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SECHABA

OCTOBER ISSUE 1984



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Our front cover shows migrant workers leav-
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EDITORIAL

The Elections are Over — the Struggle Continues

The elections came and went but the fight against the constitutional fraud continues. There are two myths which need to be exploded about these elections. We are told that the people were apathetic because they were "terrorised" by those who boycotted elections. There are two problems here. Firstly it was the regime that terrorised the people and arrested their leaders. Secondly, the very fact that people did not vote was a sign that they were actively against elections. They were not apathetic. They consciously rejected the fraudulent constitution.

The second myth which is propagated by the South African and western news media (and also by Gatsha Buthelezi) is that people were against the constitution because it excluded the Africans. Nothing can be further from the truth. The new constitution does not exclude Africans, because it entrenches apartheid. How can this new constitution be said to be excluding Africans when influx control will be tightened, when Indian and Coloured youth will be recruited into the army to help oppress the majority, when the Africans will be forced — more than ever before — to go to the Bantustans?

Instead of facing this reality the racist regime signed the Nkomati Accord in the hope that this will destroy the ANC. Even the crackdown on the ANC by Swaziland has not affected the pace of the struggle. The *Guardian* of September 5th 1984 commented:

"But close(d) analysis of sabotage attacks since the signing of the March 16th Nkomati Accord points to an intensification of sabotage acts between then and September 3rd compared with the same period last year."

Excluding the petrol bomb attacks there were 19 sabotage attacks or attempted sabotage between the signing of the accord and the beginning of September. During the same period last year the figure was 15.

At the time of writing this editorial, bloody clashes are taking place in Vereeniging and the Vaal Triangle — the heavy industrial area about 30 miles outside Johannesburg. Police are using tear gas, rubber bullets and live rounds. The death toll is estimated at 31. These disturbances coincided with the day the triracial constitution came into force. The very fact that a powerful blast extensively damaged eight offices of the Department of Internal Affairs — which was in charge of the elections — testifies to the fact that these disturbances are connected with the elections.

Besides the constitution and the arrest of people's leaders without trial, there are also related issues such as rent increases, increases in bus fares, the high level of indirect taxation and anger among pupils over standards of education.

These and many other factors show that the elections are over, but not yet over ... the struggle continues!

COLOURED AND INDIANS REJECT RACIST ELECTIONS

By Aziz Pahad

The Coloured and Indian communities have resoundingly rejected the regime's racially determined new constitutional proposals.

Despite a well-orchestrated campaign by the regime, large-scale violence, threats and intimidation by the state and employers, and a campaign by the media, a mere 18% of Coloured and 15.5% of Indian voters went to the polls.

In reality, the boycott was even more successful, because:

a) In racist South Africa there are no proper census records for the oppressed, and very dubious methods were used to determine the voters' rolls. For instance, a University of Cape Town survey estimated that the figures of eligible Coloured voters had been underestimated by over 78 000.

b) There was widespread abuse of the 'special votes' system (allowed voting prior to election days). People, especially the elderly, were duped into signing these forms, others were coerced by threats that they would lose their pensions, council flats, grants, places on the housing waiting lists, or that they would be fined R150 if they failed to vote. This reached such proportions that even an arch-collaborator like Poovalingam was forced to express "concern" at the leniency with which

special votes were being accepted, and by the fact that "old, semi-literate people were being told that they would lose their pensions if they did not sign their forms."

In the final count, a large percentage of Indian votes were 'special votes.'

c) There was a large discrepancy between urban and rural areas. In many urban areas the voting was below 10%. In the Cape Peninsula, where 60% of Coloured people live, the turn-out for voting and registration was very low. For example, in the Cape Town Table Mountain constituency, Arendse (a former Labour Party leader) won with 118 votes, in a 4.4% poll. The polls in other Cape constituencies were equally derisory; 4.7% in Manenberg; 8.37% in Ottery; 8.7% in Retreat; 7.8% in Silverton; 5.5% in Hanover Park; 5.2% in Liesbeeck; 8.7% in Mitchels Plain. The major Indian areas — Durban, Pietermaritzburg and Fordsburg — had similar low polls.

A shell-shocked Botha angrily reported that:

"These wreckers have nothing but revolution and violence to offer, and when action is taken against their ringleaders they shout to high heaven."

He continued:

"A considerable percentage of Coloureds are not yet interested in exercising political rights."

The Indian elections undoubtedly angered him further. Racist Botha and his ilk refuse to accept the reality that the results clearly show that the Coloureds and Indians are not interested in "exercising political rights" in sham elections, but that they are committed to and will continue to fight for genuine political rights in a unitary, non-racial, democratic South Africa.

The regime attributed the results to "intimidation" and "apathy," a theme unfortunately repeated by most of the South African and Western media. Another widespread theme of "expert analysts" has been that the

protesters were objecting to the fact that the Africans were excluded from the new "dispensation."

Arrests and Intimidation

Let us examine these arguments.

Yes, there was widespread intimidation and violence. This came from the police, the security branch, the employers and thugs and gangster elements. An undeclared state of emergency existed in the country. For months the defence force and the police issued several "warnings" that they would do everything in their power to protect the "privilege" of Coloureds and Indians to vote; heavily armed and equipped police were obtrusively present at every meeting; the specially created 'Reaction Police Squad' violently

Among those arrested before the elections were:

Archie Gumede	Co-President of the UDF; Chairman of the Natal Region of the Free Mandela Committee; treason trialist; first banned in 1963.
Patrick Lekota	Publicity secretary of the UDF; served sentence on Robben Island 1976-1982.
Aubrey Mokoena	National Executive member of the UDF; banned 1978-1983.
George Sewpersadh	President NIC; banned 1973-1978 and 1981-1983
M.J. Naidoo	Vice-President NIC; banned 1982-1983
Mewa Ramgobin	Treasurer UDF; banned 1971-1983
Essop Jassat	President TIC; banned 1980-1983
Curtis Nkondo	Release Mandela Committee; banned 1980-1983
Billy Nair	Treason trialist; served sentence on Robben Island, 1964-1984; UDF functionary.
Cumick Ndlovu	Served sentence on Robben Island, 1964-1983; UDF functionary.
Ram Saloojee	Vice-President TIC.
Prince Msuthu	Regional Secretariat UDF, Eastern Cape.
Bashir Hussein	Regional Secretariat UDF, Eastern Cape.

attacked people at several meetings, — for example, at Bishop Lavis Community Hall, Lenasia, and Potchefstroom. People were sjambokked and viciously beaten with rubber truncheons. Even the British *Daily Telegraph* described the police attacks in Lenasia as “brutal.” The police indiscriminately used rubber bullets, and in several cases even live bullets were used. It is conservatively estimated that three African youths were shot dead. All indications are that the extent of police violence surpassed the already ‘good record’ of the South African police in this field.

Some UDF meetings were banned, and in many areas the UDF was refused the use of halls for meetings. UDF activists were harassed, and hundreds charged for minor offences, taken in for ‘questioning’ and threatened with banning orders. Educational and propaganda materials were banned, confiscated and destroyed. On the other hand, thousands of posters and leaflets purporting to come from the UDF and asking people to vote, were mysteriously distributed.

Other pressures included the threats to remove people from housing waiting lists unless they voted (as in Bonteheuwel) and businessmen were threatened with withdrawal of licences if they did not vote. Finally, as the campaign grew in strength, the regime, unable to achieve its objectives by subtle and less public repression, exposed its true nature and arrested over 50 top UDF leaders and activists in a nationwide sweep.

Le Grange stated that the arrests had been carried out because “a potentially revolutionary situation had been created in part of the country.”

A six-month detention order has now been imposed on 17 leaders.

Nationally and internationally there was a massive outcry against the detentions. However, Stowman, the Natal Labour Party leader, welcomed the arrests and said that “some of these UDF backroom boys should have been picked up a long time ago.”

A US spokesman could only comment that he “hoped that the detentions did not

represent a change in the process of political evolution in South Africa,” and after intense pressure from the Anti-Apartheid Movement, the British government was compelled to issue a statement that was noticeable for its mildness. These forces are quick to condemn the ‘violence’ of the oppressed, but remain silent even in the face of all the evidence that the apartheid regime has unleashed a systematic reign of terror.

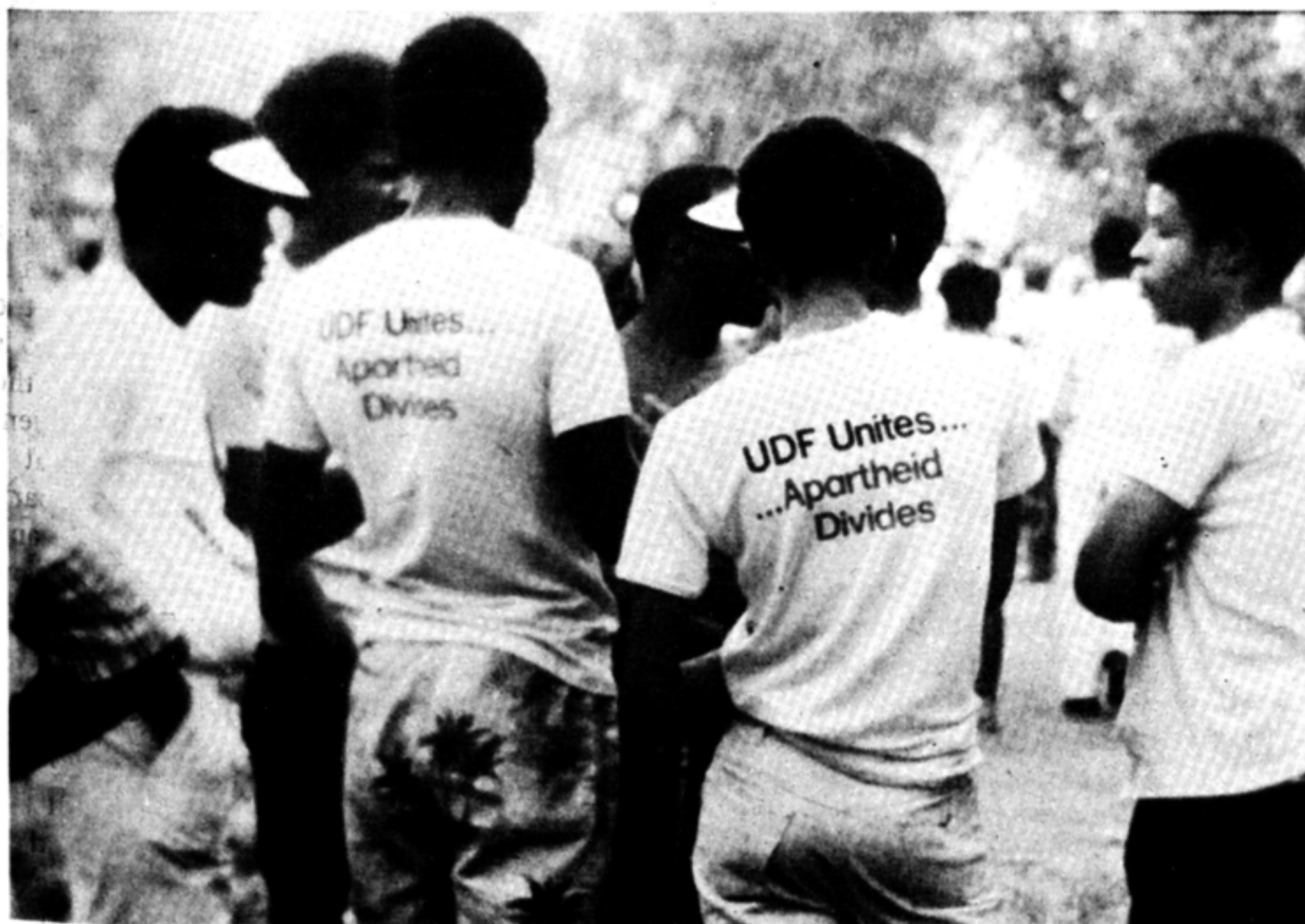
Let us now turn to the second justification for the low percentage turnout. Those who argue that the success of the boycott was due to apathy are consciously or unconsciously distorting reality. Bristling with arrogant confidence after their international ‘success’ (having gained some appearance of legitimacy, especially after the Nkomati Accord and the Swazi Pact) the regime embarked on an unprecedented campaign internally and internationally to sell the idea that “gradual domestic changes” were being made. Clearly, the latter had to be accepted for the former to achieve greater success.

