MASINDI, Mashudu	
13.8.87	Venda	MAVHINA, Mbofheni	
13.8.87	Venda	MOLELE, Mary	
13.8.87	Venda	MPHIGALALE, Azwitakaleli	
13.8.87	Venda	NTHAMBELENI, Lawrence	
13.8.87	Venda	RATSHITANGA, Tendamudzimu Robert	ISA 29. Organizer, <i>Molo Songololo</i> children's paper. Salt River resident
13.8.87	Venda	THABELA, Philemon	
13.8.87	Venda	TSHITANGANO, Charles	ISA 29. Bookkeeper, <i>South</i> newspaper
16.8.87	Western Cape	ABASS, Zuraya	ISA 29. Resident of Bonteheuwel
Rep.16.8.87	Western Cape	LOMBARD, Colleen (37)	ISA 29
17.8.87	Bonteheuwel	BAADJIES, Clement (19)	ISA 29. Teacher in Grassy Park
17.8.87	Bonteheuwel	DRAMAT, Anwar (19)	ISA 29. UWC student. Resident of Wynberg
17.8.87	Diep River	LOUW, Nazeem (24)	ISA 29
17.8.87		PANDY, Yasmina (20)	ISA 29. Teacher at Ravensmead, detained from school
17.8.87	Elsies River	RHOODIE, Walter (24)	ISA 29. UWC student. Resident of Mossel Bay
17.8.87	Mitchells Plain	VEAREY, Jeremy (24)	ISA 29. Fiancee of Cecil ESAU, recently imprisoned (ESAU & OTHERS, FOCUS 72)
18.8.87	Western Cape	PEDRO, Niklo (20)	ISA 29. Detained on board ship in Cape Town. Resident of Elsie's River
20.8.87		SMIT, Patricia (27)	ISA 29. UWC final year B Comm. student
23.8.87	Cape Town	FORTUIN, David (22)	ISA 29. UWC Higher Education student
24.8.87	Elsies River	KARRIEM, Ashraf (23)	ISA 29. Detained after being arrested, charged with arson and released into mother's custody
26.8.87	Grassy Park	PETERSEN, (23)	ISA 29. Editorial director, Skotaville Publishers
27.8.87	Bonteheuwel	RUTLEDGE, Christopher (17)	ISA 29. United Women's Organisation. (See ARMED STRUGGLE)
8.9.87	Witwatersrand	SEROKE, Jaki	ISA 29. ANC. After allegedly entering SA from Botswana (see ARMED STRUGGLE)
17.9.87	Cape Town	SCHREINER, Jennifer (30)	ISA 29. (see ARMED STRUGGLE)
18.9.87		WEBSTER, Gordon and 3 unnamed people	ISA 29. Allegedly connected with armed struggle (possibly including some named above). (See ARMED STRUGGLE)
28.9.87		MCBRIDE, Bronwyn	
Rep.11.10.87	W. Cape & Transvaal	49 unnamed people	

ABBREVIATIONS

Laws: ISA - Internal Security Act

Organisations: UDF - United Democratic Front; USPG - United Society for the Propagation of the Gospel; UWC - University of the Western Cape; WIP - Wentworth Improvement Project

SECRET EXECUTIONS

continued from p.12

MORE DEATH SENTENCES

The following death sentences have been reported since the last issue of FOCUS:

- Joseph CHIDI (23) sentenced on 16 September for the killing of a Tembisa councillor in May 1986.
- Vuyisile GONI, a member of the Port Elizabeth Youth Congress (PEYCO) from Walmer.
- Gilindoda GXEKWA (22), a member of the Uitenhage Youth Congress, sentenced on 13 August for the killing of a suspected informer in March 1985.
- Mlondolozu GXOTHIWE, PEYCO member, sentenced for killing a policeman in December 1985.

- Tsepo LETSOARE (22), a member of the Port Elizabeth Youth Congress, sentenced on 4 September for the killing of a suspected informer in Motherwell in October 1985.
- Michael LUCAS from Bongoletu sentenced in August for the killing of a bus inspector in April 1986.
- Livingstone MALGAS (40), Lulamile MANDI (29), Michael MAMBUKWE (30) sentenced in Grahamstown on 6 October.
- Oupa Josias MBONANE (21) and Sibusiso Senele MASUKU (23) sentenced on 31 August for the killing of a policeman in Soshanguve in February 1986. Masuku is already serving 10 years' for involvement in the ANC's armed

struggle. (FOCUS 72 p.6)

- Daisy MODISE (25), Thomas CHAUKE (27), Johannes TSHABALALA (18), members of the Stinkwater Youth Organisation, sentenced in May 1987.
- Johannes MOSEKI (23), sentenced on 19 October for the killing of a Tembisa policeman.
- Nico Ledube MNYAMANA (31), Menzi TAFANE (21), sentenced in Port Elizabeth on 25 September.
- Miki YELANI (21) from Uitenhage.

POLITICAL TRIALS

The regime's determination to make maximum use of the courts as a means of repression is causing adjustments in trial procedures as they adapt to the strain placed on the legal system

The Minister of Law and Order said in June that between the proclamation of the State of Emergency, on 12 June 1986, and the end of May this year, 2,165 emergency detainees had been charged. The charges covered a wide variety of offences under the Internal Security Act such as 'terrorism' and 'subversion' as well as common law charges of treason, sedition, murder, public violence and others. Although this figure represented only a small proportion of those detained under the Emergency (estimated at some 30,000) it added a further pressure on the courts. The figure excludes the vast majority of those charged with public order offences who are not held in detention but arrested under the Criminal Procedure Act. A further 95 people detained in the same period under the Internal Security Act were also charged, according to the Minister.

