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News Bulletin of the International Defence & Aid Fund



# focus

## ON POLITICAL REPRESSION IN SOUTHERN AFRICA

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# PASS LAWS TIGHTENED

Undeterred by protests which obliged it to shelve a Bill proposing drastic extensions of the pass laws, the South African regime proceeded with the implementation of policies embodied in the Bill. Following the shelving of the Bill in September 1982, operations by Administration Boards to evict 'illegal' Africans from 'white' urban areas intensified, and a spate of new administrative regulations restricting urban contract workers was reported. These restrictions, together with forthcoming measures indicated by the Minister of Co-operation and Development, will have the effect of implementing some of the major provisions of the Bill before it is enacted.

When the *Orderly Movement and Settlement of Black Persons Bill* was published in May 1982, there was strong opposition from civic and labour organisations. It was finally referred to a Parliamentary Select Committee for review and it is now considered unlikely that it will be enacted before 1984.

If enacted in its present form, the Bill would make it even more difficult than it already is for Africans from outside the 'white' urban and rural areas, to enter those areas.

Currently the movement of the African population is mainly controlled by use of the *Blacks (Urban Areas) Act*. Apart from those who already have rights of residence under Section 10 of this Act, the proposed new law would prevent all those deemed to be 'citizens' of 'independent' bantustans from acquiring rights of permanent residence outside a bantustan. Africans born in an urban area outside a bantustan would only automatically qualify for rights of permanent residence there if both parents had those rights.

The Bill proposed new restrictions, and greatly increased penalties, relating to the provision of employment and accommodation of African workers and their dependants. It also proposed a curfew on Africans without rights of residence in 'white' urban areas, and greater powers to remove 'squatters'.

These measures would allow the state to keep down the numbers of Africans in 'white' areas in line with the economy's demand for labour in those areas. As this was thought by the government to be important also for the effective combatting of guerilla activities, the Departments of Defence and of Law and Order, as well as the National Intelligence Service, were allowed to have a major hand in drafting the Bill (CT 20.9./20.10.82; RDM 27.9.82).

The actions which seek to implement the policies entailed in the Bill began as early as September 1982.

During September and October the Western Cape Administration Board sent out thousands of circulars warning against the employment of 'illegal' Africans and referred to the R5,000 fine proposed in the Bill. As a result several employers fired workers whom they did not have permission to employ (CT 24.9.82; RDM 29.10.82).

During September the Department of Co-operation and Development instructed the West Rand Administration Board to refuse African contract workers permission to change their jobs. This ruling was already in force on the East Rand. Consequently more workers among the growing number being retrenched in this area, will have to return to the bantustans even if they have found new jobs (CT 13.9.82).

In January 1983 the West Rand Administration Board introduced another two new clauses into contracts of employment. They state that a contract worker will lose his job if joined by members of his family from outside the area (Star 22.1.83).

Plans to introduce a curfew on 'unauthorised' Africans in Durban and other urban areas were announced by the Department of Co-operation

and Development in November 1982. While these measures were being introduced, pass raids and arrests were occurring at a greatly increased rate (DN 3.11.82).

During October and November 1982, pre-dawn pass raids by Administration Board officials were taking place in the Western Cape. At least 4,000 people were arrested and charged, usually with being in the area for more than 72 hours without permission, for which they were fined R90 or sentenced to 90 days imprisonment (S. Exp 21.11.82; Star 4.12.82).

The West Rand Administration Board carried out what was described as a 'systematic inspection for illegal residents' in Orlando during November 1982. Over 1,000 residents were arrested in one night, and over 300 charged (RDM 18.11.82).

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# CANON COLLINS - A TRIBUTE

Canon Lewis John Collins, who died on 31 December 1982 at the age of 77, first set up a fund to combat racialism in Southern Africa more than 30 years previously. As President of International Defence and Aid Fund he became internationally known as an untiring and determined fighter against apartheid - a commitment which in 1978 won recognition at the United Nations through the award of a Gold Medal by the Special Committee against *Apartheid*.

In 1956, the Canon opened a Treason Trial Fund for the defence of 156 South African leaders accused of treason, and for the support of their families.

The formation of the International Defence and Aid Fund, in 1964, was made necessary by the apartheid regime's increasing resort to political repression. A year later, the South African Defence and Aid Committees used by the Fund to channel monies to those in need inside the country, were banned.

## MESSAGES OF CONDOLENCE

The material support which Canon Collins gave through the Fund to the peoples of Southern Africa did more than simply enable them to continue living, pay their legal fees and provide education. It was as if, from thousands of miles away, he said to a political prisoner, a detainee, a bereaved relative or a child, 'You are important'.

Following Canon Collins' death many moving letters, cables and messages were received from the leaders of the Southern African liberation struggles, from former political prisoners and detainees, and from IDAF's various National Committees. Extracts from these expressions of sympathy and solidarity are reproduced here; others came from the President of Zambia, the Chairman of the UN Special Committee against Apartheid, the Chairman of the UN Trust Fund for South Africa, the Foreign Ministers of Sweden, Norway and the Netherlands, the Netherlands Minister of Development Co-operation, the Danish Embassy in London, a representative of the UN High Commission for Refugees, the Catholic Institute for International Relations, the Mouvement Contre le Racisme et pour l'Amitié entre les Peuples (MRAP) of France, Kairos Workgroup of the Netherlands, the British Anti-Apartheid Movement, and many others.

The floral tributes for Canon Collins' funeral which took place in St Paul's Cathedral on 11 January 1983, included wreaths from Nelson and Winnie Mandela, the accused in the Treason Trial, and all South African political prisoners.

A memorial service for the Canon took place in St Paul's on 23 February.

Tragic and untimely death has taken John Collins away from us and from our daily world. We are left with a feeling of inadequacy in a world that is less complete for his departure. Above all, our hearts are heavy with grief because we loved John Collins for who he was and what he was - a living expression of human greatness.

Canon Collins of St Paul's and Amen Court

belonged to a much bigger and broader family: the ANC, the liberation movements in Southern Africa, millions of people suffering under the evil system of apartheid have lost a dedicated and resourceful supporter, a great humanitarian who has made an outstanding and lasting contribution to the struggle for justice and human dignity in South Africa. An integral part of the political world of Chief Albert Lutuli and Nelson Mandela has been removed . . . .

Oliver Tambo, President of the African National Congress.

We learnt with great sadness of the highly regrettable passing away of our respected and beloved friend Canon L. John Collins.

The Central Committee and the entire membership of SWAPO sincerely lament over the death of that great friend of ours. Canon L. John Collins was a great freedom fighter, a consistent defender of the oppressed peoples and a champion of democratic liberties and peace among nations. His love for humanity and commitment to the principles of justice will remain for us a permanent source of inspiration and guide in human relations. His personal contribution to the cause of our people will forever remain fresh in our minds.

Sam Nujoma, President of SWAPO of Namibia.

'Those of us who were in detention clearly remember how the International Defence and Aid Fund during his time so generously extended substantial and extensive assistance to many of us by paying legal fees for those who had to defend themselves in court against political offences, giving aid to our destitute families, and paying our study fees. Canon Collins' invaluable contribution for the good of humanity will for ever remain vivid in our memories.

His death is a tragic and sad loss to many Zimbabweans as indeed it is to many humanists the world over. He was truly a great man.

Robert Mugabe, Prime Minister of Zimbabwe.

Canon Collins was a man of vision. He was a humanist. He was a true philanthropist. He was a true Christian. He talked less about the oppression of my people, and did much more. . . . I place Canon Collins among those who have helped the dispossessed of my country to come out of the stifling fog of dehumanisation and national dispossession. . . .

Hamilton Keke, Chief Representative of the Pan-Africanist Congress in the UK.

He will be long remembered in Zimbabwe for his work in support of men and women who were imprisoned for their beliefs. Through his able leadership of IDAF and Christian Action thousands of political prisoners in the then Rhodesia were, together with their families, maintained, educated, given legal aid and, after release, resettled. His life and his deeds told in ways far beyond words of his commitment to the one who 'came to set the prisoners free'.

Valentine T Ziswa, National Executive Officer for Christian Care National Executive and Officer Bearers.

An outstanding personality in the struggle against apartheid has left us. Canon Collins' dedicated and constructive opposition to apartheid has met with great admiration in Sweden. His tireless efforts in the defence and care for innumerable cases of victims of apartheid are well-known and deeply respected. A great number of Swedes have been inspired



by Canon Collins' invaluable and deep knowledge about apartheid and peaceful ways to work for the abolition of the system.

Lennart Bodstrom, Foreign Minister of Sweden.

It is no small tribute to him that many thousands of people in southern Africa today owe life, relief, health and hope to his untiring work at the helm of the International Defence and Aid Fund.

Anders Thunborg, Chairman of the Committee of Trustees of the UN Trust Fund for South Africa.

On behalf of the struggling workers of South Africa, the National Executive Committee of the South African Congress of Trade Unions wishes to pay tribute to Canon Collins - an indomitable fighter against apartheid . . . His passing will be strongly felt by the people of South Africa. He was a pillar of support in our struggle against the racist regime from the time of the Treason Trial - in which many SACTU activists were charged - until the present day.

SACTU National Executive Committee

Canon Collins was a very compassionate man totally devoted to the service of his fellowmen. In my dealings with him I cannot remember a single occasion when an appeal for help went unanswered. His death is a grievous blow to the oppressed people of South Africa.

Norman Traub, for the Unity Movement.

We have to look back from now on and recall all he has done: for our sisters and brothers in Southern Africa; for the Church, in Christian Action; for peace in his struggle against nuclear armaments; far away and close by in his family and for his nearest co-operators.

His achievements became history, but a history from which we draw inspiration to go on to bring his dreams to reality.

Jaap Roosjen, Chairman, Defence and Aid Fund Nederland.