The South African mass media (those controlled by the regime and others), supported by all other sections of the state apparatus and advertising and public relations, spent millions of pounds to convince the Coloureds and Indians that a new dawn was breaking for them. Collaborators were given maximum coverage on TV and in the newspapers. Academics churned out treatises in support of the dispensations. “Objective” opinion polls showed that the “tide was turning against the boycotters;” for example, the Human Sciences Research Council survey found that a substantial majority of Indians favoured participation. The media produced distorted and exaggerated reports about the “rush to register.” Huge coverage was given to the number of parties contesting the elections and to the large number of independent candidates who were standing. All this had the express purpose of creating an impression that the dispensation meant real changes, and that the Coloureds and Indians were accepting this. Undoubtedly it was intended to cause confusion and encourage people to participate.



Protests in Durban at the time of P W Botha's visit to the South African Indian Council

UDF supporters



The state-controlled TV even organised a television competition about the elections.

In the light of such unprecedented coverage to sell the new dispensations, it is surely absurd to talk of apathy. The fact is that the boycott campaign, spearheaded by the United Democratic Front, the Transvaal Indian Congress, the Natal Indian Congress and the Anti-President's Council was successful precisely because of the lack of apathy. The majority of our people boycotted the elections consciously and as an act of political defiance.

Despite some weaknesses and shortcomings, the boycott campaign was highly organised. The country was divided up into districts and task forces allocated to each. Canvassers went from house to house not only to distribute leaflets but to discuss the various issues relating to the dispensations. Meetings organised by the collaborators (the few that were held) were poorly attended, and more often than not the public was outnumbered by police and reporters. On the other hand, despite all the obstacles, UDF meetings were highly successful. Every meeting was packed, and reflected a high level of political consciousness and militancy. At a meeting in Lenasia (the largest meeting ever held in the area), over 3 000 people heard Albertina Sisulu, Allan Boesak, Ram Saloojee and other speakers condemn the elections, emphasise the questions of unity in action and indivisibility of freedom, and the fact that the dispensations were born out of the "resistance of the people." The speeches were punctuated by freedom songs. A UDF rally in Cape Town attracted over 5 000 people.

No Apathy among the Oppressed

Even sceptics were forced to concede that the UDF meetings reached new dimensions. Moreover the UDF involved not only Coloureds and Indians but thousands of Africans. In no uncertain terms the message was clear – the elections were not issues affecting the Coloureds and Indians only, but formed an integral part of the whole apartheid system.

The campaign was also supported by all the major independent trade unions. They

distributed thousands of leaflets, and trade unionists spoke at many major meetings.

The major church bodies also rejected the dispensations. Archbishop Hurley stated that the "new system was merely a consolidation of apartheid under a camouflage of participation." Diakonia (an ecumenical agency) called for a boycott, since "the constitution was totally unacceptable from a Christian point of view."

Over 7 000 Muslims gathered at the Primrose Park mosque in Cape Town, and the message that emerged was "Don't vote. It is Haraam." Sheik Gabier summed up the general feeling when he stated that "the point that when you go to vote for this supposed-to-be new deal ... you are denying millions of South Africans the right to be South Africans and automatically giving a yes to the unjust policy of homelands, as well as entrenching apartheid."

The youth and students once again responded in their hundreds of thousands. For over a week (the period covering the elections) hundreds of African, Coloured and Indian schools, colleges and universities were shut down by boycotts. It is conservatively estimated that well over half a million students were involved. The regime imposed a country-wide indefinite suspension of those students boycotting classes. Nevertheless, the protests continued. The police used extreme violence; hundreds have been injured and three students have been shot dead.

It is clear that the struggle against the constitution was concretely linked to the whole struggle against the apartheid system, especially the racist educational system, the General Sales Tax, the Bantustan policy, and mass removals.

The issue was not who to vote for but whether to vote at all. The people responded by **actively** boycotting the polls.

Seek apathy here. Seek it there, but you won't find it amongst the South African oppressed.

Conclusion

Despite the massive rejection, the regime has

announced that it will blindly forge ahead with its machinations. What are the implications for the future? Already we are being subjected to the spectacle of the collaborators claiming that if they don't manage to change things substantially within five years they will reconsider their decisions. These are the first shots to try to give the system some credibility.

We can expect that the regime will make some changes to try to achieve this. *The Citizen* newspaper gave an indication of things to come when it commented that it hoped that:

“as the benefits of the system become obvious, the Coloureds as a whole will show more interest and in future elections the turnout will be greater.”

Similarly, Hendrickse, echoing his master's voice, stated that:

“once we are in power and begin to deliver the goods I see a great change in attitudes taking place.”

It is therefore clear that some token changes will be made. It is likely that the Mixed Marriages Act and the Immorality Act will be removed from the statute book; some licences will be granted to Black businessmen to trade in certain white areas; concessions will be granted to Africans in the urban areas — such as greater powers for community councils and local administration, and some form of consulting mechanism involving the Bantustans. All this will be heralded as change. This will call for continuing all-round work to ensure that the workings of the tricameral parliament are continuously exposed, and all efforts must be made to render it unworkable. Internationally the anti-apartheid movements must expose these subterfuges so as to prevent their governments from using such changes for further identification with and support for the regime.

It is also necessary to counter the misconception that opposition to the new con-

stitution is based on the fact that the Africans were not included. Even if a fourth chamber is introduced for Africans, this will not be acceptable to the oppressed people. We are not seeking ‘privileges’ that will simply make us junior partners in our continued oppression and exploitation; we are demanding a genuine unitary, democratic and non-racial South Africa.

As the struggle intensifies the regime will increasingly take repressive action against its opponents. Bannings, harassment, intimidation and arrests will increase. Already the regime is laying the ground for the banning of the UDF. The enemy has gone to great lengths to distort and falsify information to try to show that the UDF is a front of the ANC. Many leading politicians, military and police spokesmen have made unfounded accusations to this effect. This farce went to ridiculous lengths when the Labour Party was “given permission” to circulate a pamphlet, supposedly produced by the ANC in London, which is supposed to have indicated support for the UDF. The claim is that this proves that the UDF is a front for the ANC.

Increasingly, the collaborators will be used to do their masters' dirty work. In the Bantustans all opposition is violently suppressed by stooges and thugs of the regime. Already, the Coloured and Indian collaborators have ominously warned that after the elections they will deal with the boycotters. Botha recently stated that:

“responsible leaders would have the task under the new dispensations to groom their people for the use of their democratic rights and the extent of their responsibilities as citizens.”

Experience has shown what this means. From this we can assume that the new racist Coloured “representatives” and Indian “delegates” earning R48 000 a year will be willing instruments for enforcing apartheid, with all its concomitant repression.

In this respect, the role of Buthelezi is also a cause for great concern. Already, Inkat-

ha has been instrumental in breaking up several UDF meetings, and many activists have been assaulted. No activities genuinely opposed to the regime are tolerated in KwaZulu.

Buthlezi's inflammatory speeches have given rise to great tensions. Inkatha is being used against the democratic forces and not against the regime. The unprovoked murder and maiming of students at Ngoye University, the killing of several people in Lamontville, the attempts to forcibly incorporate Lamontville into KwaZulu, the bussing of about 3 000 armed Inkatha supporters into Lamontville on September 3rd, to a meeting addressed by Buthlezi — all these objectively place Buthlezi in the camp of the oppressor.

The slogan, "Vote today, border tomorrow," highlights another important aspect of the 'Vietnamisation' process in South Africa. As the struggle intensifies, the regime will in-

creasingly use Blacks as cannon fodder for its military machinery. While conscription for the Coloureds and Indians is not immediately on the agenda, there is little doubt that it is being seriously considered by the regime. This must be resisted at all levels.

The struggle to destroy apartheid is growing in scope and intensity every day. This involves all forms of struggle — legal, semi-legal and illegal, both political and military. The political and military aspects of our struggle are dialectically linked. For the successful development of a genuine People's War, the political organisation and mobilisation of the oppressed is an urgent task.

The masses have displayed a high level of political consciousness and organisation. This must be consolidated and raised to new heights until final victory is achieved.