Many of the trials represented by these figures are likely to be long and politically significant as the regime seeks to link legal structures directly with the activities of banned organisations. Forthcoming trials include that of Moses Mayekiso, general secretary of the National Union of Metalworkers, who is charged with treason for his involvement with community organisations and the creation of street committees in Alexandra, and of Sister Bernard Ncube and the leadership of the Krugersdorp Residents Organisation for aiming at 'establishing their own civic authority to govern the townships of Kagiso and Munsieville'. Another treason trial already underway is examining the role of people's courts in Alexandra and the trial of nineteen UDF and AZAPO leaders arising out of the Vaal uprising in September 1984 is now continuing in the Pretoria Supreme Court almost two years after it began in Delmas.

In July the press reported that there would be special sittings of the Supreme Court in addition to the normal Circuit Court hearings. The announcement came from Don Brunette, Attorney General in the Transvaal, who was quoted as saying 'the interest of the public in the trial in a particular area is paramount'. His decision referred to a number of forthcoming trials of alleged combatants charged with responsibility for landmine explosions in the Northern and Eastern Transvaal and the Lowveld. Sittings would be held, for instance, in Ermelo and Messina 'to prevent disruption of the Circuit Court rolls'. (Star 21.7.87)

At a special Supreme Court sitting in Messina on 3 August Mthetheli Zephania MNCUBE (27) and Mzondeleli Euclid NONDULA (24) appeared on charges including 10 counts of murder and 24 of attempted murder. They had received only one and a half hours of advice from a *pro deo* lawyer. The charges arose principally from landmine blasts in Messina in late 1985. The case was postponed to 19 October after lawyers obtained by the men's families managed to get an adjournment to prepare the case. (S/DD/Cit/Star 4.8.87)

In another instance Nhlanhla Jeffrey MADONSELA (25) is a defendant in three separate trials in Nelspruit for armed struggle activities, the most serious of which accuses him of seven murders following landmine explosions. A member of the security branch has admitted he recorded in the police occurrence book that Madonsela had no injuries although he knew this was untrue. (Star 23/24.6.87; S

24.6.87; NN 2.7.87; CP 6.9.87)

Another trial in the Piet Retief Circuit Court involves Ebrahim Ismail Ebrahim and others on charges of treason and attempted murder. Ebrahim's lawyers challenged the court's right to try him, saying he had been kidnapped from Swaziland by government agents and handed over to the Security Branch in Pretoria. An affidavit by Ebrahim provided convincing evidence of links between the police and those who had abducted him. Nevertheless, Justice Daniels ruled that even if Ebrahim 'had been captured in violation of international law and the seizure was by the South African state or with its connivance, that would not impair the jurisdiction of the court' to try him. (Star 4/5/6.8.87; WM 7.8.87)

Special court sittings are also being held in other regions, notably the Eastern Cape, where a number of murder trials arising out of mass protest are being handled in this way. (See *Apartheid's Secret Executions* p.12) Holding such trials in the townships demonstrates to the residents in a very direct way the consequences of opposition to apartheid.

Another change in legal practice was introduced in September with the tabling of the Supreme Court Amendment Bill which would allow petitions for leave to appeal to be dealt with by only two Appeal Court judges rather than the three who decide the matter now. Any difference of opinion would be referred to the Chief Justice or another judge of the Appellate Division. (Star 17.9.87)

DLAMINI AND OTHERS

A trial in the Pietermaritzburg Regional Court in July and August was consistently interrupted when state witnesses refused to testify against the accused. The trial was marked by a spirit of resistance and freedom songs were frequently sung.

Zenzele Terence DLAMINI (23) of Kwa-Mashu, Moses Jabulani MKHIZE (31) of Mpu-malanga, Hammarsdale, and Zanele Zenith NGUBANE (19) a schoolgirl from Sobantu pleaded not guilty under the Internal Security Act to charges of 'terrorism' in connection with a number of actions in Natal between August and October 1986. Dlamini was said to have left South Africa in 1983, undergone military training in Angola in 1984 and returned with arms and ammunition in July 1986. He was charged with enlisting the help of Ngubane and training others in the use of arms and hand grenades. He was said to have tried to form these trainees into a group to perform acts of 'terrorism' and to have incited them to throw hand grenades. Mkhize, a member of the Textile and Allied Workers Union, was charged with accommodating, providing transport for and otherwise assisting Dlamini.

The prosecution's attempts to prove the charges were temporarily thwarted on the opening day of the trial, 13 July, by an unnamed witness of 16 years who refused to testify. The boy, who had been held since October 1986, was sentenced to a further two years in custody. Magistrate F. Heuer said that the youth's sympathy for 'black people . . . fighting for their rights' was not sufficient reason for him to be excused from giving evidence.

The following day a teacher from Sobantu, Lungisane KUNENE (31), was sentenced to three years to which he responded with a cry of 'Long live the spirit of no compromise'. In spite of the magistrate's hope that these sentences would act as a deterrent to future witnesses at least four more of them were subsequently found guilty of refusing to testify. Only one

further sentence is known, that of a Sobantu schoolboy Michael Sibusiso XABA (18), on 27 July. Xaba, who had also been in custody since October 1986, was reported as saying that testifying would be 'contrary to his upbringing and in conflict with what his family had believed in for many years'. Xaba's uncle (*presumably Ndoda Anthony Xaba FOCUS 12 p.9*) is serving a life sentence on Robben Island and his sister is in exile. He is the cousin of the defendant, Ngubane. He was sentenced to three years' imprisonment.