*continued on p. 11*

# DETENTIONS

Current security police activity has received very little newspaper coverage, in contrast to the publicity given to the conclusion of the inquest into the death of Neil Aggett. The verdict of suicide vindicated the security police and indicated the clear bias of the magistrate. The inquest did a great deal to publicise security police procedures but its lack of power to change these was clearly shown by the death of yet another detainee, Ernest DIPALE, while its proceedings were continuing. By late January 1983, almost six months after Dipale's death, no date for an inquest had been set. A strengthening of the repressive forces at work in the bantustans was shown by a continuing high level of detentions and harassment in the Ciskei region.

## DEATHS IN DETENTION

Sonwabo DLAMINI, a student who was detained by security police in the Eastern Cape, died in the Livingstone Hospital, Port Elizabeth, on 17 September. Dlamini was shot when police detained him on 7 June and was admitted to hospital suffering from extensive injuries to his stomach, pancreas, bowels and liver. He remained in hospital, under police guard, until his death three months later (*SASPU Focus Vol 1, No. 3, Dec. 1982*).

Two security policemen in the Venda bantustan were summonsed to appear in court on 2 February 1983 on a charge of murder arising out of the death in detention in November 1981 of Tshifhiwa Isaac MUOFHE. An inquest in July 1982 found that Muofhe died following an unlawful assault by Captain

M L Ramaligela and Sgt P J Mangaga. Lillian Muofhe, the widow of the murdered man, was reported in January to be suffering from daily harassment following the inquest verdict (see *FOCUS 38 p.2, 42 p.4; RDM 8.12.82; S 24.1.83*).

The inquest into the death of Neil AGGETT concluded on 21 December 1982 with a verdict of suicide. The magistrate rejected submissions by Aggett's family that his suicide was induced by his ill-treatment at the hands of security police, in particular Major Arthur Cronwright and Lieutenant Stephen Whitehead, who should in their opinion have been charged with culpable homicide.

In coming to the decision that he could not find 'that any unlawful or negligent acts caused Dr Aggett to take his life', the magistrate not only rejected all the evidence given by former detainees, but also ignored the significance of inconsistencies and admissions in the State evidence.

Johannesburg's chief district surgeon testified that although in terms of the Prisons Act and Public Health Act he did not require police permission to see a detainee, in practice he was only allowed access at the discretion of the security police.

Records at John Vorster Square purported to show that Aggett had been checked at half-hourly intervals on the night he died. In evidence the policeman on duty admitted falsifying his report to conceal the fact that Aggett was left unmonitored for three hours. This same policeman claimed never to have seen a magistrate or Inspector of Detainees at the police headquarters. One of the policemen who interrogated Aggett was found in court to have had a previous conviction for assaulting a magistrate.

In his evidence Lieutenant Stephen Whitehead admitted amongst other things that he had 'observed' Aggett for three years prior

to his detention; that he and a colleague entered and searched Aggett's parents' house while they were away briefing lawyers for the inquest; that he had participated in a 62-hour interrogation of Aggett; and that he was ignorant of a detainee's right to daily exercise (*RDM 8.6.82, 9.6.82; S 11.10.82, 21.12.82*).

## TORTURE CASES

Two former detainees who gave evidence in the Aggett inquest have instituted proceedings against the police alleging assault during their detention. In September 1982 Jabu NGWENYA, an organiser for the General and Allied Workers Union (GAWU), sued the Minister of Law and Order for R15,000, alleging he had been punched, given electric shocks, physically abused and reduced to exhaustion. In January 1983 it was reported that the Minister would defend the action (*RDM 23.9.82, 7.1.83*).

In December 1982 Auret VAN HEERDEN instituted a claim for R65,000 against 10 security policemen alleging, amongst other forms of ill-treatment, that he had been strangled with a wet towel and partially suffocated with a tight-fitting bag over his head (*RDM 30.12.82*).

## CHILD IN CUSTODY

A five-year-old child was detained by police for questioning in connection with a fire at a school in Benoni in December 1982. A group of small children reportedly set fire to two classrooms causing R5,000 worth of damage. Local residents claimed that children were obliged to play on school premises during the holidays for want of any alternative recreation facilities (*S 23.12.82*).

## HEROES DAY MEETING

Several hundred people attended a church *continued on p.5*

## DETAINEES

Additional to previous FOCUS lists

Approx. date	Place	Name (age)	Details (where known)
7.10.82	Umtata	Vuma NTIKINCA (38)	PAC branch sec., Lesotho, on visit to Umtata. TPSA
24.11.82	Alice	Nelson DICK (43)	Former Robben Island prisoner. Unconfirmed
16.12.82	Ciskei	Sebenzile MDYOGOLO (24)	Textile worker, SAAWU member. NSA
c17.12.82	Alice	Sonwabo SOBUKWE	Former Ft. Hare univ. students expelled in July '82. NSA
c17.12.82	Alice	Cunningham NCUKANA	
18.12.82	Durban	Unnamed man	
18.12.82	Durban	Unnamed woman	Alleged discovery of two ANC arms caches
18.12.82	Eastern Transvaal	Alleged trained guerilla	
23.12.82	Mdantsane	Vuyisile MATI (18)	COSAS member
30.12.82	Ermelo	Karabo MOTLANA (22)	Returning from Swaziland. Literature confiscated. Charged & released 3.1.83
30.12.82	Ermelo	Ninki MALEKA	Fieldworker, Border Council of Churches. NSA
30.12.82	Mdantsane	Mzwandile MSOKI	Naval Officer. Alleged spying activities. Sec. 29 ISA
26.1.83	Simonstown	Commodore D.F. GERHARDT	
26.1.83	Simonstown	Mrs GERHARDT	
26.1.83	Kliptown	Zebulun Vronda BANDA	Sec. 29 ISA
26.1.83	Soweto	Busisiwe BUTHELEZI	Sec. 29 ISA
26.1.83	Soweto	Mbongiseni NXUMALO	Sec. 29 ISA

## ABBREVIATIONS

### Organisations

COSAS	Congress of South African School Students
PAC	Pan Africanist Congress
SAAWU	South African Allied Workers Union

### Laws

ISA	Internal Security Act
NSA	National Security Act
TPSA	Transkei Public Security Act

# POLITICAL TRIALS

Since the end of October last year a number of new political trials have commenced, all under the new Internal Security Act. Trials which involved accused who allegedly committed the offences for which they are charged in

the period before the new Internal Security Act became current (June 1982), are still being charged under the now repealed Terrorism Act of 1967.

Two people have been sentenced since December last year, one to 24 years

imprisonment and the other to five years imprisonment. A large number of trials were adjourned for the New Year recess and could result in a number of people being sentenced early this year.

## CONVICTIONS AND ACQUITTALS

### ROGGERIO CHAMUSSO

Roggerio Hoffsan CHAMUSSO (32), who prefers to be called Patrick SHANGE, was acquitted of two murder charges but convicted on three counts under the Terrorism Act in the Pretoria Supreme Court on 6 December 1982. He was sentenced to an effective 24 years imprisonment.

Chamusso was sentenced to 10 years for receiving military training in Angola, 12 years for sabotaging an electricity sub-station and six years for being in possession of limpet mines used in the sabotage. Four years of the six year term are to run concurrently with the 12 years.

In his judgement on the two murder charges, the judge referred to the 'conflicting evidence'

given by the security police and the 'unreliable' and 'dishonest' evidence of the two state witnesses (*RDM 7.12.82*).

### PIKININI MAPHUMULO

In one of the first convictions under the new Internal Security Act, Pikinini MAPHUMULO (51), was sentenced to five years imprisonment in the Durban Regional Court in December 1982.

The court found that Maphumulo had encouraged four people to undergo military training outside South Africa which could be used in furthering the aims of the ANC. He had pleaded not guilty (*Cit 14.12.82*).

### FANTI AND OTHERS

Three men charged under the security legisla-

tion operating in the Transkei bantustan area were acquitted in the Umtata Regional Magistrate's Court on 21 January.

Mzwandile Wilson FANTI (55), a Stutterheim taxi operator, Ezra Mvuyisi SIGWELA (42), a field worker of the Transkei Council of Churches, and Alfred Sphiwo XOBOLOLO (60), deputy leader of the Transkei opposition Democratic Progressive Party (DPP) had pleaded not guilty to charges under Section 27 of the Transkei Public Security Act.

They were alleged to have engaged in activities aimed at furthering the objectives of the ANC, or to have acted in the direct or indirect interests of the ANC (*RDM 22.1.83*; see *FOCUS 44 p.6*).

## CONTINUING TRIALS

### LILIAN KEAGILE

In testimony given in the Terrorism Act trial of Lilian KEAGILE (24), it was revealed that she was examined by a doctor 83 days after she was assaulted by members of the security police during interrogation. She was examined by the senior district surgeon for Johannesburg on 9 February 1982 after being assaulted on her arrest on 18 November 1981.

She complained of pains in her chest and under her breasts, after being kicked all over her body. A wet sack was placed over her head and later used to hit her on the body. She was also slapped on both ears (*RDM 20.11.82*).

When she appeared again in the Johannesburg Regional Magistrates Court from 10 to 13 January this year, further evidence was given in a trial within a trial of how she was assaulted and molested while in detention.

The state alleges that Keagile took part in the activities of the ANC, alternatively that she engaged in its affairs or that she contravened the Terrorism Act. The trial was postponed to 7 March (*S 12.1.83*; *RDM 13/14.1.83*).

The general secretary of the South African Black Municipal and Allied Workers Union (SABMAWU), Philip DLAMINI (31), was jailed for 18 months on 13 January for refusing to give evidence in the trial. He had been called as a witness three times but each time he refused to testify. Lawyers have been asked to investigate the possibility of an appeal against his jailing (*RDM 14/15.1.83*).

Dlamini is appearing as an accused in another Terrorism Act trial with seven others (see *THLOLOE AND OTHERS*).

### THLOLOE AND OTHERS

The Terrorism Act trial in which the banned journalist Joe THLOLOE (40), and seven others are to appear was postponed on 12 December 1982 to 22 March this year.