ON THE MARCH TO FREEDOM: SOUTH AFRICAN WOMEN'S DAY

Unity in action is the hallmark of the women's struggle in South Africa, and this has never been more strikingly manifested than in the marking of August 9th — National Women's Day — this year, falling as it has in the very month when Botha is pressing ahead with his plans to impose his 'new style, old content' apartheid constitution on our people. Hence, National Women's Day has been integrated into the nationwide cam-

paign to reject and resist the fraudulent constitution under the theme, "Women Unite Against Botha's Deal." The focus has been the particular way women's oppression will be intensified through the entrenchment of apartheid by means of the constitution.

The Federation of South African Women (Fedsaw), which organised the magnificent 1956 march of 20 000 women to the Union Buildings to protest against the imposition of

passes on women, issued a press statement focusing on the issues central to the marking of August 9th this year:

“This is an occasion to pay tribute to the strength of these women, to their sacrifice, unity, and to the rich tradition of organisation and mobilisation of women. It is important to remember that women are and have always been the backbone of the nation in the struggle to fight for our rights and the rights of all our people. The voices of women have also been heard in the factories, the schools, the resettlement camps and the communities. Here, women have stood shoulder to shoulder with their men in a common struggle to eradicate injustice, oppression and poverty wherever it exists. Now, 20 years later, the burdens that people face have not only remained, but have increased, with women bearing the brunt of Botha’s ‘New Deal.’ This ‘New Deal’ will mean:

- * Increased taxes in the form of General Sales Tax;
- * Township ‘autonomy,’ which means higher rents and less money for creches and playgrounds;
- * Higher food prices;
- * Increased influx control;
- * More enforced removals;
- * The government is attempting to divide the people and force brother to fight against brother, with Indian and Coloured youth now being forced to go to war against the children of Soweto on the borders of this country;
- * Living with children in the barren areas of the homelands; and
- * Lower wages and harsher working conditions.”

The United Women’s Organisation (UWO) organised a focus week on forced removals and the ‘New Deal.’ Mama Dorothy Zihlangu of the UWO, who took part in the 1956 march, recalled how Prime Minister Strijdom refused to meet the women’s leaders and receive the anti-pass petitions. She said;

“We were angry, very, very angry. He was

expecting us. But he was not there. Earlier, a helicopter arrived at the back of the Union Buildings. We think he fled from us on that.” She laughed softly. “He had so much power, but he was scared of us, and all we had done was to come peacefully and tell him that we, the women of South Africa, said “No” to passes. We opposed passes because it meant that homes would be broken up and mothers separated from children when women were arrested under pass laws; that women and young girls would be exposed to humiliation and degradation at the hands of pass-searching policemen; and that women would lose their right to move freely from one place to another. We have seen all this come true, and it continues to happen. Look at KTC and Crossroads. Every day the Black people suffer because of passes. Khayelitsha is a word which has come to mean pain for Black people. We don’t want to be uprooted from our homes – not again. It is now time for all of us, fathers, mothers, daughters and sons, White and Black, to unite and work hard together for equal rights for this country’s people.”

At the National Women’s Day meeting at Wits University, Cape UDF secretary, Cheryl Carolus, said:

“Women are the first to be endorsed out of cities and deported to homelands, because the work that most of them do is not regarded as economically productive. The people who bear the brunt of the bantustan system are women. 73 per cent of the people at Crossroads are women. It is women who face the police there, who fight against the tear gas and the dogs. It is the women who struggle to feed and clothe the next generation in the poverty-stricken bantustans. The women reproduce the working class and experience the greatest economic exploitation. Relegated to the homelands, virtually their only avenue of wage employment is the decentralised border industries – where wages are lowest.

“It is a mistake to say the new constitution ignores Black South Africans. The basis of the ‘New Deal’ is tighter pass law control as provided in the Orderly Movement and Settlement of Black Persons Bill (which has

now been dropped and is to be replaced by an **Urbanisation Bill**) and partly enacted in the recent **Aliens Act**. If they are going to sophisticate the pass laws, it means women will be hardest hit. **The people have rejected the constitution because it is undemocratic and anti-working class.** 120 000 signatures have already been collected in the Western Cape for the **UDF Million Signatures Campaign** in opposition to the constitution. The support for the campaign shows that this constitution will be stillborn. We are confident that the government has already lost the August election campaign. **But we must look beyond the elections. We must be committed to laying the foundation for the new society we want."**

At the National Women's Day rally in the Central Methodist Church Hall in Johannesburg, Fedstaw and UDF president, **Albertina Sisulu**, said;

"Now is the time for women to say, "We will hold hands together and change the country." White women otherwise will be shamed by their grandchildren at some future date when they ask, "Is it true that Black children were sprayed with bullets in 1976? Were you there – and did you really have a heart to keep quiet when the children of this country were dying like flies?"

"The new constitution is apartheid alive because it has three chambers." She appealed to Coloured and Indian women not to make their children "tools of a government which doesn't know what to do now that people are on the march. GST was raised from seven per cent to ten per cent to finance apartheid. GST is used to buy guns to kill our children," Mrs Sisulu said to cheers from the packed audience.

Mrs Priscilla Jana, a lawyer, told the rally that the new constitution would seal the fate of the black worker "as more and more will become aliens in the country of their birth. Labour needs in the "white" cities will be filled by contract workers, who will be separated from their families as migrants, and who will not dare demand their rights for fear of their contracts being cancelled. Anybody who participates in the new constitution will

be as guilty as the perpetrators of this crime against the people. Participation is betrayal of the children of 1956. He who participates is a traitor. He must be branded as a sell-out and treated as a leper."

Active Fedstaw member and community leader, **Mrs Vesta Smith**, chaired the rally and urged the two women candidates in the August 22nd elections to unite with the women of South Africa on this issue and fight for the rights of all women in the country. "We are sad about the fact that this bait of over R40 000 plus perks is what is drawing those who see themselves as future MPs. They must instead look at themselves and think about the millions of people they are selling down the drain. The dummy parliament is already loaded against them. An added issue is the fact that sons, husbands, etc, will be conscripted into the army – to fight whom? **The white man has made enemies for himself because of his apartheid policies, and after treading on all of us for all these years, he now wants us to join him and fight his battle."**

One of the founders of Fedstaw and a patron of the UDF, **Mrs Frances Beard**, drew a storm of applause when she declared: "We are on the march to freedom. If anyone stands in front of us, we are going to crush them."

Another woman on the platform at the rally was **Mrs Sarah Mosololi**, who is the courageous mother of the ANC freedom fighter, **Jerry Mosololi**, illegally executed by Pretoria on June 9th last year. During the meeting the audience stamped and clapped as they sang freedom songs and chanted the praises of ANC president, Oliver Tambo.

WE ARE

A FORCE

This speech was made by President Tambo at the Solomon Mahlangu Freedom College at Mazimbu in May, 1984.

Comrade Chezi, Representative of the Government of the United Republic of Tanzania, Comrade Director and members of the Directorate, Comrade National Commissar, Comrade Regional Commissar, Comrade Principal, staff, comrades members of the community, leaders of this community, young comrades and comrades who are here representing the international community and our friends abroad, comrades, I should like to be as brief in what I have to say as is my visit to Tanzania and to this district in particular, to this region.

I would like to thank the leadership of this institution, this school, this home for our people, for the reception that I and my colleagues have received since coming. We spent the morning in Dakawa and we were thrilled by the general mood and morale of the comrades, that seemed to us to be their determination to make the best of everything, exactly to the discharge of their assignments – some of these assignments emanated from the very nature of our struggle. They are in Dakawa

and many of us are here because we are the people in struggle, and we do not always have the privilege to choose where we shall be the following day of the following week, or where we shall spend several nights, whether moving about in freedom or imprisoned in some cells somewhere in Africa. It doesn't rest with us. I'm struck here by the numbers of this vast population of young people who came here from South Africa at different times, some of them from other parts of Africa, and they have gathered here in large numbers, each of them with a purpose, a purpose related to our future, the future of our people.

But a community growing where to? What for? To achieve what? And how much have we grown since we started this institution here? What have we produced? What is coming this year? What will it be like next year?

In a way, it is a great inspiration to come back to Mazimbu, come back to SOMAFSCO, to see the buildings, this great establishment, a large village built with dedication and skill, a monument to the peoples of the world and to this country, who are supporting our struggle. It is good to be back and to find our children here, of varying ages, our friends, 11

our brothers and sisters. So I'm happy, and I would like to thank you for the opportunity of the meeting.

To the Battlefield for Liberation

At this time we are compelled to reflect daily on the future of our struggle. At this time, because at this time the enemy, that is responsible for your leaving your homes in the first instance, has been terrorising Southern Africa, as you all know very well. And he has registered a breakthrough, let us admit that much. The enemy has won a point, has gained a very important position, a position none of us thought the enemy would get quite so easily.

After all, were we not born in Southern Africa? Do we not belong there by the demand of nature and history? Have we not been there for countless centuries? Have we not been engaged in the same struggle with all the peoples of that region? Are they not our brothers by blood and our brothers and comrades in arms? Have we not even died together on the battlefield? Are not the remains of some of our gallant youth interred in the soil of Zimbabwe? Were not Tiro massacred, well, assassinated, in Botswana? Has the blood of our people not been spilt in Swaziland? Was the Maseru massacre not in our region? Yes, we fought in Zimbabwe, we were ready to fight everywhere else. That is why we fought in Zimbabwe; we had one enemy.

It is our region, and yet a regime that is hated by everyone except itself and its stooges can stand up and order our comrades, our brothers, our people, to drive us out from a region that is ours, and they do it. And so scores of our people have left the southern part of Southern Africa and gone somewhere else, because the Pretoria fascists had ordered that it should be so. And it has been so.

And who is the ANC? What is this body which is being told to leave Southern Africa? It is the body which started politics on the continent. I think we were formed even before the Nationalist Party of Botha. They got the idea of forming a party from us, even. We

are the beginning of the political struggle which has brought independence to the countries of Southern Africa, and these fascists say that we must leave Southern Africa.

Well, comrades, history does not work that way. We are more surprised by what has happened than demoralised by it. We think this is a way of guarding us on to the battlefield, to the battlefield for liberation. We think what has happened is thoroughly unnatural, politically and historically, and cannot survive the forces of justice, national liberation and emancipation. We think a people who have been in the struggle for as long as we have are not going to be deterred because some of them have been arrested in that country, some of them have been ordered out of that country. Some, because those who have left Swaziland are a drop in the ocean in relation to the masses that are involved in our liberation struggle. Those who flew out in virtually a day's notice from Maputo are a drop in the ocean in relation to the vast masses that have been involved in our struggle.