On 28 July charges were dropped against Ngubane on the grounds that there was insufficient evidence. However, a month later her co-accused were both convicted. Dlamini was found to have carried out three attacks - two against the police and military occupation of Sobantu. On 13 August 1986 he threw a hand grenade into a caravan used by the South African Police and the following month he attacked a building at the Kwezi Secondary School which was being used as a temporary barracks by the SADF. He was also found guilty of inciting others to attack SAP personnel who would be present at a service in Sobantu in late 1986 to commemorate the fourth anniversary of the killing by police of local schoolboy Graham Radebe. (See FOCUS 44 p.7)

On 25 August Dlamini was sentenced to 10 years' imprisonment while Mkhize received six years. Mkhize was convicted of allowing Dlamini to stay at his house and use it to store grenades and as a venue for discussions with other people interested in furthering the aims of the ANC. He was also said to have driven Dlamini during one attack. (NN 25.6.87; Star/DN/CT 14/15.7.87; DN 28/29/30.7.87, 25/26.8.87; Star 26.8.87)

MAKAPE AND ZWANE

Two members of the ANC's armed wing were sentenced to long prison terms in the Johannesburg Regional Court on 17 August after being convicted under the Terrorism and Internal Security Acts. Solomon Moloi MAKAPE (34) and Theodore Vuzumusi Bigboy ZWANE (36) originally pleaded not guilty but changed their pleas after an unnamed witness identified them as Umkhonto we Sizwe officers he had known in Angola. The witness was described as 'a former ANC trainee now working as a security policeman'.

The men were detained in October 1986 in the Bophuthatswana bantustan and handed over, seemingly without formal extradition, to the Security Branch for trial in the Transvaal.

Following their change of plea little evidence was led. The men were detained with guns, hand grenades and ammunition after entering South Africa to reconnoitre houses in the Northern Transvaal suitable for accommodating ANC members. They lost contact with a third comrade, Viva Mkhondo, and were awaiting further instructions at the time of their arrest.

Both accused gave evidence in mitigation outlining their reasons for leaving South Africa in 1976 and their subsequent decision to join the ANC's armed wing. Makape, from Soweto, had worked at various times on farms and mines, two sectors of employment known for their harsh conditions. In spite of an education interrupted by financial problems he completed Standard 8 exams by correspondence and worked as a trainee nurse. At first he thought of pursuing medical studies abroad but changed his mind after contact with the ANC. Zwane, of Katlehong, told of his personal experience of

continued on p.10

COMMUNITY RESISTANCE ON TRIAL

The outcome of recent trials reported in the press gives some indication of the harsh and often brutal treatment that is meted out to activists in the struggle against apartheid. Severe sentences have been imposed after arbitrary arrest, police brutality, prolonged detention, and the stress of a lengthy trial. In many cases long terms of imprisonment were imposed on juveniles and children. The Minister of Justice stated that, although normally first offenders can apply for parole, this will be refused to 'public violence' offenders. (*South 4.6.87*)

A number of trials of community activists in the townships have recently ended. In one case, seven men from Duncan Village, East London were found guilty of public violence for taking part in the stoning of a police vehicle in September 1985. Thethinene Joe JORDAAN, an executive member of the township's residents' association, Ben XELE, Allem MANGEMA, Mbuyiselo WONI, Sindile ZILENI, Nyalisele MGITHU, and Milton KENENE were each given a two-year suspended sentence on 3 July in the East London Regional Court. According to police evidence, a crowd of people on the main road began stoning a police vehicle. The police response was to open fire on the crowd, and then the officer in charge commanded his men to single out the 'ring leaders' whereupon several officers left the vehicle and arrested ten suspects.

In court Jordaan testified that, in fact, he was waiting for a taxi into town when heavily armed policemen dragged him to the police van, hitting him on the back with a gun when he fell. The court found it had no reason to dispute Jordaan's evidence. Furthermore, the defence attorney submitted that no one was injured and there was no evidence of any damage to the police vehicle. Nevertheless, the court found the seven men guilty of a 'very serious offence' and did 'not blame the police for the incident or the end result'.

In passing sentence, the magistrate said he had taken into account that the accused had been assaulted in Duncan Village police station. Jordaan described in court how he was tortured by security police after his arrest. Taken from his cell at night and told to lie naked on a bench, he refused to inform on someone he knew. A tube was pulled over his face and an electric shock was administered to his spinal column. As a result of repeated beatings he was hospitalised and had to be carried into court at his first appearance in September 1986. By June 1987 he was still unable to stand for more than thirty minutes. In June 1986 while awaiting trial Jordaan was detained under the emergency regulations and applied for an interdict restraining police from assaulting him. He was still being held in detention at the time he was sentenced. (*South 27.5.87, DD 4.7.87*)

A young man, Mzuzu MAKALENI (18), and four children aged between 13 and 15 were found guilty of public violence for taking part in an attack on policemen in the Soweto squatter area near Port Elizabeth in September 1986. After nearly a year awaiting trial, Makeleni was jailed for three years and four months by the New Brighton Regional Court on 21 July. The four children were sentenced to corporal punishment of between four and five lashes. According to the police, people living in shacks in the area had barricaded their street with a burning tyre. When a patrolling police vehicle stopped to remove the tyre, someone in a group

of about 17 people hurled a petrol bomb at the vehicle, which caught fire. People threw stones at the policemen escaping from it and there was a hail of shots. The police chased the group and arrested the five youths. (*DD 22.7.87*)