The former number one accused in this case, Harrison NOGQEKLE (26), who appeared with the other eight at a previous hearing last year, is appearing in a separate trial which began on 10 January (see below).

The other accused are Philip DLAMINI (31), the former general-secretary of the South

African Black Municipal & Allied Workers' Union, Veli Truman MNGUNI (33), Sipho NGCOBO (28), Nhlanganiso SIBANDA (26), Steven MZOLO (26), Mfana MTSHALI (18) and Shadrack RAMPETE (27). Most of the accused are members of the Azanian National Youth Unity but the trial is being billed by the press as a 'PAC trial' (*S 8/13.12.82*; *RDM 11.12.82*, *11.1.83*; see *FOCUS 44 p.6*).

### HARRISON NOGQEKLE

The separation of the trial of Harrison NOGQEKLE (26), the former chairman of the Azanian National Youth Unity (AZANYU), was ordered when he appeared with Joe Thloloe and seven others on 7 December 1982 (see above). It was submitted by the State that an additional charge had been drafted against Nogqekle who was to have been the number one accused in the trial.

Nogqekle appeared again in the Johannesburg Regional Court on 14 January and was allowed by the magistrate to change his plea of guilty which he had made at a previous hearing to a plea of not guilty. The State alleges that he contravened the Terrorism Act between February 1981 and June 1982 by bringing arms and ammunition into South Africa and seeking a place to hide them, and that he recruited people for military training outside the country (*S 8.12.82*; *RDM 15.1.83*).

### DUNA AND OTHERS

The 'terrorism trial' taking place in the Ciskei Supreme Court at Zwelitsha was postponed on 4 November 1982 to 28 February.

The four accused, Mabone William DUNA (31), Jeffrey Bayi KEYE (52), Dumisani Bizette MANINJWA (31), and Luyanda Patrick MAYEKISO (23), are charged with participating in terrorist activities, being members of the ANC and possessing banned literature. They have pleaded not guilty to all charges (*DD 5.11.82*; see *FOCUS 42 p.3*, *43 p.5*, *44 p.6*).

### MAPEKULO, MAKONE AND NKOSI

Three members of the Congress of South African Students (COSAS) appeared in the Springs Regional Court on 20 October on charges under the Internal Security Act.

The three, Vulindlela MAPEKULO, Andrew MAKONE and Mzwandile NKOSI, were not asked to plead, and their case was postponed until 17 January. They were remanded in custody.

The case is a sequel to the detention of a number of Springs COSAS members in September last year.

Their charges relate to furthering the aims of a banned organisation and being in possession of proscribed publications (*SASPU Focus Vol. 1, No. 3*).

### NDLOVU AND YOUTH

A 17 year old youth and Nkosenye NDLOVU (23), appeared in the Durban Magistrates Court from October to December last year charged with two offences under the Internal Security Act. They pleaded not guilty to the charges.

It is alleged that the two furthered the aims of the ANC by encouraging others to leave the country for military training and by inciting others to commit certain illegal acts.

Judgement was due to be given on 10 December but there have been no reports of the outcome (*DN 26/27/29/30.10.82*, *23.11.82*; *S 1.12.82*; see *FOCUS 44 p.6*).

### ALAN MARSDEN

A second-year social science student at the University of Cape Town, Alan MARSDEN (20), appeared in the Wynberg Magistrates Court on 11 December 1982 on charges of contravening the Internal Security Act. He was not asked to plead and no evidence was led. He was remanded in custody.

When he appeared again on 20 December he was granted bail of R500.

The State alleges that he is a member of an 'unlawful organisation' and that he possessed a banned publication (*CT 10/21.12.82*).

### NTSATHA AND PETER

The trial of Nomakephu Jane NTSATHA (25) and Mncekeleli Lawrence PETER (21) resumed on 17 January after being postponed on 16 October last year.

The two are appearing in the Zwelitsha Regional Court on charges of being members of

the ANC, recruiting people to undergo military training and being in possession of banned publications. Both earlier pleaded not guilty to the charges.

Giving evidence in a trial-within-a-trial to determine the admissibility of confessions allegedly made by the two accused, Peter disclosed how he was taken out of his cell at dawn and driven to the cemetery where the grave of Steve Biko is located. He was made to stand next to the tombstone wearing handcuffs and leg irons and told to talk about Steve Biko's organisation. When he refused he was

threatened with a gun and told that he was going to die like a dog 'in the same manner as Steve Biko died'. The trial continues (*S. Exp* 23.1.83; see *FOCUS* 44 p.6).

### PETER MOKABA

A former student at the University of the North, Peter MOKABA (23), appeared in the Pietersburg Regional Court during November 1982 on eight charges under the Internal Security Act.

The State alleges that he was a member of

the ANC and participated in its activities and encouraged others to join the organisation. He is charged with collecting and sending political data to the ANC in Swaziland; receiving training in Maputo and Luanda; being in possession of a pistol with eight rounds of ammunition which he planned to use to endanger the security of the state; and possessing illegal publications.

Mokaba was not asked to plead and was remanded in custody until the hearing on 14 February (*Star* 27.11.82).

## APPEALS

### BARBARA HOGAN

The first South African woman to be jailed for high treason, Barbara HOGAN (30), was refused leave to appeal against her sentence on 6 December 1982.

Hogan was sentenced to ten years imprisonment on 20 October 1982 for being a member of the ANC. Legal experts interpreted the outcome of the trial as meaning that membership of the ANC is in itself an act of treason, since it denoted identification with the overall

aims of the organisation (*RDM* 9.12.82; see *FOCUS* 44 p.7).

### KATI AND KING

The first people to have been convicted of terrorism under the Transkei Public Security Act, James Zamiwonga KATI (53) and Peter Bawose KING (57), were granted leave to appeal against their convictions on 7 October 1982.

They were both sentenced to effective seven

year jail terms for taking part in 'terrorist' activities that endangered the maintenance of law and order in the Transkei bantustan area (*DN* 7.10.82; see *FOCUS* 44 p.6).

### CHARLTON NTULI

Charlton NTULI (73), who was sentenced to five years imprisonment on 11 August 1982 for being a member of the ANC, had his sentence reduced to three years by the Umtata Appeal Court on 4 November 1982 (*DD* 5.11.82; see *FOCUS* 43 p.2).

## OTHER TRIALS

### WORKERS AND TRADE UNIONISTS

- Two Metal and Allied Workers' Union members, Jacob MAGAHAKWE and Ernest LETSWELA, who were arrested after industrial unrest at the Band S factory in Brits in September 1982, had charges of Intimidation against them withdrawn on 14 December 1982.

The charges were withdrawn due to the non-appearance of two state witnesses. Trade union leaders have called for the repealing of the Intimidation Act because of the wider implications of its use against legal trade union work in general (*S* 15.12.82; see *FOCUS* 43 p.3).

- Twenty-nine mine workers who were arrested in May last year for participating in an illegal strike, were still in prison at the beginning of January because they could not afford the bail. One of the bail conditions is that their travel documents be impounded. Since they are from Lesotho and the Transkei they cannot return home; neither can they return to the compound where they worked because they have been fired. The reason for the delay of the trial is because of difficulty in tracing a crucial witness (*RDM* 25.11.82; *FOCUS* 44 p.7).

- An organiser of the General Workers' Union of South Africa (GWUSA) was acquitted on 14 January in the Kempton Park Magistrate's Court of trespassing charges.

Solomon MALULEKE (30) was arrested with two other GWUSA officials, Donnie KHUMALO and Solly MASEMOLA, outside the State Trade Centre at Olifantsfontein on 29 November last year. The charges against Khumalo and Masebola were withdrawn on 30 December.

The three had gone to the Centre to see the head with whom they had an appointment. They failed to trace him and when they left the Centre they were arrested. At the time of the

incident workers at the Centre were prohibited from joining a trade union because they were state employees (*RDM* 31.12.82, 15.1.83).

- Six more workers face charges under the Intimidation Act. They were arrested after a strike at the Teltron electronics company but were released on bail on 23 December.

When the Intimidation Act was introduced last year trade unionists and lawyers claimed it would be used against worker leaders. The Act lays down heavy penalties for 'intimidation' which it defines very broadly (*RDM* 24.12.82).

### YOUTH AND STUDENTS

- Five students from the University of the North appeared in the Pietersburg Magistrates Court on 6 January on charges of arson. Their appearance followed the burning of a bookshop on the university campus on 5 June last year.

The five are Ian PETJE (21), Mangalam HLONGWANE (23), Gerson KGOBE (23), Rhulani MAHLABA (21) and Eric HLABAHLABA (22). They were not asked to plead and the case was postponed to 25 February (*RDM* 7.1.83).

- The trial of 20 people charged with public violence following an incident on graduation day at Fort Hare University on 1 May last year continues in the Zwelitsha Regional Court.

The court was told how one of the accused, a 15-year-old girl, was shot by police and seriously wounded and another, a 25 year old student, was treated for a bullet wound in his leg. The incidents occurred during the demonstration (*RDM* 11.1.83; see *FOCUS* 44 p.7).

- Six youths appeared in the Humansdorp Regional Court on 11 January to face 16 charges of arson. The charges arose out of the burning of 16 schools in Port Elizabeth between November 1981 and February 1982.

The youths claimed that after their arrest blankets were deliberately withheld from them so that they would be cold at night and that three of them were shown food which was then taken away from them. The case continues (*S* 12.1.83; see *FOCUS* 44 p.7).

### MISCELLANEOUS

- Karabo MOTLANA (22), the son of the chairman of the Soweto Committee of Ten, Nthato Motlana, was released on R500 bail when he appeared in the Ermelo Magistrates Court on 3 January on a charge of possessing prohibited publications. Appearing with him was Ninki MALEKA, who was granted R200 bail. The hearing was adjourned to 2 February.

Police said that Motlana and Maleka had ANC documents in their possession when they were stopped at the Swaziland/South Africa border (*CT* 5.1.83).