And we have suffered more than leaving the country. We have suffered the Soweto massacres. We have suffered shooting all over the country. We have suffered torture countless times for many years. We have suffered hangings. We have known what it is to be a Solomon Mahlangu. We have known what it is to be Elias Motsoaledi, Andrew Mlangeni, Aggett, Kathrada and various others. Dorothy, Thandi, Jerry Mosololi, we have known all that. So it is nothing to get on a plane and fly from Maputo to Dar es Salaam, is it? A flight from Maputo to Dar es Salaam, no problem. No problem. Detained in Swaziland, maybe, for a few months. But we know what it is to be detained for 22 years. A little inconvenience. And so the struggle goes on. And we hope that our people everywhere have become more determined as a result of these things.

A Great Challenge

Determined to be the best in struggle, It is a great challenge and in a way gives us an opportunity to demonstrate our calibre. Well, here



in Mazimbu, we have no reason to think you have been disturbed in any way by these developments. We would hope that they have fired your imagination and your resolve. We would hope that these developments will help our efforts to produce young men and women of great worth, and that you will understand that to be here is to be on a mission. To be here is to respond to the support of the many good people who have enabled us to put up these buildings and set up these institutions. We hope that everybody demonstrates our worthiness for this support.

Comrade Director said I will tell you about the general situation in the country. Quite frankly, I can't in a few minutes. I can give you certain assurances, warn you against certain things.

The assurances are that the people inside South Africa have recognised that victory will come as a result of their struggle, their own efforts; as a result of their reliance on themselves. What they see across their borders tells them this: that victory, of course, is unescapable; that it is not going to be done by Mozambicans. Even if the Mozambicans had allowed us to stay there, it would be wrong to think that they are going to liberate us. Even

if the people of Swaziland (the government of Swaziland – I don't think the people mind) the government of Swaziland had defied Pretoria and said, "These are our people; they are going to stay here whether you like it or not," even if the government had said that, the fact would remain that our liberation is our responsibility, not the responsibility of Swaziland.

And our people are now assuming, they are proceeding on the assumption, that what the regime can get out of Mozambique it can get out of everybody else. Therefore, in theory we can be told to leave Zimbabwe, to leave Botswana, to leave all sorts of countries. We can, in the extreme case, even be told to leave Angola and Zambia. It's a matter of a brute who has power and it uses it indiscriminately, confronting any country with a simple choice to be destroyed or to carry out the orders of Pretoria. That is what has beaten us. So now we must proceed on the assumption that what has happened in Mozambique can happen everywhere else. In that case, what happens to our struggle? *Our struggle continues.*

This is the realisation that has come home to the minds of our people. And I think it is a very, very positive development, because we can do it. In fact, we have tended to think that Umkhonto we Sizwe will do it all and Mozambique will help us do it. In fact, we can do it, and that is what is coming for Botha. This might not be the best audience. Look at who you have, young men here, not quite the best audience, talking as if I was addressing a political meeting. But you might as well know what is happening. You have a rather different assignment by way of specialisation. But the success of those at home depends also on the success that you make of your own assignments. So, within the country, the mood is that of fighting or resisting.

The main issue at the moment, of course, is the elections that have been fixed for so-called Coloureds and for the Indian community. We are not just trying to frustrate elections. We are going beyond elections. We are challenging the regime itself. It is illegitimate.

It derives no mandate from the people. It deserves to be overthrown, and the system it operates destroyed. And the elections are simply a lever which we use to mobilise the people into this central struggle, for this central objective.

The ANC is a Force

It has been thought that our capacity to continue the struggle has been limited by the removal of facilities which have been available to us in some of the countries. No, the struggle has not been frustrated. The struggle progresses on all fronts, politically, the labour front, the armed fronts, the international front. And on all those we are making headway. I think on the academic front as well, a very important front. That is why, at home, schools are getting closed, students are going on strike. They are fighting on the academic front against one of the manifestations of the apartheid system, Bantu education. So in a way nothing has changed; the struggle continues.

In the meantime, we would like our people to know that there are attempts to bring the ANC into discussions with the Pretoria racists. The ANC must talk to Botha and Botha must talk to the ANC. That campaign is building up all over. Some genuinely think that that is the natural thing to do. If Botha is travelling around talking to everybody in Southern Africa, to leaders, why does he think that there are no leaders in South Africa? How genuine are his talks with Mozambique and everybody else? And therefore his *bona fides*, his honesty, is being questioned. And so he is answering, "Well, we have no objections in talking to the ANC, but the ANC must throw away its weapons first, and surrender. Then we can talk to them." That is the effect of their language.

But they are under pressure to talk to us. They are under pressure. We are under pressure to talk to them. What do you say? What do you say? You say "No."? Okay, right. Next time we are approached by somebody about talking to Botha, some of our friends, we will tell them, "You know, if we are talk-

ing to Botha we are talking about the future. Even if it's next year, it's still the future. And the future belongs to our youth. Before we start talking we will have to go and get their permission." Is that all right? (Cries of "Yes!") So we will come back. Is that all right? ("Yes!") We will come back and find out what you say.

Anyway, the fact that they want to talk to us, and say so publicly, means that they are accepting what the rest of the world has long accepted: mainly that the ANC is a force to be reckoned with in Southern Africa, and anyone who wants peace must reckon with the ANC and its struggle. You cannot ignore the ANC.

Our friends are here. They represent organisations and countries who have accepted this position. The ANC is a force. Botha has known that. That is why he has been attacking the independent countries of Africa. The ANC is a force. But it is even such a force that he can't make headway by talking to Mozambique, to Swaziland, to Botswana, to Lesotho, to Zambia, about the future of Southern Africa and not talking to the ANC. That's important — why are we a force? Because of you. Because of you. People have come here, seen the school, seen you, and they have been impressed by what the ANC is trying to achieve. This is your contribution.

We are a force because everywhere we are honest. We are a force because we are fighting the world's biggest criminals, a regime guilty of crime against humanity, a powerful regime which has failed to destroy us, because we are a force. But I say we are a force because of you, because of Mazimbu, because of SOMAFCO, because of what you represent here, because of the community that you have set up here, a community that we can display to the world. I hope we can. I think we can. Can we? (Cries of "Yes! Yes!") Can I bring a newspaperman here? ("Yes!") Can we ask a South African journalist to come here? ("Yes!") And see for himself? ("Yes!") And go and publish the story in South African papers? ("Yes!") Are you sure? ("Yes!") All right, he will come. He will come. He will be

coming to find out what sort of community is this; what sort of secondary school; what sort of primary school; what sort of creche; what sort of members of staff; what sort of young people. What sort of young men; what sort of young girls. Who is here. What they like. What they are like.

We Are in Struggle

I said I would give you an assurance and a certain warning. The warning is simply this: that we are in struggle. We are a threat to a regime that is fighting for its survival. It has not surrendered. It's not even about to surrender. It's continuing. And we must remain resolved to continue the struggle as long as that regime is there. And we must realise the regime is dangerous -- it can be desperate. And before we reach our objectives we will have inflicted a lot of damage on the regime and what it represents. They will have inflicted a lot of damage on us. That is the story of Mozambique. It's the story of Zimbabwe. It's the story of Angola. It's the story of every country that has gone through a tough, difficult struggle. But let us never allow one moment's doubt of the fact that, after it all, victory shall be ours, because history is on our side.

Given that, we must repeat what I never omit to say: that the burden for our progress rests on each one of you. Comrades who left South Africa at the beginning of the 60s, who have been battling through all these years, comrades who left only this year, comrades who have been in Lesotho for many years, in Swaziland for many years, in Maputo for many years. You are here. Let not any one of us doubt this. Doubt will be dangerous and unjustified.

Now, there are suggestions that there are splits in the ANC. Division suggestions come from the enemy. So you know how to assess their value in the first instance. But let's tell the truth to ourselves, even if the truth coincides with what the enemy is saying. Let us tell the truth. Are there divisions and splits in the ANC? I think you will say no, because there are no divisions and splits here. If I knew

there were I would say yes. Are there splits and divisions anywhere? Let us tell the truth even if the truth coincides with the enemy's accusations. Are there any? (Cries of "No.") None? Well, you don't know because you are here. I know because I am everywhere. No, no, the answer is no. There are no splits in the ANC. There are no divisions. There are people who are dissatisfied from time to time about one thing or another. Sometimes the dissatisfaction is justified. Sometimes the dissatisfaction arises because somebody has been careless. So, we are not perfect. But these are not splits that the enemy can talk about. They are not divisions. ANC is united. That's the truth. If you listen to RSA broadcasting their commentaries, when they finish saying the nonsense that they are saying, tell them to go there. (Cries of "To hell.") Right, right. Tell them to go there.

A Very Sad Occasion

In April, comrades, I and the S.G. of the ANC, Comrade Alfred Nzo, were in Arusha on a very sad occasion, the occasion of the funeral of the late Prime Minister of Tanzania. Even if he had died from a heart attack, it was very sad. We knew him, we adored him immensely. We followed his work, and he was one of the greatest men this country has known. It was a very sad thing. But it became unbearable, certainly for me, when I got the details of how he lost his life, how Tanzania had lost him. And I was in Arusha already when I got those details. That incident is not quite history yet, because few people in country, and I think few of us, have been able to forget it. The ANC was involved. In other words, although accidents occur, if we were not on the road that day, there would have been no accident. The Prime Minister would still be alive. But we happened to be on the road, and that determined the end of his life.

Before that, we had come to Tanzania again with the Secretary General, after we got to know that we had to leave Mozambique. And we were shocked and stunned by that decision. We could see South Africa sailing across Southern Africa. We could feel there



was a state of disarray in the region. And we came to Tanzania and met President Nyerere. And he gave us strength. He was so cool. He was so correct in what he said. He was so much with us. He understood the situation so clearly. And we went back strengthened and inspired and confident. Then there was a state visit from the President of Mali. President Nyerere made a statement, or released a statement, which featured the ANC, a remarkable statement, at the time when South Africa was screaming at countries to throw the ANC out. And it appeared they were getting away with it. Here was this pillar of strength defending the ANC, and summoning the OAU and the people of the world to rally. Here was this pillar of strength.