On 25 June Melekude NQWENISO (34) from Duncan Village was sent to prison for two years by the East London Regional Court after awaiting trial for a year on a charge of public violence. Nqweniso, who has had a leg amputated, denied that he had led a 'mob' of people who stoned an army vehicle in July 1986. (*Star 16.6.87*)

Thirty-two people from Zolani, Ashton, had heavy sentences of ten, eight and seven years halved by the Supreme Court in Cape Town on 3 August. In September 1986 they were convicted of arson for setting fire to houses and a vehicle belonging to three leading members of a vigilante group in November 1985. The appeal court noted that Zolani was a poor, isolated overcrowded community with a high unemployment rate and that the vigilante group appeared to enjoy the tacit support of the South African Police. (*FOCUS 68 p.8; CT 4.8.87*)

In June Nelly MZIZI (50) and Fana SHABANGU (21) were acquitted on a charge of arson for burning policemen's houses in Sebokeng last year, after a six-month trial in the Vereeniging Magistrates' Court. After a school-girl witness had withdrawn her previous statement, the court found there was insufficient evidence to convict. (*FOCUS 69 p.8; CP 24.5.87*)

A 17-year-old youth sentenced to three years in November 1986 in the Parow Regional Court for throwing stones in Bonteheuwel the previous April had his sentence suspended on appeal. (*FOCUS 69 p.8; CT 15.9.87*)

Nigel TITUS who was sentenced by the Parow Regional Court in March 1986 to five years imprisonment for stoning vehicles in Bellville South in July 1985 was given leave to appeal by the Bloemfontein Appeal Court in May this year. (*CT 15.5.87*)

YOUTH AND PUPILS

On 4 June Thandisile JADA (20) was convicted in the Butterworth Regional Court in the Transkei bantustan on three counts of sabotage, on the basis of his own confession, and was sentenced to five years in prison. His fellow accused, Siphwe Gary TYULU (22), was acquitted. Jada took part in the burning of two secondary schools in Ilinge township, Queens-town, in October 1985 after pupils had presented a list of grievances to the school principal. Jada had already spent 18 months in detention before being sentenced. (*DD 9.6.87*)

Seven pupils at senior secondary schools in Wynberg were recently sent to prison for throwing stones at a rally that was broken up by police. Initially charged with possessing explosives, they were convicted on a charge of public violence in October 1986, after an eight-month-long trial. Although no one had been injured and no property had been damaged, Wayne JORDAAN (19) was sentenced to three years, and Venetia DE KLERK (19), Dee DICKS (19), Julian STUBBS (19), Shoukie ENOUS (19), Naasir MASOET (18), and Igshaan AMLAY (18) were sentenced to one year in prison. They began their sentences in June this year after their application for leave to appeal had been rejected.

The case attracted widespread protest. The Wynberg Crisis and Relief Centre organised a petition in support of their appeal application signed by more than 30,000 people including religious leaders and academics. In July the European Parliament deplored the 'harsh and unreasonable sentences' and called on the

South African government to release the 'Wynberg Seven' immediately. The day before they entered Pollsmoor Prison, their lawyer Dullah Omar told a large meeting at the Witteboome Civic Centre that the seven were not alone: 'All over our land young people, children as young as 11, are being shot down and imprisoned, young people who aspire to nothing other than that you and I should be free... We live under the strictest censorship this land has ever known... You and I do not know one-tenth of what is going on.' (*CT 8.6.87*)

A high school pupil from Bonteheuwel, Norman SCHEEPERS (20) was due to start a one-year sentence in Pollsmoor Prison at the end of September after his appeal had failed. He was convicted on a charge of public violence for throwing stones. (*South 24.9.87*)

Leon BROWN, another pupil at a Western Cape school, began a one-year sentence for public violence at Pollsmoor Prison on 26 March. (*NW 2.4.87*)

A 16-year-old pupil at Mohlakeng Higher Primary School was sentenced to 18 months in prison by the Randfontein Magistrates' Court on 23 June for public violence and possession of a petrol bomb on 16 April 1986. No other details were reported. (*S 24.6.87*)

BANNED ORGANISATIONS

Demonstrations of support for banned organisations, namely the African National Congress (ANC) and the South African Communist Party (SACP), through the display of flags, the painting of slogans, and the possession of publications issued by them, have resulted in sentences after long periods awaiting and on trial.

David Mmeshi MATLALA (22) was jailed for two years by the Johannesburg Regional Court on 15 June for having copies of magazines published by the ANC and by the SACP at his home in Alexandra last year. (*Star 16.6.87*)

In June a technical college student, Peter NEWMAN (20), was sentenced under the Internal Security Act to a year's imprisonment for spray-painting slogans at a sports ground in Bredasdorp in December 1985. They were interpreted as 'furthering the aims of the ANC'. (*WM 26.6.87*)

At the end of a trial which lasted 20 months, seven people, all members of the Cradock Residents' Association or Youth Association, were convicted under the Internal Security Act of furthering the aims of banned organisations - the ANC and the SACP - by displaying their flags at a funeral. Temba Jimmy BASINI (42), Lwandile NQURU (21), Mpumelo FAXI (21), Mtutuzeli NTOMBELA (29), Vulindlela PUWANI (24), and Thami MADOLO (40) were given two-year suspended sentences and a 16-year-old youth a one-year suspended sentence. Charges against two others, Johannes BOPAPE and Obed BAPELA, were withdrawn in June this year but Bapela, a community activist from Alexandra, was remanded in custody charged with treason. The seven Cradock activists who were sentenced were all held in custody from September 1985 until released on bail in March 1986, and were then detained under the emergency regulations on 12 June 1986. Three were released soon afterwards but the other four, including the youth, remained in custody and were taken away in handcuffs by the police after receiving suspended sentences.

