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#85

6 April 1989
*(being the 10th anniversary
of the martyrdom of ANC
soldier Solomon Mahlangu)*

Namibia



TO:EDITORS AND AFRICA DESKS
FROM:NAMIBIA COMMUNICATIONS CENTRE, LONDON TLX 94878588 NAMI G
FOR IMMEDIATE RELEASE: ISSUED AT PRESS CONFERENCE 10AM TODAY

COUNCIL OF CHURCHES IN NAMIBIA PRESS STATEMENT

Windhoek: April 4, 1989

We, the members of the Executive Committee of the Council of Churches in Namibia, having been called into emergency session on Monday, 3rd April, 1989, in order to review the tragic developments since the beginning of the implementation of UNSCR 435 of 1978, on April 1st, received a report from our General Secretary concerning these developments, which he had compiled for us on his return from the affected areas in the North, to which he had travelled together with Dean Matti Amadhila, CCN Vice President; Mr. Vilho Kamanya, CCN Legal Aid Unit member; Mr. Thomas Nghitukua, CCN Social Services and Displaced Persons Unit; Mr. Dudley Viall, CCN Communications Unit; Mr. Tobias Mbako, CCN Churches Monitoring Press Office; Mr. Chris Shipanga, a reporter from The Namibian newspaper; Mr. John Liebenberg, a freelance photographer and Ms. Heidi von Egidy, a representative of Associated Press.

Dr. Shejavali reported that on their arrival they were received by the Evangelical Lutheran Church in Namibia (ELCIN) and were taken to Oniipa, the ELCIN headquarters, where they were briefed on the incident at OKAHENGE by pastors who had already visited the area. It was decided to visit the site which is 35 kms. north of Ongwediva. Five kilometers from the area the delegation picked up 5 children who explained that they had fled from the bullets and had spent the night hiding in the bush. On arrival at the area where the fighting had taken place the members of the delegation were shocked to see the ground covered in blood. The bodies had already been removed and there was evidence that they had been dragged along the ground. The area was littered with various items of foodstuffs and equipment while the bushes and trees showed damage from military vehicles.

The delegation was able to interview a shocked and wounded civilian eyewitness who explained that he had spoken to a man who told him that he and about 50 others were re-grouping, and had not come there to fight. While they had been talking the sound of approaching Casspirs (armoured troop carriers) was heard and the man had told the witness to run away. The witness is quoted as saying, "All of a sudden people were fleeing, bullets were flying, and the guerillas took cover. The people who shot first were the SADF."

This was confirmed by other eyewitnesses who said that it was the South African Army (sic.) that surrounded the place and started to shoot. A church delegation, who had travelled to the scene earlier, confirmed having seen 33 bodies. They had been prevented by the "soldiers" from closely approaching the bodies

as the "soldiers" had said they were waiting for UNTAG to arrive. These soldiers had also said that the fighting had lasted for two and a half hours.

A local Pastor, who had been at the site since early morning until late afternoon, confirmed that no member of UNTAG had arrived. People were told to leave the area by the "soldiers",

who claimed that there were other guerrillas in the area and who said that they suspected that there were booby-traps in the area. The delegation also visited the house and 14 huts nearby which had been completely destroyed in the fire-fight and spoke to and prayed with the owner and his wife. People in the area expressed concern about these unnecessary killings and were disturbed by the fact that the UN was nowhere to be found when they needed help.

In addition to this report, the Executive received reports of a number of other incidents in which civilians have been maliciously shot at and seriously wounded, apparently because they were supporters of SWAPO.

We, the Executive Committee of the Council of Churches in Namibia, grieve the unnecessary deaths and injury on both sides. We note with distress that on March 22nd, 1989, the UNTAG force commander had been invited by SWAPO to discuss all the necessary steps of troop demobilization and confinement to bases with them. It is regretted that the UNTAG force commander did not respond to the invitation, particularly in the light of the fact that there was confusion on the interpretation of UNSCR 435 (1978) regarding the demobilization and confinement to bases of the warring factions.