Then came the tragedy in the country that was supporting us so firmly at this time, when we needed support, I think, more than at any time in the past 24 years. We had never been in this situation. President Nyerere and his people stood up to be counted on our side. Then at that moment came this worst of all tragedies. The Tanzanian leadership didn't jump up to blame the ANC. They kept quiet about the ANC very deliberately. Although they had lost so much, they were still protecting the ANC. I would like you to understand this level of support, this depth of

support. Then, comrades, I would now like to read you this letter which Mwalimu wrote to me, that is, to the ANC, after the funeral, knowing all he knew. Knowing our involvement, he wrote me this letter. May I read it, comrades?

State House
Dar es Salaam
Tanzania
24.4.1984

President O R Tambo ANC (SA)
President's Office
Lusaka
Zambia

Dear Oliver,

On behalf of the people, the party and the government of the United Republic of Tanzania, and on my own behalf, I wish to thank you for the messages of condolence and sympathy on the tragic death of our Prime Minister and comrade, the late Edward Mwaringe Sokoine, which you conveyed to us on behalf of the ANC. At the same time, I would like to say how much we appreciate your action in coming personally to represent the ANC at the funeral ceremonies at Monduli. This demonstration of solidarity and shared grief encourages us as we struggle to adjust to our great loss and reorganise ourselves for the many tasks involved in overcoming the present economic difficulties in developing our country.

Yours sincerely
Julius K Nyerere.

Shall we rise for a minutes' tribute to the late Prime Minister Edward Sokoine? Thank you.

Then the Secretary General came here after the funeral. He discussed this incident with the Directorate, and the effect of his message was: never should any of our people be found guilty of a traffic offence. Least of all, negligent driving, reckless driving, which can only endanger the lives of Tanzanians. They are the ones who are in the streets.

Finally, comrades, this community is being harassed by the mosquitoes. We have one enemy to fear and we are justified in fearing it. A mosquito, one, you don't have to be bitten by many. One; it's a serious development, it's going to be killing us. It has become a killer in some of the areas where we are, like Angola; it has taken a remarkable number of lives. Mosquitoes; and I should like to propose, Comrade Director, and to you, comrades, to all of you, that we fight mosquitoes, we declare war on the mosquitoes. We eliminate it here, while we defend ourselves against its attacks. But we really go out to fight it.

I understand that the mosquito lives in tall grass and breeds there, it grows there and multiplies itself in tall grass, damp areas near water, little puddles. I don't know if some of the classes that are attended are about the mosquito: what it is, how it operates, where it lives, how it grows, how it bites, why it lives. But an enemy like mosquitoes needs to be studied. While we are studying it, we wage a war against the mosquito. Now, from the little that I have picked up, it seems that the tall grass that you find everywhere around here is a starting point or a major point of mosquito bites. If that is correct, then we should attack this source; attack its base, its breeding ground, remove the tall grass, so that we don't rely on tablets. We don't wait until we are on the floor after the attack. We prevent the attacks. We attack the source. Sometimes we should learn a little even from our enemies -- we are not mosquitoes, they call us terrorists, we are not even terrorists, we are freedom fighters. But you know they think that we are breeding in Swaziland, breeding in Lesotho. So they are attacking what they consider our bases in Pretoria, believing that if they do that, of course, they will live in peace. They won't live in peace in our case. But I think we can live in peace if we attack the mosquitoes at their base.

The Small Enemy and the Big One

Comrades, I suggest we remove the tall grass and replace it with lawn. I have seen

some beautiful gardens between some of the blocks. I think something beautiful is coming, something also preventive is coming. I have also seen whole areas of tall grass which are very menacing, threatening. I think we should evolve a slogan, something to the effect: "No to long grass. Yes to lawn grass."

I would like, comrades, to say that we are greatly concerned about the loss of life among our people. You see, we are here, we are not even with our parents. We don't have too many doctors here. We would like to leave as few of our comrades in the secret cemeteries as possible. We are worried about death that comes unnecessarily, and we think as a movement we should fight the cause of death, so that comrades can be preserved for for the struggle, for the future, for service to our people and to our struggle. And those causes that we can eliminate, let us eliminate.

I have some belief. I've always thought that if we can attack the area where the mosquito grows, that will at least reduce the incidence of malaria. We should organise ourselves into brigades, or whatever, find 250 slashers, and we go on cutting down every tuft of grass that we see, exposing, dry up every puddle, clean up the place, spread a green carpet on our grounds, a lawn as a protective measure.

In any case, the institution will look even cleaner for that, and we will be the healthier for it. I do not know how practicable this proposition is, but when next I come here I will be coming to see what has happened in the war against mosquitoes. And I would like to urge that all these defensive measures like nets should be brought in. You should scream at the leadership to bring them, because sometimes if we have lost a day we have lost a life. Nets are in the world, let's have them. Let us fight this enemy; it's very small, but if we defeat the small one, we can defeat the big one. Let's fight.

Amandla!

ARAB SOLIDARITY CONFERENCE INTERNATIONAL

ARAB SOLIDARITY CONFERENCE

The United Nations Special Committee against Apartheid, in co-operation with the League of Arab States, organised a Conference of Arab Solidarity with the Struggle for Liberation in Southern Africa in Tunis on 7th-9th August, 1984. It was attended by representatives of Governments of Member States of the League, Member States of the Special Committee, the Frontline States, intergovernmental and governmental organisations, the African National Congress of South Africa, the Pan Africanist Congress of Azania, the South West African People's Organisation and the Palestinian Liberation Organisation.

The Conference was conscious that the African and Arab peoples are linked by geographical, cultural and historical bonds, as well as by their common experience in the struggle for liberation. It pledged support for the liberation struggle in southern Africa, and welcomed the advance of the armed struggle by SWAPO and the ANC.

The Conference condemned:

- * The manoeuvres of the Pretoria regime to impose a racist constitution on the people of South Africa,
- * The manoeuvres of the regime to sabotage the implementation of the United Nations plan for the independence of Namibia.

- * The acts of terrorism, aggression and destabilisation directed by the regime against independent African States.

The Conference showed grave concern at the military, nuclear, economic and cultural co-operation between major Western powers and Israel and the regime in Pretoria. Particular attention was drawn to the policy of the United States. This policy, with its strategic co-operation with Israel and its "constructive engagement" with Pretoria, encourages the pretensions of Israel for recognition as a regional power in southern Africa, and acts against the interests of Africa and the Arab world.

There was a strong call for comprehensive and mandatory sanctions against the South African regime, and a call for Arab States, African States and all their friends to exert their influence on the United States, to persuade Washington to harmonise its position with that of the overwhelming majority of States.

Concern was shown, too, at the fact that certain transnational corporations collaborate with Pretoria to plunder the natural resources of Namibia and South Africa.

Complacency Discouraged

Comrade Mfanafuthi Johnny Makatini, head of the ANC delegation, told the Conference:

"Though we are, as ever, confident of

victory, we do not want to encourage complacency amongst our friends and supporters. The racist South African regime has powerful allies in the international community, who work day and night to restore it to international respectability. We have already witnessed the relative ease with which Botha was able to breach the wall of international isolation with a visit to Europe. We are, however, heartened by the recent action of the Labour Government in New Zealand, an action which should be more widely emulated to extend the boycott of South Africa and make it more comprehensive."



Comrade Mfanafuthi Makatini shares views with an Arab delegate at the Solidarity Conference in Tunis in August 1984

Unity and Solidarity

The Conference paid a great deal of attention to the crucial question of unity and mutual support between Arab and African countries, and denounced all attempts to create divisions between them. It expressed its distress at the war between Iran and Iraq, and the hope for an early end to this war. It commended African States which have refrained from relations with Israel because of its alliance with the South African regime, its hostility to the Arab peoples and its denial of rights to the Palestinians. It called on Arab States not to patronise those Western companies that collaborate with the apartheid regime by supplying it with military and nuclear equipment and technology.

The Conference recognised that the Arab oil boycott of South Africa is an important contribution to the liberation struggle in southern Africa, and urged the Arab and African oil-exporting countries, in co-operation with others, to take firm action against those companies which are helping the South African regime circumvent the embargo.

Information

Much attention was paid to the question of gathering and disseminating information on the struggle for liberation of the African and Arab peoples. Subjects for study were:

- * The phenomenon of settler colonialism, the structural similarities between Zionism and apartheid, and the collaboration between South Africa and Israel;
- * The trade concessions and privileges enjoyed by Israel with the European Economic Community and other Western countries, as well as those to take effect in 1985 with the US, as these concessions have legal, economic and other implications for the Palestinian and other occupied Arab territories, and may be used by the South African regime, which is already exporting many of its products through Israel.

The Conference:

- * Appealed to all Arab States and organis-

ations to maintain, and consider increasing, their material and financial assistance to the national liberation movements of South Africa and Namibia.

* Urged all States which have not yet done so to ratify or accede to the International Convention on the Suppression and Punishment of the Crime of Apartheid.

* Called for world-wide observance for the Week of Solidarity with the Peoples Struggling against Racism and Racial Discrimination, beginning on 21st March 1985.

* Declared that apartheid and all other forms of racism must be "totally eliminated from this globe."

TENSIONS AND RAVAGES:

FORCED REMOVALS IN THE TRANSVAAL

By Nyawuza

In 1916 Sol Plaatje, the Secretary General of the ANC, wrote about removals. His words were prophetic. This pain is as old as White domination in South Africa. What is new today is its intensification. The methods used are pressure, intimidation and a variety of coercive measures to induce people to go.

There are about 75 "Black spots" still threatened with "resettlement" so as to keep South Africa "White." More than 3 500 000 people have been forcibly removed and "re-settled" since 1960. The minimum figures of these people are:

1 295 400 in the Transvaal,
983 000 in the Cape,
745 500 in Natal,
514 000 in the Orange Free State.

The largest single category is farm removals, with more than 1 129 000 people having been moved since 1960. Farm removals generally affect people who have become redundant due to old age or mechanisation. They have to make their own way to the homelands. Group Areas removals are the second largest category with 834 000, mainly Coloured and Indian, urban people. There are also those under threat or being forcibly removed, and these are people who live in "Black spots" in "White areas." This process is also called "consolidation" of the Bantustans.

About two million people face immediate removal (this is besides the 3.5 million who have been removed). Out of these, tens of thousands are known to be under immediate threat in the Transvaal alone. A few ex-

amples will illustrate the scope and intensity with which the racists are prepared to carry out this Verwoerdian madness.