The ANC and SACP flags were displayed along with the Soviet flag, at the funeral on 20 July 1985 of the murdered Cradock Residents' Association leaders, Matthew Goniwe, Fort Calata, Sparrow Mkonto and Sicelo Mhlawuli which was attended by forty thousand people. (*FOCUS 68 p.8; WM 6.2.87, 26.6.87, 25.9.87; NN 25.6.87*)

NUM STRENGTHENED BY STRIKE

In August, roughly 65 per cent of the black labour force on South Africa's gold and coal mines went on strike following a deadlock in the annual negotiations over pay and conditions with employers. It was a critical test of the strength of the National Union of Mineworkers (NUM) which has been organising in the mining sector since 1983. Action to break the miners' strike took place in the context of attacks on several unions affiliated to the Congress of South African Trade Unions (COSATU).

In previous disputes the NUM stopped short of calling out its entire membership. Some 340,000 miners participated in the August strike, 120,000 more than the NUM's paid-up membership of 220,000. Forty-seven coal and gold mines were affected, two-thirds of all the country's mines. (*FT 8.8.87; FM 14.8.87; Ind 15.8.87*)

A combination of mass dismissals at some mines, increasing violence against miners by mine security forces attempting to force them back to work and hardline employer tactics, forced the NUM to call off the strike after three weeks without gaining concessions on its wage demands.

The strike highlighted an enduring problem faced by emerging unions, especially on the mines and in the services sector where many contract workers are employed. Even where unions hold legal strikes, employers can still dismiss strikers in terms of common law. During the strike some 75,000 miners were issued with dismissal notices giving them an ultimatum to return to work. More than half were issued following the miners' rejection, by ballot, of a Chamber of Mines offer to improve fringe benefits, but not wages, in the third and final week of the strike. (*FT 22.8.87; MS 28.8.87*)

Nevertheless, the NUM made significant gains. It won some concessions on fringe benefits and leave. By returning to work before the employers had dismissed large numbers of strikers, the union retained much of its organised strength on the mines. It showed that it had the support of the majority of the mining workforce and sustained its action for longer than two to three days – the duration of previous strikes on the mines. It was the largest and longest mineworkers' strike.

The strike cost the mine employers an esti-

mated R250 million in lost revenue from production, well in excess of what it would have cost to meet the NUM's wage demand. The mineworkers' wage loss was roughly half that amount. (*SS 19.8.87; Star 16.9.87*)

The seven mining companies combined in the Chamber of Mines appeared to have used the strike to try to undermine the NUM before it consolidates its strength. The Chamber refused to concede on the NUM's principal demand for across-the-board wage increases, even when, in the closing stages of the strike, it reduced its claim from 30 to 27 per cent. The Chamber unilaterally imposed increases of between only 15 and 23 per cent. In previous strikes on the mines the NUM was able to win concessions because Anglo-American, where the union has most of its support, broke ranks with other employers and increased wages for its employees. In this dispute, however, the Chamber remained united. (*SS 12.8.87*)

REPRESSION

During the strike there was a high degree of repression, an enduring feature of industrial action on the mines, where workers are sealed off in hostels, isolated from the rest of the community and under the control of mine security forces.

At some mines the NUM tried to prevent violence to their members by bussing them back to their homes at the outset of the strike. At other mines, however, workers were reluctant to leave and thereby dissipate their strength.

By the third week of the strike, 320 miners had been injured in clashes with mine security guards and police and more than 300 were arrested or detained in spite of government claims that they would not interfere in a dispute between workers and their employers. The most serious incidents occurred at the Vaal Reefs, Western Deep Levels and President Steyn gold mines. At Vaal Reefs security guards tried to force workers down the shafts using sjamboks and clubs. At the President Steyn Gold Mine at least 44 miners were injured – some seriously. In one incident guards tried to force workers underground. In another, police randomly opened fire on miners waiting for buses and taxis. At Western Deep Levels miners were forced underground with teargas and rubber bullets. At the Braken Mine, over 2,000 miners staged a six-hour underground sit-in after being forced down the shafts with teargas and dogs. Similar sit-ins occurred at the Harmony and Kloof Gold Mines. Violent clashes between miners and mine security forces occurred on at

least six other mines. (*T 10/11/15/30.8.87; NN 13.8.87; Star 14/17.8.87; D Tel 14.8.87; GN 17.8.87; Ind 19/20.8.87; MS 22/25.8.87; WM 25.8.87*)

Over 300 strikers and union officials were arrested or detained during the strike. Seventy-eight NUM members were detained during a raid on a meeting in Klerksdorp, including the union's entire regional strike committee. They were charged with conspiracy to murder. Twenty-six strikers were arrested in Johannesburg on charges of trespass and another 23 at the Ergo plant, following a sit-in. Fifty NUM shaft stewards were also arrested at Westonaria. (*GN 13.8.87; Star/FM 14.8.87*)

ATTACKS ON COSATU

Action against the miners occurred against a background of continued repression of other unions affiliated to COSATU. (*FOCUS 71 p.1*)