With the benefit of hindsight and with reference to our statement of the 16th January, 1989, addressed to the Secretary General of the United Nations, in which we protested the reduction of the UNTAG military component, we note with abject dismay that the Secretary General's Special Representative in Namibia had agreed that the notorious battalion 101 should be re-mobilized to maintain "law and order", and that UNTAG forces could not be deployed to deal with the situation as is intended in the spirit of UNSCR 435 (1978).

These decisions have led to the unfortunate situation where helicopter gunships have been unleashed on civilians and where Namibian soil now bleeds when it should in fact be rejoicing. It is equally disturbing to note that when the OKAHENGE incident was reported to two UNTAG members at Oshakati, they did not respond and continued reading their novels. Also when the Oshivelo-Tsumeb Road shooting incident of the 2nd April, two pastors from Tsumeb approached an UNTAG officer on behalf of frightened travellers to request protection from UNTAG on their journey North. To their dismay they found that the UNTAG officer was intoxicated and of no help at all. Suffice it to add that the UNTAG personnel (including UNHCR) are perceived by many Namibians to have been in the company of the South African Administrator-General and the South African troops more than on their own.

It is further felt that their consultations with the Namibians have not been regarded seriously by them to date. The South Africans are holding the UN hostage with their scare tactics on "IMPARTIALITY" while being far from impartial themselves. To this extent UNTAG seem to have fallen victim to the dichotomy of South African Apartheid, even to the point of their off-duty social behaviour.

In addition, when the Police stopped a bona fide, peaceful march by thousands of workers on the 1st April, the organisers

sought UNTAG mediation, but they were informed that UNTAG could do nothing as they did not have enough troops inside Namibia.

As Church leaders we therefore call upon all parties to respect the letter and spirit of UNSCR 435 (1978) and UNSCR 623 (1989) and to co-operate accordingly so that Namibia's Independence can be achieved without further delay and bloodshed. We also reiterate our concern that UNTAG forces in the military component are not sufficient at 4 650 to control and monitor North, Central and Southern Namibia, and call upon the Security Council to reconsider the figure of 7 500 as basic minimum for the military component to ensure that similar incidents are not repeated.

We call for the captured fighters to be handed over into the care of UNTAG while the bodies of those killed in the incidents should also be handed over to UNTAG for identification and proper burial.

We call for stricter control on the issue of licences and the sale of guns to the civilian population who have already armed themselves to the point where UNTAG needs to monitor them too.

We appeal to the UN for measures to be implemented to allow for the PLAN members to regroup and be confined to bases with sufficient safeguards for their lives.

We finally appeal to International bodies to focus their attention and resources on the Namibian situation so that the hopes of the Namibian people for peace and their Independence will not be crushed.

Signed:

The Right Reverend H. Frederick,
President of the Council of Churches in Namibia &
Chairman of the Executive Committee.

TO: EDITORS AND AFRICA DESKS
FROM: NAMIBIA COMMUNICATIONS CENTRE, LONDON TLX 94078588 NAMI G
Windhoek: April 6, 1989

NAMIBIAN LAWYER ACCUSES SOUTH AFRICA OF SHOOT TO KILL POLICY REPORT INDICATES "LITTLE, IF ANY" UN INVESTIGATIONS

A leading Namibian human rights lawyer has accused the South African army of a shoot-to-kill policy. After visiting the scene of two weekend massacres of SWAPO freedom fighters, David Smuts, director of the Legal Assistance Centre, noted with "grave concern" that South Africa had taken only two prisoners, against 148 people killed. "We are obliged, most regrettably, to infer from the circumstances that there would appear to be a policy of not taking any further prisoners after allegedly capturing the first two guerrillas."

The report also expressed grave concern at the role of the UN monitoring group, UNTAG, which had apparently not approached certain important witnesses to the killings. The delegation also saw "little, if any, evidence of a UN presence in northern Namibia and questions whether UN Police and Military observers are accompanying the security forces in the area and properly monitoring their conduct."