Only 40 km from Mogopa – which was bulldozed recently – 3 000 people at Motlatla face immediate removal, and in the Western Transvaal in Mathopiestad, a freehold farm near Boons, 2 000 residents (including the removals planning committee chosen at the State's initiative) have solidly opposed the move. Driefontein, KwaNgema and Daggakraal in the Eastern Transvaal are threatened with removal. So is Rooigrond near Lichtenburg, where about 500 people face their second move, having spent 13 years in "temporary" premises after struggling for years to preserve their land at Machaviestad near Potchefstroom. This time Bophutatswana will be responsible for moving the people.

There is also the case of the three townships of Leandra, Badplaas and Huhudi, which face removal. At Leandra about 60 families of a total population of 11 400 people will be moved when the area is "redeveloped" as a formal township. At Huhudi in the Northern Cape a far larger portion of the 14 000 residents will be forced out to Pudimoe in Bophutatswana. While the Highveld Board is restricting evictions to those who lack urban residence rights, the Northern Cape Board is intent on moving even the urban qualifiers into the homeland.

At Badplaas the failure to establish a formal township in the municipal area means that the entire black population of about 2 000 becomes illegal and is open to prosecution and eviction if it does not move. The authorities intend to "relocate" these people in KaNgwane.

While the reasons for removal may sound different, the underlying philosophy is the same.

The Underlying Philosophy

What are called "Black spots" in South Africa are Black-occupied land areas which have been designated "White" in terms of the Group Areas Act. "Consolidation" and "re-

settlement" are also meant to appease the likes of Mangope.

The euphemistically named Department of Co-operation and Development is forcing removals as a signal that the communities are under a death sentence – the removal of "Black spots" means Africans are to be erased from the face of "White" South Africa.

What is disturbing is White reaction. The majority of the Whites have become skilled at not seeing and not knowing, and their "protective ignorance" is supposed to keep them "out of trouble."

Koornhof, Minister of Co-operation and Development, proved to be worse than an ass when he said:

"But I am telling the people concerned, however, that if there had not been a movement of people, there would be no White person present in South Africa. I want to make the further point that there would not be a single Black man in South Africa if people had not moved voluntarily throughout Africa."

What this actually means only he himself understands – if he does at all.

Removals mean material loss. The spiritual and emotional loss can do even more damage. Moving people like pawns on a chess board to suit some racial ideology is one of the tenets of the Verwoerdian madness. These people are being "relocated" in the name of apartheid; this means the division of communities with a strong sense of historical destiny and social cohesion.

Forced removals are being speeded up to justify the exclusion of Africans from political rights in South Africa – Africans are being removed to the Bantustans. The racists want to "reduce" unemployment in South Africa and increase it in the Bantustans, which, besides this, will have to take care of the aged, the sick and the education of the young. Koornhof's response is both pitiful and pitiless.

Mogopa and Pachsdraai

In October last year it was reported that members of the Bakwena community who have refused to move from their ancestral home, Mogopa, near Ventersdorp, will definitely be moved to Pachsdraai in the Zeerust area. At Mogopa, those who have refused to move have elected an action committee chaired by headman Isaac More, 85 years old.

Mr More and the remaining families did not want to leave because they said they are too old to build new homes; they are also concerned about compensation for the land at Mogopa which they have occupied since 1911.

Pachsdraai, to be incorporated into Bophutatswana, is among the most severely hit by the drought.

Forlorn people in a resettlement camp at Pachsdraai have been shattered by the suicide of a male member of their community, who hanged himself. His death focused attention on the appalling living conditions in the camp.

At Pachsdraai, conditions are dry and bad; there is no food, no grazing, no water – a crusty dustbowl; the only water you find are the bitter tears of the people.

In June 1983 people were moved from Mogopa to Pachsdraai – over 200 kilometres away. Pachsdraai has hundreds of green tin sheds with smaller ones – the toilets – dumped in the dry scrubland. The nearest town is Groot Marico, 50 kilometres away.

By the way, Mogopa was bought by a chief in 1911 on behalf of the Bakwena people and was to be held in trust for the community; it had three schools, four churches and two water pumps, which the inhabitants had built and bought themselves without government aid. These people were a farming community, growing maize, sorghum, sunflowers and other crops. At Ventersdorp their herds of goats, donkeys and cattle had never lacked grazing. It was a community united.

This community owned land incorporating a diamond mine. The community occupied two farms, Swartrand and Hartebeesland, on an area some 10 000 hectares. Both

property and mineral rights were held communally. The diamond mine was leased to a White miner.

When removals began, the solid stone houses and buildings were bulldozed, and are now in ruins. With no schools, no churches, and with water problems, there was no choice but to move. The authorities stopped paying pensions in Ventersdorp and the people were told that in future they could only collect their pensions in Zeerust. The bus service to town, some 18 kilometres away, was also terminated. A bulldozer and a demolition team camped on the slope overlooking Mogopa – there were no prior meetings, no consultations with the people. The people were told that the land had been sold. George Rampou spoke for the community when he said:

“They did not discuss with us ... They just come. They come in the middle of the night, all armed with revolvers. They come and surround your house as though you killed somebody. Then they forced you to leave your house without you knowing why, how you must go. They decide how much to pay you without talking to you about it. But you must accept because they already break your house.

“Then they tell you you must go to Pachsdraai, although you tell them you would rather go to Bethanie, and then they tell you if you want to go to Bethanie you must fetch your own transport. They must be great cowards to come and surround people when they are all fast asleep to do these things.”

On the day of removal, Mogopa was declared an “operational area,” a “no go zone,” which meant reporters, photographers and activists could not enter.

On the day they were taken from Mogopa, government trucks removed only people and their goods, and not their animals. The money they were paid as compensation was enough to pay nearby White farmers with trucks to transport their battered belongings.



Isolation, desolation and poverty – a resettlement camp in the veld

Talking about White farmers, removals to them mean profit. People sell their cattle to the first White farmer they can find, getting as little as R46 for animals worth R250. Benjamin Modisakgosi sold two cows to a local White farmer for R80 and R110 respectively. Their normal market value would have been at least R500 each. Jerry Makhalephe sold two large oxen worth R1 000 each to a local White farmer for R250 each.

Those who had done their local annual planting had just to forget about it.

The Mogopa removals were a harrowing experience:

“My father was brought from Mogopa to Pachsdraai by ambulance,”

remembered a youngster.

One woman said guns were trained on her; several were struck with batons, and some were physically forced into buses. One woman said she was thrown into the bus “like a pig” – she was hurled to the ground by four policemen; two held her by her feet and two

by her arms and threw her into the vehicle.

Abraham Mabidikane said he had seen Isaac More, the village headman, and George Rampou, the organiser of the resistance, handcuffed by police and taken away in vans. *The Star* of 16th February 1984 reported:

“The first batch of 27 removed families included the entire leadership of the resistance community.”

Mrs Elizabeth Kgatitsoe, who ran the village’s only supply store, said she was having trouble for the first time in 21 years, getting her trading licence renewed, which she must do every year. The only other supply stores are in the White town of Ventersdorp, 20 miles away. Few Mogopa villagers had cars.

The removal had been authorised under the 1927 Native Administration Act. A special clause in the Act prevents any community due for removal from seeking an interdict against removal, annuls their right to negotiate compensation, and dispenses with the necessity of obtaining the approval of the whole

community for the removal. Despite this clause, the Mogopa people decided to apply to the Supreme Court for a stay, in the hope that it might secure an eleventh-hour reprieve. Jack Unterhalter, counsel for the Mogopa people, stated that the Act required the State President's order to be confirmed by a resolution of Parliament after its issue, in order to become effective. This fell on deaf ears.

To Bethanie

Jacob More, an ex-South African policeman, was deposed as headman of the community in 1981 and replaced by Shadrach More – no relation of his. Jacob was deposed on allegations of mismanagement of financial affairs. The authorities still recognised him as headman.

The people are bitter and distrustful of Jacob More, who organised the removal of the people of Mogopa to Pachsdraai, and was party to the destruction of everything they had built up over the years. They cannot bear to be under his control and have now chosen to go to Bethanie – the home of the paramount chief, James Lerothodi Mamogale.

Access to places in school grazing land and fields is restricted in Bethanie. But the Boers do not mind, because Bethanie is inside Bophutatswana and under the control of the very officials who co-operated with Pretoria in arranging for the removal from Mogopa.

But Bethanie is still better than Pachsdraai.

Driefontein, KwaNgema and Daggakraal

Saul Mkhize was not an ANC member; he was not a saboteur, but a Black farmer who merely pleaded for humane and just treatment for himself and his fellow Blacks.

Mkhize wrote to Botha, the Prime Minister, out of frustration at the failure of Koornhof to respond to his pleas against forcing the Driefontein people to move. The result was harassment; pass arrests; a mysterious car was parked outside his home at two o'clock one morning for 20 minutes, with parking lights on.

One of the purposes of the meeting at

which Mkhize was shot dead on April 2nd 1983 was to discuss a petition that he had drawn up following remarks made by Prinsloo (the Wakkerstroom Commissioner for Koornhof's department) at a meeting a fortnight previously. The petition read:

“We, the undersigned, landowners and tenants at Driefontein, protest most strongly against the Government attitudes as expressed by the Commissioner on March 19th 1983, that it has already decided on the removal of Driefontein and is not prepared to negotiate with us about this. We believe that this attitude is harmful to relations in our country ... “We and our families have lived at Driefontein for over 70 years. We cannot accept that the Government can simply take our land without being prepared to discuss it with us.”

What is significant and relevant about Mkhize's murder is that he died protesting against a government policy which forcibly removes Blacks from White-designated areas and shifts them to land rejected by Whites; land devoid of basic amenities, where malnutrition and poverty are widespread; land that has never been “home” to the people who are literally dumped on it. This makes a mockery of the “reforms” which Botha boasts about.

Police alleged that the residents had become “hostile” and “violent” when they were ordered to disperse from an alleged illegal meeting. But the eyewitnesses say the crowd had already dispersed when Constable Nienaber fired the fatal bullet; that he had driven his police van out of the school grounds; that there was a six-foot-high fence between him and his victim, and that he used a short gun with a No. 1 cartridge, the heaviest of all. The philosophy seems to be: if you shoot an African from the front it is in self defence; if it is from the back it is to prevent escape. Nienaber shot Mkhize in the knowledge that the system which produced him will protect him – a system which has produced brutes like

Nienaber and ostriches like Koornhof.