In the Pietermaritzburg region vigilantes linked to the Kwazulu bantustan authorities and its surrogate union movement UWUSA attacked COSATU unions, along with local community organisations affiliated to the United Democratic Front. Violence against anti-apartheid organisations has been a feature of the Natal region since UWUSA was founded in May 1985 to counter the influence of COSATU. (*FOCUS 71 p.71*) More than 200 clashes took place between the opposing groups between January and October in which 89 people died and some 150 were injured in the Pietermaritzburg region, alone. Vigilante attacks also occurred in Northern Natal, a COSATU stronghold. (*Ind 5.10.87*)

At the same time there were attacks on the premises of COSATU affiliates. Following the bombing of COSATU's head office in Johannesburg in May and acts of vandalism against regional offices of its affiliates several unions experienced difficulty in obtaining new premises. Landlords refused them space following government pressure. (*FOCUS 71 p.3*) In late August COSATU's regional offices in Cape Town were the target of a second major bomb attack. This followed arson attacks on the Krugersdorp office of the National Union of Metalworkers of SA (NUMSA) in July. In early September there were arson attacks on the East London offices of the South African Allied Workers Union and of the UDF. In the second half of the year, offices of at least three COSATU affiliates were burgled and items removed. (*S 6.7.87, 3.9.87; NN 16.7.87, 3.9.87; BBC 20.7.87; Star 31.8.87*)

continued from p.8

TRIALS

forced removal and the difficulties in getting employment due to job reservation.

Makape was sentenced to 11 years' imprisonment while Zwane, who had more firearms in his possession when arrested, received a 12 year term. (*Star 16.6.87, 11/12/14/18.8.87*)

SIZANI

Gerald SIZANI (28) was sentenced to eight years' imprisonment in Durban on 10 July after being convicted of 'terrorism'. He was found to have joined the ANC in 1977, undergone military training in Swaziland and the Soviet Union and returned to South Africa to recruit and train people for the ANC. He was found guilty of establishing an arms cache which included limpet mines and hand grenades and being in possession of banned Marxist literature. (*BBC 13.7.87*)

TSEWU AND OTHERS

The trial of six Port Elizabeth residents which began in February 1986 was eventually heard in

the Regional Court between July and September after 12 postponements. The accused had been in custody since August 1985.

Fuzile TSEWU (37), Nontembiso Eslina NDABENI (30), Bukiwe Gertrude SOFUTE (34), Madoda Ashley BUDAZA (30), Bonisile Gibson GAGA (29) and a youth of 17 years were charged with furthering the aims of the ANC, 'terrorism' and unlawfully importing arms and ammunition. The charges covered the period December 1984 to August 1985 and the most serious alleged that they both underwent and provided military training 'in Port Elizabeth, Lesotho or elsewhere'.

On the opening day of the trial, 13 July, the youth changed his plea to one of guilty to a single charge under the Arms and Ammunition Act, of the unlawful possession of a hand grenade. He said that he discovered it buried in the family yard and moved it elsewhere to protect a close relative. Although, as a juvenile, he could not be named in the press one report made it clear that he is the younger brother of Budaza. The boy, who was only 15 years old when detained on 16 August 1985, was given a suspended sentence of three years.

It seems that the main evidence against the accused came from their own statements made in detention. These were ruled admissible in spite of defence claims that the defendants were assaulted.

On 7 September four of the accused were sentenced. Ndabeni was found to have met ANC members in Lesotho who taught her to use hand grenades and limpet mines. She was said to have recruited Sofute, who also underwent military training in Lesotho, and they both then trained others in Port Elizabeth. They were found guilty of furthering the aims of the ANC and sentenced to six years' each. Tsewu and Budaza were given the same sentence for assisting the women. Tsewu was found in possession of a limpet mine, hand grenade and explosives, while Budaza made a statement stating that a trained ANC combatant named Thando had brought him a hand grenade and showed him how to use it. No mention was made of the fifth accused, Gaga, suggesting he may have been acquitted earlier in the trial. (*NN 30.4.87, 10.9.87; Eastern Province Herald 14/15/16.7.87; Evening Post 14.7.87; CP 19.7.87, 13.9.87*)

DECLARATION

adopted by the conference on 26 September.

'By bringing us together in Harare, the Conference provided the international community with a unique opportunity to hear from those directly affected, the truth about the violent repression inflicted by apartheid, including the beating, shooting, torture, detention and imprisonment of children. It enabled us and the whole international community to break through the veil of censorship and secrecy imposed by the apartheid regime's two-year-old State of Emergency.

'We heard moving testimony from children about their harrowing experiences of torture and injury at the hands of the regime's agents. Doctors and other professional workers concerned with the welfare of children, informed us about the reality of how children are treated under apartheid. Lawyers explained the absence of any effective legal provisions for the protection of children and their vulnerability in the face of the apartheid regime's determination to maintain the oppression of the majority of South Africans.

'The cruelty and brutality which were exposed induced a profound sense of shock, outrage and anger. The deliberate and systematic targeting of children by the armed agents of the regime puts apartheid South Africa beyond the pale of civilised society. It exposes the political and moral bankruptcy of a system bent on destroying any form of opposition. Such a form of government is totally illegitimate.

'We strongly condemn all those who collaborate with the regime in executing its policies, in particular the lawyers and judges who lend legitimacy to an inhuman and illegitimate system and the medical practitioners who conspire in keeping secret the brutality against children. We call upon the international community to sever all relations with professional bodies which fail to condemn these practices.

'We commit ourselves to act in a concerted way to keep the world aware of the plight of South Africa's children. We will continue, and extend, the task of monitoring and exposing the repression and abuse of children.