Mr. Smuts has sent a draft report of their investigation to the United Nations special representative in Namibia, Martti Ahtisaari, requesting his "most urgent consideration." Mr. Smuts has been asked by the Centre's clients, who included "various individuals, organisations and mass movements", to meet with Mr. Ahtisaari.

Some 38 "extremely frightened" people from Okahenge, scene of one of the bloodiest encounters, had taken refuge at the Centre's offices in Ongwediva. At Okahenge, where 33 members of SWAPO were killed on Saturday, the delegation heard that the guerrillas told local residents that they were there because the fighting had stopped, and were intending to hand themselves over to UNTAG officials. The two prisoners in South Africa's hands were apparently captured at Okahenge. Last Monday, Mr. Smuts went to the headquarters of the police security branch in Oshakati, to seek access to the prisoners. He was advised by a Colonel Nel that he could not authorise access as the men were being held under a South African security law, "AG 9", which provides for unlimited detention without trial. Only the Administrator-General, Louis Pienaar (South Africa's colonial governor), may authorise access.

Mr. Smuts was however told by Colonel Nel that no more prisoners had been taken as of late Monday afternoon.

At Okahenge the lawyers were told by a local resident that when the guerrillas came on Saturday they had brought their own food. Numerous partially consumed cans of Danish pork loaf were found, suggesting that the guerrillas were eating when they were attacked. Residents said that heavy gunfire was followed by the arrival of a large and a small helicopter. After which, they sought safety under the beds in their homes.

The delegation also visited the Ondeshifilua area where 21 corpses were discovered by a Lutheran pastor on Monday morning. The Centre's report notes that the corpses were gathered together in an open area and were clearly visible to passersby. "It was

indeed a pitiful sight. Decomposition had already set in, which was understandable in view of the heat and humidity and that we saw the bodies approximately ...24 hours after death".

The lawyers also received reports of corpses elsewhere being buried in mass graves. "We have addressed an urgent letter to the military and police calling upon them to observe the provisions of the Inquest Act and to observe basic demands of human decency in dealing with the corpses at the very minimum, and to allow families to identify and bury their dead with dignity."

The report voices its concern that "the obligations of the United Nations in terms of Resolution 435 ... are not being fully complied with." It appeals to Mr. Ahtisaari to monitor and observe security force action as a matter of urgency. "We respectfully consider that compliance with these obligations is imperative to avoid further loss of life". ENDS/

THE TIMES WEDNESDAY APRIL 5 1989

Namibia storm breaks over UN leader

By James Rose in New York, Gavin Bell in Windhoek, Ray Kennedy in Johannesburg and Andrew McEwen in London

The blame for the debacle of Namibia remained to be settled last night, but the lines of contention were already clearly drawn.

Most African nations saw South Africa as the primary culprit, but were also angry with Señor Javier Pérez de Cuéllar, Secretary General of the United Nations. He personally authorized South African troops to leave their bases in Namibia, according to his own secret report to the Security Council.

But South Africa defended strongly its case that it acted in response to the illegal crossing of the Angolan border into Namibia by 1,000 heavily armed men.

It has sent Señor Pérez de Cuéllar a copy of a secret protocol which it says shows clearly that the guerrillas belonged to Swapo, which was in breach of the regional peace accord.

Meanwhile the five permanent members of the UN Security Council, including Britain, were finding it harder to evade their share of the blame. Pretoria's contention that bloodshed could have been avoided if the United Nations Transition Assistance Group (Untag) had been fully in place on April 1 was hard to deny.

And the predictions of disaster made months ago by Mr Sam Nujoma, leader of Swapo, who complained that the five permanent members had almost halved Untag strength to save money, appeared to have borne out.

The criticism of Señor Pérez de Cuéllar yesterday stemmed from his decision to suspend part of the UN independence plan for the territory, allowing

South Africa to mobilize its troops against Swapo.