- A second year BA student at the University of the Witwatersrand, Carl NIEHAUS (22), was sentenced in the Johannesburg Magistrates Court on 22 December to 50 days imprisonment suspended for five years for being in possession of banned literature.

Niehaus claimed that the publications of the ANC and South African Communist Party had been pushed under his front door (*RDM* 30.11.82; *Star* 23.12.82).

- Thirty-nine residents from Sobantu Village, including 11 youths, who were arrested and held under the Internal Security Act after disturbances at the village in October last year, have been released uncharged. They were to have appeared in court in early December.

All were held in connection with incidents on 9 October 1982 at the funeral of Graham Radebe, a youth who was shot and killed by police during demonstrations against rent increases in Sobantu in October (*DN* 30.11.82; see *FOCUS* 44 p.7).

*continued from p.3*

service in the New Brighton area of Port Elizabeth on 16 December. It was organised by the Detainees Parents Support Committee (DPSC) and addressed by Helen Joseph, a former restrictee whose banning order expired recently. Armed police with dogs mounted roadblocks in the area and photographed everyone as they arrived. The 31 'white' people who attended were charged with entering a black township illegally (*S* 27.12.82).

### EXILE DETAINED

Vuma NTIKINCA, a former court prosecutor in the Transkei bantustan who fled to Lesotho in 1981, was detained on 7 October 1982 while visiting Umtata. Ntकिनca, a student at the University of Lesotho, was local branch secretary of the Pan Africanist Congress (PAC). The head of security police in the Transkei said a case against him was being prepared for the Attorney-General (*DD* 3.11.82, 4.11.82).

### RELEASES

- Rev Themba SIBEKO, a former chairman of the Border Council of Churches, was released from detention in the Ciskei bantustan at the end of December (*FOCUS* 43 p.8; *RDM* 30.12.82).

- It was reported in November that Tembikile NYHOBHO had been released from detention (*FOCUS* 43 p.7; *CT* 8.11.82; see current *BANS*).

## PRISONS

### RELEASES

• Breyten Breytenbach (44), the poet and painter who was jailed for nine years in 1975 for contravening the Terrorism Act, was released unconditionally on 2 December 1982.

A statement issued by the Prisons Service read "... Breytenbach was released ... in terms of a Government decision after he had qualified for remission of sentence in terms of declared policy which was announced earlier this year ... Decisions of this nature are the result of the total profile that is formed of a person's background, behaviour, adjustment, attitude, possible future behaviour and the expected risk or threat that such a person may pose to the community after release ... No hope for remission of sentence or conditional release whatsoever can be cherished for other persons who persist in their original criminal objectives" (S. Exp 5.12.82).

This statement is a succinct declaration of the government's 'remission' policy.

• At least seven Robben Island political prisoners were granted remission of their sentences in December last year.

One of the prisoners, Lombaard MBATHA, was released on 12 December. He was sentenced to 20 years on 30 December 1963 and had been on the Island since March 1964. He was due to be released in December 1983 (S 13.12.82).

Two of four men convicted of setting fire to a school and a post office in Kasselsvlei, Cape, in 1976, were released from Robben Island on 18 November last year after serving six year sentences.

Bertram Leon GONSALVES (24) and Rudolph Leonard KNIGHT (25) were sentenced with Frank Leo Coutries and Leslie Selekla in the Cape Town Supreme Court on 29 November 1976. The latter two were released in November last year (CT 19.11.82; FOCUS 8 p.12).

• Six former top officials of the banned South African Students Organisation (SASO) and the Black Peoples' Convention (BPC) were released from prison on 20 December 1982 after

completing their six year sentences.

The six black consciousness leaders were arrested in September 1974 and sentenced in December 1976 by the Pretoria Supreme Court after the marathon SASO/BPC Terrorism trial which began in June 1975.

They are Sathasivan (Saths) COOPER (32), former public relations officer for BPC; Muntu Lindane MYEZA (32), 1973 SASO president and 1974 secretary general; Mosioua LEKOTA (34), 1974 SASO permanent organiser; Aubrey MAKOAPE (37), former BPC Durban Branch chairman; Nkwenkwe NKOMO (30), former BPC permanent organiser; Phandelani NEFOLOVHODWE (31), 1974 SASO president.

Three others who were tried with the above six were released last year after completing five-year sentences. They were Strini Moodley, Zitulele Cindi and Kaborane Sedibe (CT 21.12.82; see FOCUS 8 p.6).

### PRISONERS KILLED IN MASERU RAID

Five of those killed in the 9 December raid on Maseru were former Robben Island prisoners (see back page of this issue for details of the raid).

Zola NQINI (46), from Uitenhage, was the Chief Representative of the ANC in Lesotho at the time of his death. He was among the first 14 people to be detained under the 90-day detention law introduced in 1963. In 1964, together with 160 others from Port Elizabeth, he was convicted for ANC membership and served five and a half years on Robben Island. On his release in 1969, he was served with a two year banning order, renewed in November 1977 for a further two years (IDAF Information Service pp. 175, 336-7, 488).

Jackson TAYO (51), from Lady Frere, was one of 45 accused in the 'Goodwood Trial' which took place in Cape Town from November 1963 to August 1974, when he was sentenced to six years' imprisonment. He had already spent 19 months in custody, including three

months as a detainee under the 90-day law. He and 14 other accused alleged police torture and assault while in detention (IDAF Information Service pp. 176, 416).

Alfred MARWANQANA was visiting Maseru at the time of the raid. He had arrived the day before from Ilings, together with his daughter Rhandiswa, who was also killed. His son Mzukise was also among the dead.

Pakamile MPONQOSHE (50) from Port Elizabeth, was also imprisoned during the 1960s for furthering the aims of the ANC.

Titus YOBO had served almost 18 years in prison. He had arrived in Maseru the day before the raid on a visit, travelling from one of the border areas (ANC Statement, London 13.12.82).

### PRISON FARM DEATHS

Three black male long-term prisoners died at the Barberton Prison Farm on 29 December 1982 due to heat exhaustion.

Confirming the deaths, the Chief Liaison Officer for the Prisons Service said that 44 other prisoners had to be treated for the same complaint.

The prisoners concerned had been transferred from Durban Prison the day before and had been sent out to work for the first time. Temperatures in the area were above 30°C at the time.

Police and the Inspector of Prisons immediately began independent investigations into the deaths. The Commissioner of Prisons, Lieutenant-General J. F. Otto, admitted that 'irregular actions' by prison officials might have contributed to the deaths (S 30.12.82; GN/RDM 31.12.82).

On average there are about 200 deaths in South African prisons every year. Although the majority of these (about 80 per cent) are ascribed to 'natural' causes, many of the remaining 'unnatural' deaths are the result of prison gang murders and 'suicides'. There have been many recorded deaths due to assault by warders.

## BANS AND RESTRICTIONS

### CONTRAVENTIONS

Priscilla JANA, a lawyer banned for five years in August 1979, appeared for the third time in the Johannesburg Regional Court last November. She was charged with contravening her banning order last July by leaving the magisterial district of Johannesburg to which she is restricted. She was not asked to plead and was due to appear again on 14 March (see FOCUS 44 p.9; RDM 23.11.82).

The case of Jamalludien HAMDULAY, reported in the last issue of FOCUS, was concluded last November when he was cautioned and discharged in the Parow Regional

Court. Hamdulay, banned for five years in November 1980, was charged with contravening his banning order in June 1981 by leaving the Wynberg magisterial district to which he is restricted, 'and/or entering a factory', which is prohibited under the terms of his order (see FOCUS 44 p.9; CH 27.11.82).

### BANNED UNIONIST FLEES

Sipho PITYANA, a former organiser of the Motor Assembly and Component Workers Union and the General Workers Union, who was banned for two years in March 1982, fled to Lesotho last September. He later joined his brother, Barney PITYANA, in Britain, where he

was able to describe how during his detention he was subjected to days of torture that included electric shocks, suffocation and half-drowning in freezing sea (DD 14.9.82; MS 21.12.82; FOCUS 41 p.10).

### BANISHMENT

Thembekile Templar NYHOBHO, aged 50, was banished from his home in Tshatshu, near Zwelitsha in the Ciskei bantustan, on his release from detention last November, and sent to live in Peddie. He was among a group of six people detained by the Ciskei security police in August after attending the unveiling of a tombstone for PAC leader Robert Sobukwe (DD 4.11.82; see FOCUS 43 pp. 6, 7).

## REPRESSION IN THE CISKEI

Reports from the Ciskei bantustan indicate that the degree of repression is being intensified. The head of state security in the area claimed in December 1982 that 'the total budget of the Department of State Security was plus minus R12 million' and was 'manned by well over 887 men'. There have been a number of security operations aimed at government opponents, many of them members

of SAAWU which was described as 'not a union' but 'the ANC'. As well as political trials and detentions there were instances of the widespread use of paramilitary forces (RDM 6.12.82; Star 20.12.82).

During December 1982 there were a number of armed raids on the houses of people whom the authorities described as 'activists'. Trade unionists were particularly affected, prompting Jan Theron of the Food and Canning Workers

Union (FCWU) to state that they would consider 'any means we have to expose the actions of Ciskei against the unions, including approaching international finance which (Chief Lennox) Sebe is trying to attract through his offers of cheap labour' (RDM 31.12.82).

In the early hours of 16 December, Heroes Day, Sebenzile MDYOGOLO was detained at the home of his brother Yure, who is East London branch secretary of the South African Allied Workers Union (SAAWU). Police continued on p.7



## REVIEW: ARMED STRUGGLE 1982

The sabotage of the Koeberg Nuclear power station near Cape Town in December 1982 was the fifth successful attack by guerillas on energy installations within six months. The five incidents caused extensive damage to three fuel depots, an oil pumping station and the nearly-complete nuclear power station.

These attacks were part of the sustained campaign of armed action which has expanded since 1976. Almost all of the actions have been carried out by combatants of Umkhonto we Sizwe, the armed wing of the African National Congress.