'We urge lawyers, medical practitioners, social and religious workers, and all others whose work involves special responsibilities for children, to play a part in the struggle to protect the children of South Africa and help free them from apartheid.

'We appeal to the international community to work for the imposition of sanctions against the regime, and urge all governments to declare their support for all those who, even at risk to themselves, are prepared to act in defence of the children of South Africa.

'We recognise that the children of South Africa cannot lead a normal life as long as the apartheid system remains. The children themselves, having recognised this fact, have displayed heroic courage in their readiness to engage their ruthless oppressors in daily struggle. Their commitment and determination is an inspiration to us all. We pledge ourselves, collectively and as individuals, to use all our resources to work towards the realisation of a united, non-racial and democratic South Africa and thereby ensure a speedy end of the racial tyranny whose violence spares neither old nor young - in South Africa, Namibia and throughout Southern Africa.'

CHILDREN: CALL FOR ACTION

After three days of evidence on the subject of *Children, Repression and the Law in Apartheid South Africa*, delegates to an international conference in Harare called for action against the apartheid regime and those who collaborated with it.

The conference was convened by Archbishop Trevor Huddleston. The opening session was addressed by the Prime Minister of Zimbabwe and the President of the African National Congress.

Almost 300 South Africans, the majority of whom had come from inside the country, met with over 200 representatives of more than 150 organisations from all over the world. There were lawyers, medical practitioners, religious and social workers, community and political activists, representatives of youth, student and women's organisations, trade unions and professional bodies. The delegation from inside the country included children, along with those whose work and experience bring them most directly into contact with child-victims of repression.

The conference was organised to focus attention on the repression of children, in particular in the period since September 1984 when troops occupied black townships. The violence against children was placed in the context of the apartheid system generally and the oppression of South Africa's black majority. Frank Chikane, general secretary of the South African Council of Churches, placed the 'war against children' in the 'whole context of conflict and destabilisation'. He said that 'the apartheid regime has turned the region of Southern Africa into a sub-continent of refugees and exiles'.

TESTIMONY AND EVIDENCE

A special feature of the proceedings was testimony given by five children who described their experience of brutality and torture at the hands of the regime's forces.

● **Nthabiseng MABUSA**, aged 13, spoke from a wheel-chair which she has had to use since being shot during a raid by the South African Defence Force on her aunt's house in Gaborone on 14 June last year. Hearing shots from the living room of the house, she went to investigate: 'I... saw a masked man. I turned to run and was shot. I continued to try and run away but another man stood up in front of me and knocked me down. I was shot in the back as I lay on the ground.' Although she survived she is now paralysed from the waist down.

● **William MODIBEDI**, aged 11, from Kagiso, spoke of his 'two months and two days' in detention. His experience was described in

FOCUS 69: he was made to stand for long periods and had four teeth knocked out by a policeman during interrogation. A dummy connected to electric wires was put in his mouth and he was given electric shocks.

● **Mzimkhulu MGAMLANA**, an 18-year-old boy from Port Elizabeth who is now studying at the ANC's Solomon Mahlangu Freedom College in Tanzania, said he had been arrested in a pre-dawn raid while asleep with his mother, sister and her young children. He stated: 'In the police station they connected an electric tube to my leg and switched it on. It was bad, I was shaking. They were asking me questions about my friends.' He said that the food which his mother brought for him was eaten by those who were detaining him.

● **Naude MOITSE**, who is now 22, described several periods of detention during school boycotts in 1984. Last year he decided to leave South Africa. 'Some policemen took me to John Vorster Square. I was made to stand up for more than 12 hours. When I fell they picked me up and kicked me. They gave me no food.' The same thing happened to him again two days later. One of the torturers during his detention, he said, was hearing the cries of children in other cells.

● **Buras Ntlabeni**, aged 17, left South Africa in January this year. He had been president of the Tembisa Students' Congress. He described his treatment at a police station after being detained: 'I was strapped and put in a rubber suit from head to foot. A dummy was placed in my mouth so I wouldn't scream. There was no air. They switched the plug on. My muscles were pumping hard. I couldn't see anything. When they switched the plug off they took the dummy out and said I should speak. When I refused they put the dummy back and switched on again.'

This detailed first-hand testimony was underlined by more general evidence from lawyers, social workers and academic researchers. Peter Harris, a lawyer, assured the conference that 'electric shock treatment... is being practised in South Africa'. Professor Don Foster of the University of Cape Town said that the use of torture in South Africa had become central to maintaining power: 'There is massive evidence of the systematic use of torture', he said. He stressed it was important to realise that psychological methods were used in torture, as well as physical methods.

Sessions of the conference dealt in detail with the treatment of children in detention and in court, where most children face trial without their parents or guardians and without legal representation. Children's experience of prison was described, as well as the role of the military, police and vigilantes in the repression of children.

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SECRET EXECUTIONS

The South African regime has stepped up its repression of communities involved in mass protest by carrying out five executions. Three of these took place without forewarning or publicity and only became known some months later. At the same time at least fifteen more death sentences have been passed since July, 11 of them in the Eastern Cape. Faced with increasing support for the condemned prisoners the authorities have resorted to threats against those organising the campaign to save their lives.