Diplomats present at the Security Council session on Monday, at which Señor Pérez de Cuéllar gave his report on the fighting between guerrillas and South African forces in Namibia, said that he had made very clear he bore responsibility for the decision.

The decision was taken after Mr R.F. "Pik" Botha, the South African Foreign Minister, warned Señor Pérez de Cuéllar by telephone on Friday that if the UN was unable to prevent Swapo incursions, South Africa would have to redeploy its forces.

The Secretary General was informed that 400 to 500 guerrillas were massed on the Angola-Namibia border, ready to cross.

He authorized the South Africans to leave their bases on the recommendation of Mr Martti Ahtisaari, his Special Representative in Namibia, and of General Dewan Prem

chand of India, head of the UN force.

The Organization of African Unity issued a press release condemning Mr Ahtisaari for the decision.

African nations initially wanted an emergency meeting of the Security Council to criticize the Secretary General, diplomats said. Such a meeting would be unprecedented in the world of UN diplomacy.

South Africa's case appeared to be strongly supported by the secret protocol which it sent to Señor Pérez de Cuéllar, known as the Geneva Protocol.

It was part of the US-mediated regional peace settlement between South Africa, Angola and Cuba that paved the way for Namibian independence, and required all Swapo guerrillas to retreat north of the 16th parallel in southern Angola.

Diplomats said that Swapo had accepted the protocol

explicitly in a letter to the Secretary-General last August. "It is perfectly clear that Swapo has committed a blunder, to say the least," one Western diplomat asserted.

Swapo officials claim variously that its guerrillas were already inside Namibia or had crossed the border in search of UN troops to monitor setting up of bases in their homeland.

The Protocol accompanied a letter from Mr Botha warning Señor Pérez de Cuéllar to take immediate action to stop guerrilla infiltration into Namibia.

While UN diplomats were absorbed with the row over responsibility, it was Mr Botha who continued to hold the initiative on the ground. Yesterday he proposed practical steps to end the conflict.

Both in a radio broadcast yesterday and in a letter to Señor Pérez de Cuéllar - his third since Saturday - he urged the UN to set up posts in northern Namibia where Swapo fighters could surren-

der and from which they could be escorted back across the Angolan border.

A Foreign Affairs official in Cape Town said: "This is not an amnesty offer. The idea is that we will appeal to the Swapo people in Namibia to lay down their arms and report to designated UN posts."

"We will ensure safe passage for them so that Untag can escort them across the border to bases north of the 16th parallel, which is where they should be."

They then would be allowed to return to Namibia without arms through designated entry points on the border as provided in the peace accord.

The offer was being conveyed to Swapo high command through intermediate countries, and South Africa has also asked Botswana and Mozambique to raise the matter with the frontline states.

The United States yesterday offered to ferry a Finnish infantry battalion to Namibia, where the UN monitoring force is far below strength, a US spokesman said.

Finland is one of three countries asked to provide an enlarged infantry battalion, each numbering about 850 men, for the 4,650-member military component of Untag. The others are Kenya and Malaysia.

Visit postponed: A visit Mrs Lynda Chalker, Minister of State at the Foreign Office, was to have made to Angola this month but has been postponed because of the flight. But the Angolan authorities say they want to rearrange it when the situation becomes clearer.

Battles upset poll speculation

Johannesburg - Expectations that President Botha will today announce his retirement plans and a date for a general election have collapsed as a result of the fighting in northern Namibia (Ray Kennedy writes).

Mr Botha is to address a joint sitting of the tricameral white, Coloured (mixed race) and Indian chambers of Parliament in Cape Town today for the first time since he had a stroke on January 18. He is also to address the caucus of the ruling National Party.

Until this week, National party MPs were pressing for an election in September, seeing it as their best chance to capitalize on the setbacks suffered by the ultra right-wing Conservative Party over the reintroduction of petty apartheid in towns it controls.