### INCIDENTS

As in previous years, the incidents during 1982 have been widespread geographically, and have been directed at a wide range of targets. Although almost half of the reported incidents took place in Natal and the Eastern Transvaal, the rest were spread throughout the country. The attacks included the following:

- **Energy Installations.** Three fuel depots in May (Hectorspruit, Eastern Transvaal), June (Paulpietersburg, Northern Natal) and November (Mkuze, Northern Natal), an oil pumping station in June (Vryheid, Northern Natal) and the Koeberg nuclear power station (Cape Town).
- **Transport system.** Rail commuter traffic in Soweto was halted in June when the electricity supply was cut. The rail line from Maputo to Johannesburg and the rail bridge across the Orange River near Upington were targets of attacks.
- **Administration of apartheid.** There were at least six attacks on apartheid administration offices and law courts. Administration Board offices were attacked in Pinetown and Durban in May and Soweto in June; the regional offices of the Directorate of Coloured Affairs in Durban was attacked in June; a Commissioners Court at Langa, Cape, in March; and Law Courts at Port Elizabeth in July. In June a bomb exploded in the building housing the President's Council in Cape Town, causing extensive damage.
- **Military and police targets.** Incidents which appear to have been part of the armed struggle include two attacks on police stations (northern Natal in May and near the Mozambique/Swaziland border in November). The incident

in November also involved a rocket and small arms attack on a temporary army barracks at Tongo. During August explosions and fire caused R100,000 damage at an army headquarters in Durban. Mkuze, where one of the attacks on fuel depots took place, is the site of an operational military airstrip (*Paratus*, July 1982).

Consistent with the pattern of previous years, and with the proclaimed policies of the ANC, the choice of targets appears to indicate a concern to avoid loss of civilian life. In the attack on the offices of the President's Council in Cape Town, however, one person died.

The number of incidents reported in the press during 1982 was less than in 1981, but more than in previous years. However, there are reasons for believing that a number of incidents have not been reported and that some which appear to be the work of saboteurs are reported as being accidents.

In the past, news of attacks has in some cases only leaked out months or years after they have happened (in the course of evidence presented in trials). In addition some trials, or at least details of some trials, go unreported in the press (*T Lodge, 'The African National Congress in South Africa, 1976-1982: Guerilla War and Armed Propaganda', mimeographed paper, October 1982*).

Statements that news of incidents had been kept from the press were contained in a United States Government intelligence report leaked to the press in Washington during July 1982. The document implies that about 20 incidents had not been reported, citing alleged sabotage of electricity pylons in lightly populated areas of the northern Transvaal in January and February 1982. According to the document the pylons were repaired secretly to avoid publicity and further press restrictions were being considered by the South African government in the belief that press reports of guerilla actions benefit the ANC (*RDM 21.7.82*).

A number of other incidents took place during the year which appear to have been the work of guerillas or saboteurs but which were reported to be the result of accidents. In January 1982 a violent explosion at a Cape fertiliser plant caused extensive damage. Police and other security units sealed off all roads in the vicinity but the police commissioner said that 'it was most probably not sabotage'. ANC Radio Freedom from Addis Ababa said that sabotage by militants of Umkhonto we Sizwe could not be ruled out (*S 6.1.82; BBC 8.1.82*).

A transformer at the Germiston power station 'exploded' in January, plunging the city

into darkness. Residents in the vicinity reported a 'massive blast' yet Electricity Supply Commission (ESCOM) officials explained the incident as a 'technical fault' (*RDM 25.1.82*).

A department store in Roodepoort and offices and printing equipment of an Afrikaner newspaper group in Johannesburg were destroyed by 'arsonists' in June, and fire caused serious damage at the Koeberg nuclear power station in July. Responsibility for the Koeberg fire was claimed by the ANC but ESCOM officials dismissed the claims and said that the fire was caused by an 'electrical fault' (*S 11.6.82; Star 21.7.82*).

In August three Defence Force vehicles were burnt out and a fourth damaged when a series of explosions rocked the Umvoti Mounted Rifles camp at Red Hill, Durban. Residents nearby reported blasts and automatic rifle fire but SADF officials said police were 'investigating the possibility that the fire was started by petrol thieves' (*DN 28.8.82; S. Exp 29.8.82*).

### RESPONSE

Confident statements have been made on a number of occasions by security police on their capacity to cope with the armed struggle. They have, for example, claimed that they have solved about 90 per cent of the cases of 'terrorism' in the country and that the ANC would eventually be totally destroyed (*BBC 17.8.82*).

However, more pessimistic attitudes have been expressed by senior government and military figures. The expansion of the armed forces and the channelling of resources to meet internal resistance are consistent with such attitudes.

In spite of the widespread pattern of armed actions throughout South Africa, the government consistently claims that neighbouring countries are used as bases for the campaign, and has declared — and demonstrated in Maseru — its readiness to carry out military action against those countries (see p.12 for details of the SADF raid on Maseru).

During November the Minister of Law and Order alleged that there were 'strong indications' that the 'Russian embassy' in Lesotho played an important role in the insurgency campaign: in fact the Soviet Union does not have an embassy in Lesotho. The SADF raid on Maseru was the culmination of a war of words with the Lesotho government which had been going on for more than a year (*GN 24.11.82; T 10.12.82*).

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searched the house for literature and asked questions about the African National Congress (ANC). The homes of the following trade unionists were also raided: Bonisile NORUSHE, branch secretary of the African Food and Canning Workers Union (AFCWU); David THANDANI, branch secretary of the General Workers Union (GWUSA), Thozamile GQWETA, President of SAAWU, and Eric MNTONGA of the same union (*DD 18.12.83*).

The same night police raided the home of J CITEKO, a former ANC member who was resettled in Mdantsane after serving a sentence on Robben Island. They showed interest in his wife's membership of the United Women's Organisation (UWO) (*DD 17.12.82*).

On 30 December 1982 further raids resulted in the detention of Mzwandile MSOKI, an official of the Border Council of Churches who has been detained on a number of previous occasions. Bonisile Norushe's house was again searched and Zodwa MAPHELA of UWO was questioned (*RDM 31.12.82*).

The raids were carried out by a joint force of police and members of the paramilitary 'Sword of the Nation' squad which was established during 1982. Authorities in the bantustan claimed the special force was necessary to combat 'terrorists' based in Lesotho and the Transkei. It was envisaged they would operate outside the Ciskei alongside other South African forces. They have been used in a number of operations against Sebe's opponents (*DD 12.5.82; ST(Jhb) 14.11.82*).

### NEW LAW

The Ciskei bantustan has strengthened its repressive machinery in a number of ways since its fraudulent independence from South Africa in December 1981. In August 1982 a new *National Security Act* was enacted. Based partly on the recommendations of the Rabie Commission, it repealed 34 earlier acts including Emergency Proclamation R252. In future, detentions by the Ciskei Central Intelligence Services (CCIS) will be under the NSA. The new act invested great power in the person of Charles Sebe. During 1982 he underwent a

number of promotions so that by January 1983 he was Lieutenant-General Sebe, Commander in Chief of State Security and head of all the armed forces in the Ciskei. Under the NSA his position entitles him, amongst other things, to decide what slogans, songs and salutes are banned, what newspapers may be registered, and who is to be restricted or detained (*DN 25.6.82; S 2.7.82, 2.12.82*).

The relationship between the Ciskei Central Intelligence Services (CCIS) and the regular security police belies the proclaimed 'independence' of the Ciskei. CCIS officers, together with their security police colleagues, detained and questioned people outside the boundaries of the bantustan area. In late November there was a controversy over roadblocks erected by Ciskeian forces on the road leading to King Williams Town aimed at intercepting politicians from the Transkei bantustan on their way to a political rally. Roadblocks were also extensively used in a number of raids on houses in Mdantsane (*DD 30.6.82, RDM 25.9.82; S 25.11.82*).

# namibia

## DETENTIONS IN THE NORTH

An unknown number of persons were reported to remain in detention in January 1983, following their arrest in the Kavango region in November 1982. They are being held under Proclamation AG9 by the Security Police and the SWA Territory Force (SWATF). Investigations by journalists from the *Windhoek Advertiser* to ascertain the exact number of detainees, their names and whereabouts, proved fruitless. In early January 1983, a Security Police spokesman confirmed that six detainees were still being held, but refused to release their names. A week later, the Chief of Security Police denied that a total of 34 persons had been detained, as suggested by the *Windhoek Advertiser*. He claimed that over the period since October 1982, a total of 11 persons had been detained by security police. Of these, two remained in detention. He refused to comment on those held by the SWA Territory Force (WA 7/14.1.83).

### RELEASES

The SWATF announced in early December 1982 that 19 people who had been detained during operations against SWAPO had been released (WA 6.12.82). These included people whose arrest had not previously been reported. The following persons, whose detention was reported in *FOCUS* No. 44, have apparently been released: Simon KANDERE, Jaakko KANGAJI, Asser LIHONGO, Jesaya MBANZE, Michael MUHOYA, Malakia MUREMI, Hesron NGHIHINDIRUA, Immanuel SILAS, Alex SIREMO, Remigius SIYAVE. Kangaji and Silas were previously detained in December 1981. Kangaji, who was kept in detention for two weeks, suffered assault and electric shock torture while held at a military base at Mosese (*FOCUS* 40, p.9).

Others, whose arrest had not been reported in *FOCUS*, were also reported to have been released from SWATF custody: Anti AHINGURA, Egidius HAMUTENYA, Hausiku MUNEMI, Thomas KALUUGA, Paullus KAYOWA, Hendrik MUSONGO, Sinoka NDARA and Paulus SIKONGO (WA 6.12.82).