The other two "Black spots" communities, situated well away from the dam (which is cited as a reason for the removal of the Driefontein people) are the Daggakraal (a funny name) and KwaNgema people. What is even more sinister is the suggestion that these people have to be split ethnically; the Zulus have to go to Babanango in KwaZulu; the Swazis to Lochiel in KaNgwane and the Southern Sothos to Witzieshoek in QwaQwa.

In Driefontein the mood has remained electric since the death of Saul Mkhize, and David Twala, the Daggakraal chairman of the local stand-owners' executive, told van Niekerk (Chief Commissioner for Northern Areas) that his people did not only reject removals but considered it insulting to be seen as Zulus, Swazis and Southern Sothos:

"We have intermarried, and whoever will point at us as Zulus, Swazis and Southern Sothos is insulting, for we are one Black nation of Daggakraal."

Saul Mkhize's son, Paris, was harassed and beaten up:

"Why does your father not want Driefontein to go?"

After being punched, kicked and hit with sticks, Paris said he was taken to a mechanic's workshop, where he was ordered to strip, and a hot metal welding machine moved in the air close to his body (though it did not burn him). A policeman then:

"took my shirt and strangled me with it ... I then lost my consciousness and found myself lying on the ground."

It is worth noting that the farm at Driefontein was bought in 1912 by Pixley ka Isaka Seme, who, at the time, was busily involved in launching the ANC. It was bought specifically to be divided into plots for sale to individual Black farmers.

Alfred Ngema, the oldest resident in

KwaNgema, is the grandson of Stuurman Ngema, whose "heirs and successors" were granted use of land by Resolution No 603, dated June 21st 1904, of the Executive Council of the Transvaal Colony "in the name and on behalf of His Majesty King Edward VII of Great Britain."

That is why the KwaNgema community sent urgent pleas to the British Prime Minister, Mrs Margaret Thatcher, and Queen Elizabeth on May 23rd, asking for help in their opposition to attempts by the South African regime to relocate them. This question featured in the talks between Margaret Thatcher and Botha.

(Part II of this article will appear in the next issue of Sechaba, in November.)



LAW AND POLITICS IN SOUTHERN AFRICA

By Kader Asmal

Part IV

HUMANITARIAN LAW

Principle VI(b) of the Nuremburg Principles of 1946 adopted by the General Assembly defines War Crimes as:

“Violations of the laws or customs of war which include, but are not limited to, murder, ill-treatment or deportation to slave labour or for any other purpose of civilian population of or in occupied territory, murder or ill treatment of prisoners of war or persons on the seas, killing of hostages, plunder of public or private property, wanton destruction of cities, towns or villages or devastation not justified by military necessity.”

Wars of national liberation did not fit easily into the traditional description of parties covered by international humanitarian law in that one party (the liberation movement) is not a state while the other party is, however, illegal its occupation (as South Africa in Namibia, Israel in the West Bank and Gaza, Indonesia in East Timor) or illegitimate its status (as in the case of South Africa itself).

The applicability of the Nuremburg Principles to these territories depends on the legal

nature of these conflicts. There is here a rich area of the law developing to meet the needs of the international community.

The Geneva Convention

The core of the law for the protection of individuals in time of war is provided by the Geneva Conventions of 1949 consisting of four treaties, relative to the Wounded and the Sick, the Wounded, Sick and Shipwrecked at Sea, Prisoners of War and Civilians. There are other provisions regulating the conduct of war on land or sea, especially the Hague Convention of 1907 on the conduct of war on land but it is the ‘Geneva Principles’ as they have become known which are especially relevant, particularly Conventions III and IV dealing with prisoners of war and civilians respectively. They form the basis of international humanitarian law.

These Conventions are ratified by about the highest number of states compared to any other international treaty. As of June 1977, there were 143 states who were parties to the Conventions (including South Africa, Israel, Morocco and Indonesia). With one exception, the whole of the organised international community is bound by these rules. The question of whether these Conventions are part of customary international law (thus providing rights for entities not parties to the Convention) is not merely of “academic interest,” (23) as one writer suggests, but of profound importance. If the Hague Regulations were held to be declaratory of customary international law by the Nuremburg War Crimes Tribunal, although they were ratified by far fewer states, the near-universality of the Geneva Conventions must undoubtedly make them part of customary international law.

In any case, there are features to these Conventions which are unique in international relations and in texts imposing duties on states. For example, Article 1 common to all four Conventions provides that “the contracting Parties undertake to respect and to ensure respect for the present Convention in all circumstances.” This obligation does not over-

lap with the results of ratifying the Convention. It emphasises that the Conventions imply certain pledges taken by the State itself, in accordance with its humanitarian duties and which are independent of any reciprocity on the part of other or co-contracting powers. Therefore, this "imperious obligation of civilisation imposes not only a duty on a contracting State to carry out the obligations but also imposes an obligation on other States bound by these Conventions to ensure that the defaulting State carried out its duties. This would seem to place interesting obligations on the allies of South Africa to ensure that the regime complies with the provisions of the Conventions, which may be one reason why even Western powers have appealed to the South African regime not to execute combatants of the African National Congress. Otherwise, the other contracting States may themselves be in breach of Common Article 1.

The major obstacle to the reliance on the Geneva Conventions by combatants struggling against colonial and alien domination and racist regimes was that these Conventions applied to international conflicts i.e. inter-state wars and conflicts, and they presupposed that only states could become parties or contracting powers to the Conventions.

Article 3 common to the four Conventions attempts to deal with armed conflicts not of an international character by laying down the minimum of humane treatment to be guaranteed for prisoners. But the terms on which Article 3 may apply are vague and they depend on a state party to the Conventions applying them to the situation.

Not once in the recent anti-colonial struggles against the Portuguese up to 1974 did the metropolitan power recognise the application of Article 3. Also, the three kinds of struggle referred to above were not really assimilable to the kind of civil war situation regulated by Article 3.

Move Towards New Law

The development of new rules to regulate the status of combatants fighting for national liberation, against alien occupation and against

racism, is inextricably bound up with the norms of law associated with three other areas. Firstly, there was the effect of General Assembly Resolution 1514 of 1960 embracing the Right of Colonial People to Independence and Self-Determination; secondly, the development of the right of movements representing such peoples to employ armed struggle in pursuit of these objectives, which owed so much to the 1966 Conference of States of Governments of 47 non-aligned countries which declared that "colonised people may legitimately resort to arms to secure the full exercise of their right to self-determination and independence if the colonial powers persist in opposing their national aspirations." The "right to revolt" was asserted in subsequent General Assembly resolutions and found its clearest manifestation in the consensus Declaration on Definition of Aggression of the General Assembly in 1974.

Thirdly, the majority of members of the UN had contended for a number of years that the conflicts in countries under colonial domination were in fact international conflicts for the reasons we have already seen and since these territories have an internationally protected right to revolt, foreign states (or in the special kind of colonialism existing in South Africa, South Africa itself) are bound to observe the Geneva Conventions, especially those relating to civilians and prisoners of war. If, therefore, rules in a treaty stipulated that wars of national liberation are international armed conflicts, these rules would simply codify international law already in force. (24)

As far as the status of combatants of national liberation movements was concerned, the United Nations Conference on Human Rights held in Teheran in 1968 on the 20th anniversary of the UN Declaration on Human Rights specifically referred to the need to extend human rights provisions to all international conflicts. Direct United Nations interest in this area was aroused very quickly and in 1970 the General Assembly requested the Secretary General of the United Nations to give "particular attention to the need for the protection of the rights of civilians and com-

batants in conflicts which arise from struggles under colonial and foreign rule, for liberation and self-determination and to the better application of existing humanitarian international conventions and rules to such conflicts.”

This development culminated in the adoption by the General Assembly in 1973 of Resolution 3103 which re-affirmed the right to revolt, stressed that the policy of apartheid and racial discrimination has been recognised as an international crime, referred to the illegal status of mercenaries and, in operative paragraphs 2 and 3, stated that:

“the armed conflicts involving the struggle of peoples against colonial and alien domination and racist regimes are to be regarded as international armed conflicts in the sense of the 1949 Geneva Convention and the legal status envisaged to apply to the persons engaged in armed struggles against colonial and alien domination and racist regimes.

“The combatants struggling against colonial and alien domination and racist regimes captured prisoners are to be accorded the status of prisoners of war and their treatment of them should be in accordance with the provisions of the Geneva Convention relative to the Treatment of Prisoners.”

The International Committee of the Red Cross had already convened meetings of experts to consider the elaboration of the 1949 Conventions. The invitation of the General Assembly to deal with the above matter could not have come at a more propitious time and provided the appropriate backdrop when the Geneva Conference of Diplomatic Representatives was convened in 1974 and adopted Protocols I and II in 1977.

Scope of Application of Protocol I

Protocol I supplements the four Geneva Conventions of 1949 as they applied to international conflicts. Armed conflicts not of an international character are covered by Protocol II of 1977. The real advance in 1977 was

the extension of the notion of international conflicts to cover the situation in Southern Africa, and to other anti-colonial conflicts covered by the Protocol.

To reflect the developments since 1960, the Conference, in the text adopted in Article 1 of Protocol I, incorporated the three conflict categories recognised in a number of United Nations resolutions and made the Protocol applicable to:

“... armed conflicts in which the peoples are fighting colonial domination and alien occupation and against racist regimes in the exercise of their right of self-determination as enshrined in the Charter of the United Nations and the Declaration of the Principles of International Law concerning Friendly Relations and Co-operation Among States in Accordance with the Charter of the United Nations.”

The history of this provision shows that those who proposed it did not intend to limit its application to the category of conflict which simultaneously involves all three conditions, i.e. those fighting against colonial domination and alien occupation and against racist regimes, as some western commentators had suggested. If this limited view were accepted, the Protocol would apply only to externally imposed colonial and racist regimes and not to the situation in South Africa.

This view is untenable for two reasons. Firstly, for many years, the General Assembly of the United Nations has characterised the struggle of the people of South Africa as a struggle for self-determination and has associated the demand for the overthrow of apartheid with the right for self-determination. Secondly, from 1968 to 1975, more than 20 resolutions of the General Assembly had been passed supporting the extension of human rights in periods of armed conflicts, culminating in the seminal resolution of 1973 entitled “Basic principles of the legal status of the combatants struggling against colonial and alien domination and racist regimes,” a Declaration which lent substantial impetus to

the First Article of Protocol I (GA Resolution 3103(XXVIII) 1973). This Declaration explicitly treats racist regimes as a form of oppression distinct from foreign occupation and expressly alludes to preceding resolutions dealing exclusively with apartheid and racial oppression.