Now, however, the Conservative Party is

capitalizing on the Namibian crisis and public confusion and bewilderment over the deaths of South African soldiers and policemen. Dr Andries Treurnicht, the Conservative Party leader, wants the resignations of both the Foreign Minister, Mr R.F. "Pik" Botha, and General Magnus Malan, the Defence Minister.

Electioneering for Namibia's pre-independence elections, to be held in November, is to begin in July, which means that if President Botha were today to announce a general election in South Africa in September, the campaigns would be in full swing at the same time - with what would appear to be distinct advantages for the Conservatives.

President Botha is believed to be far too proud and dedicated a man to announce a decision to step down at such a critical time.

10 INTERNATIONAL NEWS

Pretoria appeals for guerrillas to surrender

Swapo rejects SA offer of ceasefire

David Berezford in Windhoek

SOUTH Africa yesterday announced that it was appealing to Swapo guerrillas fighting in the north to surrender — in return for safe conduct out of the territory — with the ultimatum that they have to be gone by midday on Saturday.

Swapo rejected the offer last night, insisting that its guerrillas had to be confined to base in Namibia. The organisation's Defence Secretary, Mr Peter Mueshibange, said in Luanda: "The confinement must take place inside Namibia... that is the answer."

Earlier, Swapo's president, Mr Sam Nujoma, said that he would not withdraw his guerrillas from Namibia. Speaking to reporters in Harare, before South Africa's announcement, he said: "We have been fighting in Namibia for 23 years... it is an insult to our intelligence."

Pretoria's initiative came as details of a UN report on the Namibian crisis became available, further reinforcing the view that the guerrillas had entered Namibia in the belief that they were fulfilling the terms of the peace agreement.

The offer of a ceasefire was made in a statement issued by South Africa's Administrator-General, Mr Louis Pienaar.

The statement tells Swapo guerrillas that they can either lay down their arms and surrender "to the police", or turn northwards towards Angola. "Tracks leading northwards will not be pursued aggressively by the police."

The initiative is likely to be criticised, both on the grounds that it could have been taken earlier, and because the guerrillas are being invited to trust the South African security forces who, they appear to believe, have responsibility for break-

ing the original ceasefire in the territory.

Police said yesterday that the death toll in five days of fighting had reached 200. 179 of them Swapo guerrillas. A spokesman said that police, backed by the army, were continuing to track them over an expanding front.

The US offered yesterday to ferry a Finnish infantry battalion to Namibia. Finland, Kenya and Malaysia have been asked to provide an enlarged infantry battalion for Untag, the UN transitional team.

It was confirmed yesterday — with the wide leakage of the report delivered by the UN Secretary-General, Mr Perez de Cuellar, to the UN on Monday — that Untag believes the weekend incursion by guerrillas "may not have offensive intent, but instead may be aimed at the establishment of Swapo camps inside the territory, which Swapo would then request Untag to monitor".

Mr Perez de Cuellar described to the Security Council how a team of Untag officials which had gone north to investigate the fighting had been allowed to interview two Swapo prisoners.

The two prisoners said they had been told by their regional commanders to enter Namibia. "Each said that he had been instructed not to engage the security forces even if he saw them, because a ceasefire was in effect and there was to be no more fighting," he said.

The Secretary-General said: "Each reiterated several times that they had been told that the war was about to be over and that they were to enter Namibia and help to establish a base which would then be under the United Nations."

He added: "In light of the seriousness of the situation and the disparity between the objective of the captives, as conveyed by them, on the one hand, and

those attributed to them by the security forces who had seen their intention as aggressive and hostile, on the other, the team immediately called on the security forces to exercise the maximum possible restraint."

In his report the Secretary-General also throws fresh light on the build-up to the crisis. He discloses that last Friday — the eve of D-day for the implementation of Resolution 435 — the South African Foreign Minister, Mr Pik Botha, told Untag that his government "believed that approximately 150 armed Swapo personnel had infiltrated into Namibia in the previous 10-12 days".