In addition, Security Police confirmed the release of Kleopas SYAMBA, Frans MAYIRA and Gerhard KASAMA (WA 7.1.83). Police had earlier denied any knowledge of the whereabouts of Kasama (*FOCUS* 44 p.2). He was apparently arrested at the home of the principal of Simanja Primary School, Eino MUNGONGI, who had himself been detained. Another man, Jafet HAUSIKU, was also arrested at Mungoni's house on 10 November, and released on 27 November, according to a SWATF spokesman (WA 14.12.82).

### UNKNOWN NUMBER STILL DETAINED

A number of detainees remained unaccounted for in early 1983. According to Amnesty International, Josef KAMBURU and Rufusi MPASI were still in detention in mid-December. Three others, whose arrest had not been reported, were also believed by Amnesty to be still in custody. They are Engelhard KAKORO, a teacher from Rundu, Andreas KANJINGA, a teacher from Njangana, and Nestor MUTUKU, also a teacher from Nkuku (*Amnesty International Urgent Action briefing*, 15.12.82).

Police refused to provide information about other detainees to journalists from the *Windhoek Advertiser*. The Chief of the Police, General Dolf Gouws, told them that he was under no obligation to release information on detainees held under AG9 to the press.

Numerous further attempts made by the newspaper to trace those detainees not accounted for, whom the journalists put at about twelve, failed. In some cases, the use of different names or spellings of names by the press could have caused confusion.

### DISAPPEARANCES

There is no news about two men who dis-

appeared after being visited by members of the security forces posing as SWAPO guerrillas. Jonathan LIUU, an employee of the Agricultural Department in Kavango and resident in Kankudi village, and Jonathan Suse KAMINA, an old man, are believed to have been abducted by armed men in military vehicles and taken to Rundu (WO 6.11.82; WA 14.12.82).

### YOUTHS DETAINED

Six men were detained by the SADF near Ondangwa on 7 November 1982 and held under Proclamation AG9. They were released the following day. The men were Abel KANDJABANGA (16), Petrus ALVENDO (16), Willem KANGWE (17), Willem MATHEUS (32), Erastus KAKANGWA (35) and Thomas ANDIMA (20).

Djeipo SHINDELE, who was detained on the same night in the same area, was believed to be still in detention in mid-December.

There are no age restrictions on detentions under Proclamation AG9, according to the Administrator General's office (*RDM* 14.12.82).

### BRUTALITY

Investigation of the events surrounding the detentions, and the subsequent statements by the SWATF and security police spokesmen, demonstrated both the wide powers held by the security forces in carrying out large scale arrests of anyone suspected of supporting SWAPO, the secrecy surrounding the detentions, and the wide use of intimidation, torture and assault against civilians. According to local residents, members of the Ovambo Home Guard and of Koevoet openly boasted to schoolchildren in the Kavango region that they had been sent from Ondangwa to 'sort out' the Kavangos.

School, was apparently severely beaten up, dumped at his house and picked up later by men in military uniform on 13 November. On his return home after his release seven days later, he reported that he had been kept blindfolded most of the time. He had lost a lot of weight and appeared shaky and had difficulty in speaking to his family (WA 14.12.82).

## NO TROOP WITHDRAWAL FROM NAMIBIA

The Chief of the South African Defence Force has made it clear that he does not envisage the withdrawal of South African troops from Namibia before the end of 1983. General Constand Viljoen's statement, made on his return from a Christmas visit to soldiers on the Namibian-Angolan border, has confirmed previous indications that South Africa's army, police and military intelligence chiefs have been preparing for an extended stay in the territory and an increasingly influential role in political and strategic decision-making (see *FOCUS* 44 pp.1-2).

General Viljoen said that he expected to be returning to the border area at Christmas 1983. 'I would hate ourselves to rush into a solution within the next year', he said, 'only to find

ourselves going back in after two years when South West Africa is again burning... We are capable of maintaining the situation for a long time to come or until a lasting solution is arrived at' (*GN* 4.1.83).

### ANGOLA AT WAR

South Africa's undeclared war against Angola has made itself felt economically, and has affected the living conditions of the population, the Angolan President said in his 1983 New Year message to the Angolan people. A large part of Angola's manpower, material and financial resources have had to be diverted to strengthen the country's defence capacity, thus jeopardising a number of economic development targets. The Angolan Minister of Defence, speaking in Benguela Province at the turn of the year, described the situation in the southern part of Angola as 'still characterised by the massive presence of forces of the South African army in vast areas of Kunene Province',

and by constant violations of Angolan airspace in those areas, including Namibe Province (1983 New Year message from President Jose Eduardo dos Santos to the Angolan People, *Angolan Information Bulletin*, 14.1.83; *BBC* 31.1.83).

The South African Prime Minister made it clear in his New Year message that South Africa would continue, in 1983, its attacks on neighbouring countries, including Angola, on the pretext of pursuing SWAPO guerrillas (*RDM* 31.1.83).

The second biggest dam in Angola, the Lomaum dam in Benguela Province in central Angola, was attacked by the South African forces in mid-January 1983. According to Angolan energy officials, the attack resulted in extensive flooding of agricultural land, and industries and homes in three provinces were left without power. The floods killed ten people and caused damage estimated at millions of pounds (*GN* 25.1.83).



## DETAINEES BEATEN TO DEATH

Eyewitness accounts and reports from local residents of the events surrounding the death of two detainees, Jona HAMUKWAYA and Kaduma KATANGA, in the Kavango region in November 1982, sharply contradict the claims made by the police (see *FOCUS 44 p.2*). According to these reports, both men were beaten to death by members of Koevoet. Assertions by the police that Katanga was a SWAPO guerilla have also been called into question by these sources.

According to the new evidence, Katanga was an Angolan refugee who had fled into Namibia to escape from the war carried on in southern Angola by South African troops. He was hard of hearing, and therefore highly unlikely to be a guerilla. He was fired on by members of Koevoet while crossing the Kavango river with two friends to cut reeds and wood on the Angolan side. On returning with one friend, he was met by Koevoet members and assaulted with a stick. The two men were interrogated at a nearby shop, and Katanga was subsequently taken to his home where his family produced his identity card and confirmed that he was a resident there.

Katanga was told by Koevoet to identify the home of his other friend who had stayed on the Angolan side. Finding the place empty, he was taken to the home of the man who had crossed back into Namibia with him. There he was beaten unconscious in front of his friend, and the friend's father. He was then loaded into a Koevoet armoured car and driven away.

Hamukwaya was reportedly beaten to death by Koevoet members on the bank of the Kavango river. His screams were heard by several women, including his wife and mother, who were fetching water at the river on the

morning of 18 November. When his wife wanted to investigate, she was prevented from getting close to the area by members of Koevoet.

Hamukwaya had been taken away from his school early that morning by a fleet of five armoured vehicles. All four teachers at Namuntu school were questioned. The next morning, the teachers were told by six men in a Koevoet car that Hamukwaya was dead.

According to further reports, Hamukwaya and his wife had been assaulted by Koevoet members on the day before his death. He was hit with machine gun butts and she was assaulted with a stick and accused of giving food to SWAPO guerillas.

The killings provoked strong protests among the communities in the area. Between 200 and 400 people attended Hamukwaya's funeral, and many spoke out against the terror perpetrated by the security forces, and demanded an inquiry into the deaths.

According to the Commissioner of Police in Namibia, the police were awaiting the results of post mortem examinations on the two men before taking further steps. The results of the post mortems would not be made available to the press, he said (*CT 1/4.12.82; WA 30.11.82; WO 4.12.82*).

A family of 20 people from Kavango was reported to have fled from their home into Angola after being visited by Koevoet who inquired about 'SWAPO terrorists', and promised to 'be back' (*CT 4.12.82*).

### CURFEW LIFTED

Restrictions on civilian movement at night have been lifted in the western Kavango region, according to a military announcement. A 'six to six' curfew had been enforced during 1982, following increased guerilla activity in the area, including attacks on a police station and a

school where South African soldiers were serving as teachers (*FOCUS 41 p.3*). The spokesman said the lifting of the curfew was due to an improvement in the security situation in Kavango but warned that it could be reinstated if civilians in the area offered help to SWAPO insurgents (*WA 20.1.83*).



Mrs. Hamukwaya at her husband's funeral.

## CALLS FOR AN INQUIRY

The spate of detentions in the north of Namibia at the end of 1982, and the deaths of two detainees, have provoked an international outcry, and resulted in demands by the Namibian Bar Council for a Judicial Commission of Inquiry into security legislation and practices, to be set up as a matter of urgency.

Letters from individuals and organisations in many countries have been sent to the South African government, the South African Defence Force and Security Police, as well as other authorities, expressing concern about the maltreatment and torture of detainees, and appealing for a full investigation into the conditions under which political prisoners and detainees are held (*WA 13.12.82; WO 11/24.12.82*).

The Namibian Bar Council, representing advocates in the territory, issued a statement after its annual meeting in early December 1982. It expressed concern about the many unsolved cases of the disappearance of citizens, deaths in detention, destruction of property and the abuse of power. The statement highlighted the wide powers given to the security forces in Namibia. Under section 103 of the Defence Act of 1959, members of the security forces were granted wide immunity for any act done to 'prevent or suppress terrorism in the operational area'. The same principle was built into Proclamation AG9. Under that Proclamation, people can be held in detention for 30 days for interrogation by any authorised

member of the security forces. The period of detention can be extended by the Administrator General, who must also authorise any access by legal representatives to the detainee.

The Bar Council professed itself 'shocked at instances of abuse of detainees and some recent cases of even rape and death in detention'. 'We believe', the statement said, 'that the means available for the protection of the citizen, the will to protect the citizen, access to the courts of our country, and generally, the rule of law, is in jeopardy, particularly in the operational area' (*WO 11.12.82; CT 9.12.82*). The recommended guidelines for the treatment of detainees issued in South Africa in November 1982, do not apply in Namibia.