This conclusion is supported by an authoritative study not sympathetic to the extension of the applications of the Conventions to the South African situation which concludes that the Declaration did not qualify the racist regime's falling within its ambit by limiting them to those involving external domination. "Rather, it is submitted that the history of the amendment indicates that three distinctive alternative conflict categories were contemplated." (25) Western commentators have been generally antipathetic to a formulation which presents a judgment value on the role of a liberation movement as "the recipients of a discrete system of humanitarian safeguards" (26) but they tend to ignore or minimise the strength of the feeling of other states and communities concerning the crimes of colonialism and apartheid and the associated legal developments, and the way in which rules of international law have developed.

Liberation movements can therefore make a Declaration under Article 96 of Protocol I bringing it within the purview of the Protocol and Conventions and as parties to conflict.

The traditional view was that only states might become parties to or accede to the Conventions, notwithstanding the post-war evolution that a territory or political entity which is denied its right of self-determination guaranteed by the Charter of the United Nations can be regarded as an international person for some purposes. This approach enables Professor Abi-Saab to come to the conclusions that "liberation movements have a *jus ad bellum* under the Charter," and "they are subject to the international *jus in bello* in its entirety." A national liberation movement may therefore constitute itself as a 'Power' by accepting the provisions of the four Conventions (in-

cluding, therefore, Article 96, paragraph 2 of the Protocol).

However, what difficulties there may have been in conferring such a power on a liberation movement which may not, at the present time, be administering territory, have been removed by the automatic triggering mechanism of Article 96, paragraph 3 of Protocol I of 1977 which states:

"The authority representing a people engaged against a High Contracting Party in an armed conflict of the types referred to in Article I, Paragraph 4, may undertake to apply the Conventions and this Protocol in relation to that conflict by means of a unilateral declaration addressed by the depositary. Such declaration shall, upon its receipt by the depositary, have in relation to that conflict, the following effects:

- a) the Conventions and this Protocol are brought into force for the said authority as a Party to the conflict with immediate effect;
- b) the said authority assumes the same rights and obligations as those which have been assumed by a High Contracting Party to the Conventions and this Protocol, and
- c) the Conventions and this Protocol are equally binding upon all Parties to the conflict."

There is no impediment in the way of liberation movements becoming a Party to the Conventions and the Protocol since the 1977 Protocol clearly and expressly confers such a right.

The Protocol is subject to ratification or accession by States. However, as many delegates at the Geneva Conferences in 1974 and 1977 pointed out, Article 1 of the 1977 Protocol is a codification of the developing rules of law exemplified by the General Assembly Declaration of 1973 on the legal status of combatants struggling against colonial and alien domination and racist regimes which espouses the extension of the full Convention

protection to them. Article 1, therefore, does not create new law for liberation movements, but merely crystallises in treaty form already existing rules of customary international law, especially those rules embraced by the four Geneva Conventions of 1949.

On this basis, these liberation movements are entitled to the legal status, as regards the application of the *jus in bello*, of a regular army and the inhabitants of these territories to the protection of the accepted rules concerning the conduct of such hostilities. It can therefore be argued that all that the Protocol through Article 96 does is to establish the modalities by which these rights and obligations come into being; it does not create them. If the liberation movement does make the unilateral declaration envisaged in Article 96, paragraph 3, then a heavy responsibility rests on the belligerent state to observe the customary rules, especially in relation to the treatment of prisoners of war, or to accede to the Protocol itself. SWAPO, for example, has already made a public statement that the "Namibian Liberation Army must – and does – comply with the laws and customs of war as set out, in particular, in the Geneva Conventions of 1949 and South Africa's armed forces are also bound by these Conventions." (27)

On 28th November 1980, the African National Congress of South Africa deposited the following Declaration with the International Committee of the Red Cross, which was received on behalf of the Committee by the President:

"It is the conviction of the African National Congress of South Africa that international rules protecting the dignity of human beings must be upheld at all times. Therefore, and for humanitarian reasons, the African National Congress of South Africa hereby declares that, in the conduct of the struggle against apartheid and for self-determination in South Africa, it intends to respect and be guided by the general principles of international humanitarian law applicable in armed conflicts.

"Wherever practically possible, the African National Congress of South Africa will endeavour to respect the rules of the four Geneva Conventions of 12th August 1949 for the victims of armed conflicts and the 1977 additional Protocol I relating to the protection of victims of international armed conflicts."(28)

In a number of trials in South Africa in recent years, defence lawyers have invoked the internationally-protected status of combatants of the ANC, and the General Assembly's demands for either commutation of death sentences imposed by South African courts or for prisoner of war status. In a remarkable vote on 1st October 1982, 136 states called for this status when Mogoerane, Mosololi and Motaung were sentenced to death following the Booyens Police Station and Sasolburg attacks. There were no votes against and only the US abstained.

Western commentators were largely antagonistic to the evolution of Article 1, paragraph 4, of the Protocol and to the criteria used for the identification of prisoners of war, under Article 44, paragraph 3.

However, in spite of the early opposition at Geneva of some Western governments, there is now a grudging respect for the new situation arising out of Protocol I and the evolution of these rules of customary international law. As one writer put it:

"It cannot be denied that the promulgation of these instruments represents an important step forward in the desire of modern nations to alleviate the suffering inflicted upon both combatants and civilians in the conduct of armed conflicts and to reach a balance between military necessity and the most basic values."(29)

If the "most basic values" are to have any immediate relevance to Namibia as it is illegally occupied by South Africa, then there is a special duty on the major Western powers to ensure that the South African regime observes the principles of the legal status of the com-

batants "struggling against colonialism and racist regimes" (solemnly proclaimed by the General Assembly Declaration of 1973) as expressing the law, and elaborated in Protocol I of 1977.

If the South African regime continues to murder prisoners of war, and its allies continue to permit it to do so, then the rest of the international community will draw the appropriate conclusion as to whether the West is seriously concerned at all with the systematic violation of the "most basic values" for the vast majority of the people of Namibia and South Africa, and with the rest of the territories covered by Article 1.

The liberation movements lay great store on this legal dimension. Governments are obliged under Resolution 34/93H(XXXIV) of 1979 to take "appropriate measures to save the lives of all persons threatened with execution in trials staged by the illegitimate racist regime (of South Africa) on charges of high treason and under the obnoxious Terrorism Act."

Conclusion

International law is no longer the monopoly or preserve of a small number of States from Western Europe and the Americas. In the past three decades, under the inspiration of new pressures, it has responded to the needs, desires and aspirations of a larger community of peoples and States, many of whom have recently undergone the humiliation, violence and racism inherent in colonialism. The legal developments must not therefore be seen as part of an emerging regional law of Africa or the 'soft law' of the United Nations.

The rules relating to self-determination reflect an urgency where the maintenance of the *status quo* must yield to the imperatives of change. The Western system, which excluded the vast majority of mankind and which had no creative potential for solving difficult problems, has given way to the UN Charter system, which, through the fundamental law of the organised world community, affirms the right of political and economic self-determination, and repudiates racial discrim-

ination.

The new legal order makes demands upon lawyers to ensure a commitment to national liberation movements. The territorial integrity of colonial territories such as Namibia must be maintained. The bantustanisation of South Africa must be rejected. The demand for the treatment of captured freedom fighters as prisoners of war in terms of the relevant Geneva Conventions, has assumed particular significance in the context of Protocol I of 1977.

Most important, the need to use the legal power of the United Nations in support of mandatory action under Chapter VII of the Charter in those territories where demands for economic, military and nuclear sanctions have been made by the liberation movements, has become urgent. In order to do this, there must be a political will in the West. Lawyers may be able to contribute to such an evolution.

The national liberation movements of Southern Africa, SWAPO of Namibia and the African National Congress of South Africa, concerned as they are with the racist violence of the forces of apartheid, look to international lawyers to focus attention on the tripartite nature of crimes which invite individual responsibility under international law. Lawyers need to investigate the extent to which the **crime of aggression** (against subjects of international law such as Angola, Zambia, Botswana, and peoples protected by international law such as the people of Namibia and South Africa), **crimes against humanity** (through the execution of policies of racial discrimination and political, economic, social and racial oppression of a people), and **war crimes** (through acts contrary to the laws of war, non-recognition of prisoner of war status etc) have been committed by the racist and colonial regime of South Africa.

The agenda for action is clear. But there must be a renewal of commitment to action against the last vestiges of colonialism and racism.

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27. SWAPO statement at Dakar International Conference, *Namibia and Human Rights*, in *International and Comparative Law*, 1978, p. 389.

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BOOK REVIEW

Crippling a Nation: Health in Apartheid South Africa, IDAF, London, 1984, £3.00.

South Africa is the only country in the world in which racial discrimination is part and parcel of legislation and government. Nowhere is this more apparent than in the disproportionate State funds allocated to the different population groups. Health suffers from the same separate and unequal disposition of funds as does the development of housing and education, which are also indicators of the well-being of a nation.

Dr Seedat documents the discrepancies in health between the different population groups by use of official statistics, Hansard, parliamentary reports, national and international newspaper articles, accredited books and speeches. As always, the Institute of Race Relations Yearbook is an invaluable source of information. Her book is also peppered with anecdotes to illustrate some of the emotional and psychological pressures the system subjects the African population to at all levels.

Her main theme is that the pattern of disease associated with opulence for the Whites and poverty for the Africans is a consequence of the pattern of the apartheid sys-

tem *per se*. This is enhanced by the differential distribution of health resources. Thus the high level of unemployment, the low wages and the poor housing are inextricably related to the high rate of malnutrition, infectious disease and infant mortality. These considerations are discussed in the first three sections: The Bantustans, Migrant Labour and Poverty; Malnutrition and Infant Mortality; and Infectious Diseases.

The chapters on Health Services and Health Workers document the unequal distribution of government funds, providing totally inadequate services that compound the appalling health conditions of the majority of the people of South Africa.

Unfortunately, the book is not altogether coherent in parts, and lacks depth in certain areas, particularly the health conditions in the Bantustans (an area in which there is too little published information). We still do not have a comprehensive socio-political analysis of health in apartheid South Africa, but this book provides a useful source of information and is a welcome addition to the literature on the subject.

JAS

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AMANDLA NGAWETHU MATLA KE A RONA

OLD AND YOUNG REMAIN BEHIND