He described frantic efforts to forestall the crisis, as South Africa informed Untag that further crossings were taking place, until a force of over 1,000 was in the territory. Under pressure from South Africa he eventually capitulated on Saturday to Pretoria's demands that South African troops confined to base under the peace agreement be released to deal with the guerrillas.

Andrew Meldrum adds from Harare: A delegation of European and African parliamentarians, including the British Labour MP, Mr Paul Botang, is flying from Harare to the UN headquarters to press for the immediate end of "South Africa's violation of the ceasefire agreement".

Mr Nujoma and the parliamentary conference questioned the impartiality of the UN special representative in Namibia, Mr Martti Ahtisaari, who, they charged, has been working too closely with South Africa's Administrator-General in Namibia.

Mr Nujoma and President Robert Mugabe of Zimbabwe are due to fly to Luanda, Angola, for a meeting of the leaders of Southern Africa's six anti-apartheid Frontline states.

Purported breach is basis for bloodshed in Namibia

Swapo agreement 'does not exist'

David Berezford in Windhoek

THE agreement by the liberation organisation, Swapo, to remain north of the 16th Parallel in Angola, the purported breach of which has led to the crisis in Namibia, does not appear to exist.

Claims that Swapo is in breach of an agreement are the basis of South African demands, supported by Mrs Thatcher, that the UN Security Council take action against Swapo for its border incursions at the weekend. More than 170 Swapo guerrillas have died in the clashes.

The so-called breach is also the basis on which the UN has unleashed elements of the South African Defence Force to help slaughter guerrillas in northern Namibia.

Swapo's alleged agreement is supposed to be founded in an accord mediated by the US and signed by Cuba, Angola and South Africa in Geneva last August 5. Swapo is said to have been tied in by a letter signed by its leader, Mr Sam Nujoma, seven days later.

The reference to the 16th Parallel is in clause 5, which says: "Angola and Cuba shall use their good offices so that, once the total withdrawal of South African troops from Angola is completed, and within the context also of the cessation of hostilities in Namibia, Swapo's forces will be deployed north of the 16th Parallel."

Mr Nujoma's three-page letter of August 12, addressed to the UN Secretary-General, Mr Javier Perez de Cuellar, contains no reference to the 16th Parallel.

The paragraphs on which South Africa is apparently relying in claiming there was an undertaking by Swapo to stay

north of the 16 Parallel reads: "I wish to inform Your Excellency that Swapo has by its own sovereign and unilateral decision, as a national liberation movement, in accordance with the spirit of the Geneva agreement reached by the parties participating in the quadripartite talks, committed itself to take the necessary steps to help make the peace process in the South-West African Region irreversible and successful."

"In this context Swapo has agreed to comply with the commencement of the cessation of all hostile acts which started as of August 10, 1988, in Angola. By the same token Swapo will be ready to continue to abide by this agreement until the formal ceasefire, under resolution 435, is signed between Swapo and South Africa, thereby triggering the implementation process."

The first paragraph amounts only to a commitment to make the peace process work. The second paragraph is a commitment to comply with a proposed ceasefire. Neither commits Swapo to a withdrawal behind the 16th Parallel.

The Secretary-General himself offered an ambiguous interpretation of the letter to the UN. In paragraph 10 of UN document S/20412 dated January 23, 1989, a "further report" on the "question of Namibia", Mr Perez de Cuellar said: "On August 12, 1988, the president of Swapo informed me (S/20129) that Swapo had agreed to comply with the commencement of the cessation of all hostile acts, in accordance with the Geneva agreement."

He also stated that Swapo would be ready to continue to abide by that agreement until the formal ceasefire under Resolution 435 (1978)."

Mr Perez de Cuellar's reference, in the second sentence, to "that agreement" could be said

to refer to the Geneva protocol. But it could also relate simply to the ceasefire arrangements.

The latter interpretation seems more likely, because the UN does not recognise the Geneva agreement. As reported yesterday, the UN position was stated by Mr Cedric Thornberry, a spokesman for the UN Special Representative in Namibia, at a news conference in Windhoek on Tuesday.