The Attorney General in the territory, Don

## 'INVESTIGATIONS UNDERWAY'

A full inquiry into the system of detention under Proclamations AG9 and AG26 was launched by the Administrator General in September 1982, before the campaign on the Kavango detentions began, according to the Chief of the Security Police in Namibia, Brigadier van der Merwe. He was responding to a report in the *Windhoek Advertiser* that there would be no inquiry into allegations of maltreatment of Kavango detainees (*WA 7.1.83*).

Van der Merwe said that an inquiry was launched after certain problems were experienced by the security forces with detentions and related matters. The aim of the investigation was 'to ensure that detentions are in all respects reasonable and fair'. He admitted

Brunette, confirmed that very few of Namibia's political detainees are ever brought to trial. One case was currently pending, but usually not more than one or two detainees were charged every year. The first court session in 1983 was scheduled to hear the case of Angula MAWAALA, of Grootfontein, charged with murder, robbery with aggravating circumstances and participation in terror activities (*WA 8.12.82; WO 8.1.83*).

According to the chief director of the Administrator General's office, most political prisoners currently in custody are being held under AG9. He believed that no-one was being held under Proclamation AG26 at present (*WA 8.12.82*).

however, that the inquiry would not address itself to the allegations of maltreatment of the Kavango detainees. While police were statutorily compelled to probe complaints by detainees or their next of kin about detainees' treatment at the hands of the police, no such complaints had been received from the Kavango detainees. The current inquiry was a general investigation into the system of detention in Namibia. It was headed by General Charles Lloyd, the Officer Commanding the SWA Territory Force, and was to be completed and a report submitted to the Administrator General before his current term expired at the end of January 1983 (*WA 14.1.83*).

# DIRECT RULE FROM PRETORIA

The South African government resumed direct control over Namibian affairs on 18 January 1983 through its appointed Administrator General, following the collapse of the 'internal government'.

The move was precipitated by the resignation of Dirk Mudge as chairman of the Council of Ministers, ostensibly because the Administrator General had referred a draft bill on the abolition of South African public holidays back to the National Assembly. Mudge also complained about the way in which the Council of Ministers and the National Assembly had lately been treated.

The move came less than a month before South Africa was expected to introduce changes in the territory, including a widely anticipated replacement of the DTA-controlled

institutions either by another client grouping, or by reimposing direct control. Mudge's resignation can be seen as a pre-emptive move. As a result of Mudge's resignation, the Council of Ministers was automatically dissolved, and the Administrator General simultaneously brought to an end the term of the National Assembly and assumed all government functions. A chief executive officer, the Provincial Secretary of Natal, has been appointed to assist the Administrator General. According to statements issued by the Administrator General, he will be the only legislative authority at central government level. The various departments established under the Council of Ministers will remain unchanged but will now be answerable to the Administrator General. New committees will be established to assist him, and experts from the private sector will be invited to serve on these committees. He will govern according to existing legislation, and there will be no change in the relationship

between the central government and the second-tier authorities.

The reintroduction of direct South African government control over Namibia marks the end of a period in which South Africa attempted to promote a client regime in the territory, in the hope of countering the massive support for SWAPO. The collapse of the DTA dominated institutions clearly heralds the failure of this attempt. Since mid-1982, South Africa has been searching for an alternative client grouping to replace the discredited DTA, but apparently without much success. While the AG stressed that his assumption of government authority should be seen merely as an interim measure, and that South Africa still sees internationally acceptable independence for Namibia as vitally important, the regime's sabotage of international negotiations would seem to indicate that the prospects of independence for Namibia remain remote (BBC 12/19/20/21.1.83).

## THE ENTRENCHMENT OF APARTHEID

South Africa has always exerted full and final legislative and administrative control over Namibia, and has extended many of its apartheid laws to the territory. From time to time, the South African government has delegated certain functions to local white bodies, and, as its homelands policies developed, has set up tribal 'governments' with nominal powers.

Both the South African president and parliament have, at various times, exercised complete legal powers, directly or through delegation to an appointed representative. Conversely, institutions and bodies created in Namibia have had limited powers and have always been ultimately accountable to the South African government. At times, the frequent transfers of authority from one body to another, and the setting up of 'homelands' with cosmetic powers given to tribal authorities, have obscured the true distribution of power.

- The *Treaty of Peace and South West Africa Mandate Act of 1919* gave the South African Governor-General (later President) power to alter any law in force in Namibia, to make new laws, or to delegate his authority to an officer in the territory.

- By *Proclamation No. 1 of 1921*, the Governor General delegated his power to an Administrator appointed by him. The Administrator appointed a white Advisory Council of residents in the territory.

- The *South West Africa Constitution Act of 1929* gave whites in Namibia some administrative authority. It provided for a white Legislative Assembly, with six appointed and 12 elected members. Only whites could vote.

The Legislative Assembly could make ordinances on certain matters, but these required the approval of the Administrator. Certain matters were reserved for the South African government, including defence, security, foreign affairs, native affairs etc. The Governor General was empowered to make laws by proclamation. Black people had no political rights.

- From 1949, following the victory of the National Party in South Africa in 1948, whites in Namibia could have six elected members in the South African Parliament, and four in the Senate. Native Affairs,

which had been delegated to the SWA Administration, became the full responsibility of the South African Parliament. The SA Parliament became the sole power to legislate for the territory; any legislative functions held by the Governor General, and, on his behalf, by the SWA Administrator, were abrogated (*SWA Affairs Amendment Act of 1949*).

- In 1951, the South African Governor General (President in 1961) was again given powers to legislate by proclamation on matters withheld from the white Legislative Assembly in Namibia.

- In 1954, by the *SWA Native Affairs Administration Act*, the Minister for Bantu Administration and Development took control over Native Affairs from the Governor General.

- In 1962-63, a *Commission of Inquiry into SWA Affairs*, known as the Odendaal Commission, worked out a proposal which was to become the blueprint for South Africa's bantustan policy in Namibia, and was gradually implemented through the Turnhalle Conference, the creation of 'homeland governments' and the current 'second-tier authorities' based on ethnic and tribal divisions created under Odendaal. The bantustan policy was introduced with two major pieces of legislation.

- The *SWA Constitution Act of 1968* continued the powers of the South African President to override any ordinance made by the Legislative Assembly of SWA.

- The *SWA Affairs Amendment Act of 1969* drastically reduced the powers of the white SWA Legislative Assembly, transferring a number of matters to the South African government, including justice, labour, mining, agriculture, taxation, security, etc. This left the Legislative Assembly with minor powers such as roads, licensing and local authorities.

- The *Development of Self-Government for Native Nations Act of 1968* laid the groundwork for the bantustan structures, by providing for the establishment of 'native nations', and the creation of Legislative and Executive Councils in each homeland. These would be given limited powers pertaining to their 'homeland', such as education, welfare, licenses, mining, roads, agriculture etc.

However, any enactment required the South African State President's approval, and he could in all cases amend or repeal new legislation. The homelands policy was implemented in the following years.

- The *Bantu Law Amendment Act of 1972* extended the powers of the Legislative Councils further, and the *Self-Government for Native Nations of SWA Amendment Act of 1973* provided for the proclamation of 'self-government' for any homeland.

Several 'homelands' went through the prescribed stages; Ovambo for instance became a 'self-governing area' in 1973, after tribal elections had been held under conditions of widespread repression and intimidation, and in the wake of a general strike by Namibian workers in 1971/2.

- The *Turnhalle Conference*, held in 1975/76 to deflect international protest over the bantustan policies imposed on Namibia, essentially retained all the divisive, ethnically based features of the homeland policies. Delegations attended as members of a 'population group', and those who opposed such division were excluded. The draft constitution eventually produced by the Turnhalle retained many of the features of the Odendaal Plan, many aspects of which were implemented in the late 1970s after South Africa had refused to accept UN-controlled elections in Namibia.

The appointment of an Administrator General to Namibia in 1977, ostensibly to prepare the territory for international elections but in practice to implement an 'internal settlement' was thus merely a continuation of South Africa's policies since the 1920s. Similarly, the creation of a National Assembly in 1978 and a Council of Ministers in 1980 merely carried on South Africa's practice of delegating some functions to a local group while retaining ultimate control. The only difference in that last experiment was the inclusion of black groups, willing to co-operate with Pretoria, in the first tier of government.

The shifting of functions from one body to another should not obscure the fact that, throughout its presence in Namibia, South Africa has retained full control over all political and legislative processes.

# STRUGGLE FOR SURVIVAL – WOMEN FACE RAPE, ASSAULT, POVERTY

One third of all criminal cases now being brought before Namibia's courts involve members of the armed forces – and a significant proportion of these concern acts of rape and assault on black women by soldiers drawn from all racial groups.

The consequences of a combination of racial and sexual discrimination with military occupation by a foreign army were particularly clearly illustrated by an incident at the Miershoop military base near Ondangwa, in March 1982. The case, which was brought to court in October, concerned a 27-year-old female detainee held for interrogation. She was stripped and chained to a pole by a white South African army sergeant, Deon le Roux (23), who then pressed her down on her back and invited two black soldiers, Tobias Stephanus (22) and Fillemon Martin (18), to rape her. The two soldiers initially refused to comply, the court heard, but later raped the woman in turns after one had been threatened with dismissal.

Counsel for the defence claimed that the woman was stripped and chained not to be raped, but to prevent her from escaping. She did not suffer any injuries either physically or mentally, it was said. Advocate George Coetzee added that the war in Namibia 'influences soldiers to act "in peculiar ways" and this should be taken into consideration' (WA 1.10.82).

Le Roux, Stephanus and Martin were each sentenced to two years imprisonment by the Windhoek Supreme Court (WA *ibid*; RDM 2.10.82).

In another case involving a white soldier, former national serviceman Robin Derrick du Plessis (22) said that boredom and frustration with army life had prompted him to rape a black woman, use police and army vehicles without permission, steal cigarettes, alcohol and other property, and commit arson.