Police clashed with mourners on 1 September when Mlamli Wellington MIELIES (22) and Moses Mnyanda JANTJIES (27) were hanged in Pretoria Central Prison, the latest victims of the apartheid legal system. Their execution, which was carried out with only a week's notice to the condemned men and without any official notification to their families, was widely condemned. Mielies and Jantjies, sentenced for the killing of a notorious councillor, Kinikini, and others in 1985, were amongst the thirty-two people on Death Row for whom the South African Youth Congress (SAYCO) launched a campaign in July. (FOCUS 72 p.1,7)

The gravity of the situation became even more evident when it was revealed a week later that three more people believed to be awaiting execution had already been hanged. In 1983 regulations were amended to allow executions to take place unannounced. This change was made in the wake of the executions of ANC combatants Marcus Thabo Motaung, Thelle Simon Mogoerane and Jerry Semano Mosololi which were met with widespread protest inside the country. The executions reported in September – of Solomon MAOWASHA, Alex MATSEPANÉ and Eliili WEBUSHE – are the first known to have been carried out in this way.

News of the impending execution of Mielies and Jantjies was given by Mielies to his mother, Jane, when she visited him on 25 August. Although the men's petition for leave to appeal had been turned down in May (see FOCUS 71 p.8), their lawyers had lodged a plea for clemency with the Justice Department the following month and no response to this had been received. Nevertheless, and in spite of widespread protests, the executions went ahead. Amongst those who made urgent appeals for the men were the Northern Transvaal Youth

Congress (NOTYCO), the Southern African Catholic Bishops Conference (SACBC), the Detainees Parents Support Committee (DPSC) and the Federation of Transvaal Women (Fedtraw). Fedtraw's Soweto Women's Group teleaxed the wives of President Botha and Minister of Law and Order Vlok urging them 'to prevent lives being wasted instead of rehabilitating them'.

Three hundred people attended a church service on the eve of the execution at which Frank Chikane, general secretary of the South African Council of Churches, called on President Botha to commute the sentences. In his message Archbishop Desmond Tutu reminded the President of how he had helped secure a reprieve for South African mercenaries convicted in the Seychelles. In addition the Foreign Minister of the Federal Republic of Germany made an approach on behalf of all the EEC countries.

The men's mothers, Jane Mielies and Merose Jantjies, gathered with other relatives outside the prison on the morning of the execution. They said their sons were 'happy to die for the struggle against apartheid' and had told them not to worry. They were joined by Winnie Mandela and Pauline Mamike Moloise whose son Benjamin was executed in October 1985. (FOCUS 65 p.1)

Later in the day 200 heavily-armed police cordoned off Khotso House in Johannesburg where SAYCO was hosting a memorial meeting attended by some 300 people and addressed by a number of speakers including Mielies' uncle, Ben de Boo. At least twenty people were injured when police forcibly dispersed the crowd afterwards and three people, two of them journalists, were briefly detained. Police also used teargas at Park Station, Johannesburg, and clashed with three thousand students who had raised the ANC flag at the University of the Western Cape. A phone-in poll conducted by *The Star*, a Johannesburg evening newspaper, showed a majority opposed to the executions.

At the end of August the SACBC issued a statement on behalf of all those facing execution, recommending 'commutation of the death sentences' and urging 'all concerned to take up the issue of capital punishment.' They further pointed out that 'great numbers of people including a powerful youth movement, consider that what these persons stand condemned of are "acts of war" performed in the liberation struggle, in which the South African state is responsible for even greater and more wide-

spread violence.'

In Parliament on 3 September the Minister of Law and Order responded to what he termed the 'outrage' over the executions. In particular he sounded a warning to all those making appeals on behalf of those under sentence of death: 'They are playing with fire and they'll get burned.' (S 4.9.87)

Organisations in a number of countries have responded to SAYCO's call for an international campaign to save the lives of those awaiting execution. In Britain a delegation from the Anti-Apartheid Movement visited the Foreign and Commonwealth Office on 9 September to ask for increased government action on their behalf. They were told that the British embassy had discovered that three of those named in SAYCO's list had already been executed. Two of them, Solomon Maowasha (23) and Alex Matsepene (20) were hanged on 5 December 1986 less than six months after they were sentenced to death for the killing of two police informers in the mountains outside Tzaneen. Very little is known of their case. However, police and army repression in the region had been so severe that many young people were driven from their homes and forced to live rough in the mountains.

The third person reported as executed was Eliili Webushe, about whom even less is known. His death sentence was reported by the Bureau for Information in June 1986 in connection with a 'necklacing in Jansenville' in the Eastern Cape. The British government did not know exactly when he was executed. However, a newspaper report on 20 August 1987 announced the execution of seven men the previous day. One was named as Raymond Gwebishe 'sentenced to death in June 1986 in Cape Town for a necklace murder.' It is likely that Webushe and Gwebishe are the same person. (Star 20.8.87; Ind 10.9.87)

These secret hangings and reports of at least eighteen other death sentences passed since May emphasised the great urgency of the SAYCO campaign. Amongst the first signatories to their petition were Albertina Sisulu and Pauline Moloise as well as a number of relatives of those who have been condemned: Regina Sefatsa, wife of Mojalefa Reginald; Reuben Mokhesi, father of Francis, and Leah Mokoena, mother of Reid Malebo (all among the Sharpeville Six). Millicent Ngidi, whose son Bekisizwe Philip has been sentenced, signed alongside Sonnyboy Tsawane, brother of Josiah. (FOCUS 63 p.1, 68 p.7)

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

The International Defence and Aid Fund for Southern Africa has the following objects

- (i) to aid, defend and rehabilitate the victims of unjust legislation and oppressive and arbitrary procedures;
- (ii) to support their families and dependants
- (iii) to keep the conscience of the world alive to the issues at stake

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