Mr Thornberry said: "We have been informed by the parties to these accords that a Geneva agreement of August last year provided for the return to bases north of the 16th Parallel of various troops and my understanding is, from the information which has been given by the parties to those agreements, that those troops were intended to include also Swapo. But I ought to say that we have no official knowledge. I am sorry to be diplomatic about this, but it really is the case. We have no official knowledge of that treaty and so far as I know it has never been published."

The implications of an absence of any agreement by Swapo to withdraw behind the 16th Parallel are huge. It would mean that responsibility for the present bloodshed would be attributable to the side which first broke the ceasefire agreed to by South Africa and Swapo.

The responsibility for that action is still the subject of dispute. The UN Secretary-General indicated to the Security Council this week that the Swapo guerrillas may have entered Namibia without hostile intent. There is also considerable evidence to suggest that Pretoria's forces first opened fire and Swapo guerrillas were caught unprepared, having entered the territory thinking they would be protected by the ceasefire.

Affidavits allege Swapo harassed by security forces

SA 'manipulating' Namibian poll

David Beresford
in Johannesburg

EVIDENCE has emerged from a court action in Windhoek that the authorities in Namibia have failed to disband the notorious Koevoet counter-insurgency unit and that the South African-controlled security forces are attempting to manipulate the territory's independence elections.

The evidence is in the form of affidavits sworn by, among others, members of Koevoet who have recently resigned. They were lodged with the Windhoek Supreme Court in support of an urgent application for an order restraining the authorities from harassing Swapo supporters.

The territory's security chiefs yesterday backed down in the face of the interdict, agreeing to an out-of-court settlement by which instructions are to be sent to troops and police warning them not to interfere with the election campaign. There is also affidavit evidence of an alleged attempt by police to blow up a car belonging to the acting vice president of Swapo, Chief Hendrik Witbooi.

The affidavits include two from members of Koevoet who said they had resigned from the force last month. Both men were among about 25 former

Swapo guerrillas who had been captured by the Namibia forces and "turned" — persuaded to fight against Swapo.

Koevoet ("Crowbar") is a counter-insurgency unit which has played a key role in the Namibian bush war. The unit was attached to the South West African Police (Swapol). South Africa announced recently that it was being disbanded and its members re-deployed in the regular police force as a gesture of good faith towards the Namibian peace plan.

But the affidavits by the two ex-Koevoet men claim that their "disbandment" amounted to no more, in practical terms, than their being instructed to remove the Koevoet badges that they wore on their uniforms.

One of the men, Mr Paulus Davids, described how the "disbandment" was announced to them by their commanding officer, a Captain Engelbrecht, at their base outside Rundu, in the north of the territory. He said the captain told them they were "now members of Swapo".

"He warned us that, simply because we were no longer Koevoet that did not mean that we were not still going to make war."

The second ex-Koevoet man, Mr Petrus Joseph, said that his group had received instructions by radio, while on patrol in Ovamboland, to discard their Koevoet badges. He said they continued to operate as a unit,

to wear the Koevoet uniforms and they kept the same commanding officers.

Both men testified that they had been ordered to take part in anti-Swapo propaganda exercises in the northern territories. They also described recent Koevoet harassment of Swapo supporters.

Several other affidavits tell of alleged attacks on Swapo meetings and assaults and harassment of suspected Swapo supporters by security forces recently. There are also allegations that the army is funding and running bogus cultural organisations in the north in an attempt to undermine Swapo.

The attempted attack on the Swapo vice president is described in an affidavit by a Mr Lukas Rooi, who claimed to be a police informer. Mr Rooi said that in January last year he had been put through an army training course in the use of explosives.

He claimed that last month he had been approached by two policemen and asked to plant a bomb under Chief Witbooi's car. He had agreed, but had subsequently been caught scouting out the chief's house and had confessed.