Du Plessis, who came from Pretoria, was sentenced to a total of ten and a half years imprisonment by the Windhoek Supreme Court, five years of which was on conviction of raping Wilhelmina Jacob near the Eenhana military base, in July 1981. He forced Jacob, who was three months pregnant at the time, into a police vehicle that he had taken from the base without authorisation, and drove her into the veld to commit the rape. When she resisted he threatened to shoot her.

Du Plessis told the court that he had completed his two years national service, and that the army had retained him longer than needed (WAA 12/13.1.82).

Four Baster members of the SWA Territory Force (SWATF) who were convicted of raping a Baster woman in 1981, were warned by the Judge President that they could face the death penalty for this offence. They nevertheless were successful in having their seven year sentences reduced on appeal.

The four SWATF members had taken the woman into the veld, tied a scarf around her mouth to muffle her screams and raped her in turn (WA 23.10.81).

Many other cases, not necessarily involving army personnel, illustrate the endemic violence in Namibian society – violence which is exacerbated where both sex and race come into play. Katrina Hansen, for example, a 20-year-old black girl believed to be suffering from tuberculosis, paid with her life when, in July 1982, she unintentionally aroused the anger of three white youths.

Hansen, apparently under the influence of

liquor at the time and looking for shelter from the cold, had crawled into the back seat of a car parked in a Windhoek street. The owner, Christian Liebenberg (19), discovered her on returning and realised that she had urinated on the seat. Apparently overwhelmed with fury, he attacked Hansen savagely, assisted by two other youths. She was struck with clenched fists, kicked while lying on the ground and beaten with a wooden spar. She was then dumped at a spot in the hills outside the city, where she froze to death.

Photographs of Hansen's mutilated body were presented as evidence when the case was brought to court in January 1983. Liebenberg, the son of a well-known farmer and politician, was convicted of serious assault. He was sentenced to a fine of R250 (or 50 days) with a further 100 days imprisonment conditionally suspended for three years. The two other youths who took part in the attack were not even charged (WO 22.1.83).

Rising unemployment, poverty and the pervading climate of war, have all contributed to economic hardship and insecurity for women. In the Katutura single quarters for example, prostitution is on the increase, together with slum conditions, overcrowding and violence in general. Hundreds of jobless women flock to the shebeens, or illegal drinking parlours, seeking to work as prostitutes as the

only available means to support themselves and their children. One resident described how many such women were beaten up by the men at such shebeens. 'It was a degrading sight to see them, bruised and battered... with children clinging to their skirts', he said (WO 4.4.81).

Many women end up in prison because they have no identity documents, as a result of frequent police raids. Their children, meanwhile, are left to 'wander around and forage for themselves' (WO *ibid*).

The consequences of this kind of situation include, in turn, the growth of child prostitution, often combined with other social problems such as drug and alcohol abuse. Poproos, for example, a 12-year-old girl whose story was told by a South African journalist, works as a prostitute in Windhoek. She is also a glue-sniffer and a scavenger, living on the streets with the city's other abandoned children.

Some of the children are even younger. They may have been sent to Windhoek by parents living in the tribal reserves, presumably unable to provide for them and hopeful that somehow the city will. There is not enough room in children's homes in Windhoek to take such children, while homes in South Africa, which used to accept Namibians, no longer do so (RDM 23.10.82; ST 24.10.82).

## TRIBUTES TO CANON COLLINS

*continued from p.2*

We have learnt with deep sorrow about the passing away of Canon Collins. It has come as a great shock to members of the Indian National Committee of IDAF and other well wishers of Canon Collins.

Professor Rasheeduddin Khan, Indian National Committee of IDAF.

I think it is important to put on record the fact that Canon Collins never sought to impose his ideas on us. He respected our thinking scrupulously. We made our own choices of political and other philosophies. We willed the ends, objectives and purposes and he ensured that so far as it lay in him we got the means to achieve those ends. This united us with him in a unique way.

Nathaniel M. Masemola

I well remember as a young lawyer interviewing political prisoners throughout the gaols of South Africa. At the end of the discussion

about their defence one inevitably ended with how they would pay for their defence. Almost without exception they would reply that they had no funds but 'Canon Collins would arrange it'. How these people, many of whom came from small villages throughout the country, had ever got to hear of Canon Collins was a mystery to me but they had this touching faith that he would provide and, indeed, he always did provide.

Joel Joffe.

I had the pleasure and honour to have met Canon Collins on his sensational visit to South Africa (where I was then involved in the Defiance Campaign). I recall him addressing a Congress meeting with Walter Sisulu to a wildly enthusiastic and raptured audience in the Johannesburg Trades Hall.

He never slumbered after his visit. He continued to campaign on our behalf.

Paul Joseph & family.

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# LESOTHO-OPEN TO ATTACK

Any belief that the threat of apartheid aggression is reduced where the neighbouring state concerned is of 'moderate' political persuasion has been effectively demolished by the South African raid on Maseru on 9 December 1982. Lesotho's insistence that the refugees given asylum within its borders are forbidden under the terms of that asylum from involvement in any military activity did not save it from attack. Neither did the close integration of its economy with that of South Africa, nor its value to Pretoria as a source of migrant labour, water and natural resources.

The attack on Lesotho's capital, in which 42 people were massacred on the eve of Human Rights Day, was the first large-scale direct attack by the South African army on the former British Protectorates.

The raid was launched at about one a.m. on 9 December when five SADF helicopters dropped a force of an estimated 100 white soldiers into Maseru. The soldiers are believed to have been drawn from I Reconnaissance Commando, a special unit based in Durban and also responsible for the attack on ANC residences in Matola, Mozambique, in January 1981.

The South Africans, armed with intelligence which in retrospect was clearly out-of-date in a number of crucial respects, attacked and completely destroyed a series of 12 private houses. They were assisted, despite bright moonlight, by a battery of searchlights operating from the South African side of the Caledon River border. While their targets were members of the African National Congress, those found sleeping in the houses or who came within the line of fire out of curiosity, were indiscriminately shot. The attack lasted until 5.30 a.m. (Tel/GN 11.12.82; Obs 12.12.82; statement issued by the High Commission of the Kingdom of Lesotho, London, 9.12.82).

According to the Chief of the SADF, General Constand Viljoen, the raid was a 'pre-emptive strike' against the ANC. The ANC, he alleged, was 'planning to carry out deeds of terror in South Africa, Transkei and Ciskei over the festive season'. Lesotho had been selected as a base for such raids due to its being

'strategically well-placed for the planning and co-ordination of terrorism' (RDM 10.12.82; DD 9.12.82).

Following the raid, various South African government spokesmen warned that Lesotho would be attacked again as considered necessary. The Ambassador to London, for example, told journalists that his government was not fully satisfied by the results achieved in Maseru, and would repeat such a raid 'if the survival of lives depends upon it' (GN 10.12.82).

The South African Foreign Minister, Pik Botha, also warning of further attacks, said he felt that Lesotho should compensate South Africa for damage caused by 'terrorists' rather than the reverse as demanded by the UN Security Council (RDM 23.12.82; BBC 24.12.82).

## LEAD-UP TO THE RAID

The months and weeks leading up to the Maseru raid were punctuated by a series of increasingly acrimonious exchanges between the Lesotho and South African governments. They contained clear warning signs of Pretoria's readiness to attack. On a number of occasions, the Lesotho government reiterated its conviction that South Africa was — and remains — responsible for the training, equipping and direction of the dissident Lesotho Liberation Army (LLA). The actions mounted against Lesotho by the LLA showed a distinct progression from acts of sabotage against police and military units, power lines and communications, to include attacks on individuals and selective assassinations, both against Lesotho government officials and exiled members of the ANC.

## REFUGEES

Immediately following the raid, Lesotho's Minister of Foreign Affairs and Information reiterated his government's commitment to grant political asylum to refugees under the terms of international conventions.

There were a total of 11,500 South African refugees in Lesotho at the end of 1982, including members of the Pan Africanist Congress, the Unity Movement and black consciousness organisations as well as the ANC. Between 30 and 35 new refugees were reported to be entering the country each month. There are other refugees in Lesotho from Namibia, Zimbabwe and Mozambique (UNHCR News, Nov. 1982).

The Lesotho government's policy is to integrate the refugees into local society as quickly as possible rather than settling them in separate and isolated centres. As the death toll from the raid revealed, South African refugees and Lesotho nationals were living in Maseru as immediate neighbours.

The 42 people killed in the raid, either immediately or dying later in hospital, comprised 12 Lesotho nationals and 30 South Africans.

The majority of the South Africans had been granted political asylum by the Lesotho government. A number had arrived as refugees within the previous 12 months while others had lived in the country for several years.

## EYE WITNESS ACCOUNTS

On first view the house on the corner looked fine. It was only on looking closer that I could see it was no more than a shell. The windows were smashed, the interior blackened and full of ash and chunks of burnt home. The skeleton of a car stood outside sunken into the ground. Five people had lived and died through timeless terror here . . .

I read in the press that 'terrorists' have been killed in Lesotho, their 'bases' destroyed. Friendly people, happy families with giggling children? Shacks and homes with tidy gardens? 'Children killed in crossfire' reports the paper. At 1.30 in the morning? 'The operation', it reads, 'has been a success'. Is this the way South Africa is working towards constructive change?

Mary Attard, volunteer working in Lesotho with International Voluntary Service on a mohair-weaving project (Anti-Apartheid News, Jan-Feb 1983).

Men, women and children alike were slaughtered. Among the critically injured was one woman six months pregnant who was shot in the abdomen . . . It is common knowledge that the majority of the victims were asleep when attacked and were either slaughtered in their beds or dragged outside and shot . . . the Basotho who were 'killed in the crossfire' were deliberately shot, because the invasion forces mistook their house for that of a South African refugee, entered and shot indiscriminately those they found.

Letter sent to the Canadian Department of External Affairs, signed by 19 Canadian doctors working in Lesotho for various relief agencies (RDM 4.1.83).

## The International Defence and Aid Fund for Southern Africa 104 Newgate Street, London EC1A 7AP

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- (iii) to keep the conscience of the world alive to the issues at stake.

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