Jonathan Steele adds from Moscow: The Soviet Union has confirmed that it wants to send observers to monitor the elections in Namibia and is maintaining its financial support for Swapo.

I, the undersigned,

LUKAS ROOI

In 1984 I met a certain policeman, a member of SHAPOL, who was known to me by the name of Danie de Haal and resided at Mariental. I believe that he held the rank of Sergeant at the time. I worked under him as a police informer during 1984. I also worked in his garden from time to time and know his wife and children. My task was to provide the police with information on criminal activity in the location, such as theft and burglaries, as well as the names of persons who drove motor vehicles without a licence. For this information I usually received cash and sometimes clothes.

During our training, we fetched old motor car bodies at the rubbish dump, which we blew up with explosives at the shooting range. We were instructed how to put hand grenades under these vehicles and to run for cover. The instructors informed us that this was the way we should blow up Swapo trucks and cars. The course lasted for approximately two weeks. De Haal was also present at this course. As far as I am aware, most of the students who attended the course, are now serving in SHATF. I, however, was not permitted to join SHATF and was advised that I should first attend school.

De Haal told me to get into the cab of the bakkie, and instructed me to accompany them to the house of Pastor Hendrik Witbooi. We drove to Witbooi's house, and De Haal told me to go and see whether Witbooi's grey Audi motor car was in the yard. He said that should I see the car in the yard, I should come back to the bakkie, and they would then give me a "bomb" to place under the Audi. They promised me a "big something" should I complete the mission successfully. I am unemployed at present, and desperately needed the money, so I agreed to do what they requested me to do. De Haal then dropped me off near Pastor Witbooi's house.

I walked past a few houses, including the Swapo office, and approached the house from the left hand side. I noticed that there were two cars in the yard, one a sedan and the other a bakkie. I shone my torch in the direction of the cars to make sure whether or not the grey Audi was parked there. A few moments later I heard footsteps approaching and slipped out of the gate. I hid behind rubbish bin in front of the fence, but was approached by two young men who asked me what I was doing on their premises. I hid my face and pretended to be drunk.

I now realise that what I did was very wrong. I am willing to work with the Witbooi family to expose the policeman, De Haal, who tried to use me in an attempt to kill or injure members of the Witbooi family at their home.

LUKAS ROOI

LUKAS ROOI



Last Sunday hundreds of enthusiastic cheering Swapo supporters marched to the airport to greet the UNTAG commander, General Dewan Prem Chand, and other highranking UNTAG officials. Picture John Liebenberg.

Teachers' union launch

THE formation of a national teachers union, which had been in the pipeline since last year, has now matured and the launching of the union, according to Mr Rusten Mogane would take place on March 11 in Windhoek.

The need for a national union for teachers had been an idea long sought after, but had not materialised, he said.

During the school crisis last year it became clear that the formation of such a body was a necessity, Mr Mogane said.

"The teachers could not take a clear stand and most of the existing teachers organisations were unable to live up

to the challenges of the day. Hence teachers began to discuss the idea of a new national teachers union towards the end of last year."

According to Mr Mogane a Coordinating Committee was appointed after a consultation of teachers in Tsumeb. The committee was charged with organising teachers into small regional committees in preparation for the formation of a national union, he said.

He said that one of the aims of the union was to unite all teachers of Namibia in a one non-racial organisation that would seek to channel the democratic demands of teachers in the line with the community they live in.

"The union will aim to raise the

critical consciousness among teachers so as to prepare them to play a more meaningful role in the society," Mr Mogane said.

The union, he said, would also strive for relevant, non-racial and democratic education.

To achieve its objectives the union would conduct political education amongst teachers to make them aware about his environment.

Mr Mogane appealed to all teachers to be part of the formation of the union.

Trade unions speak out against privatisation

NAMIBIA's major trade unions have spoken out strongly against the current trend of privatisation.

The unions condemnation of the practice was contained in a press statement released yesterday by the NUNW, NAPWU, NAFU, MUN, NATAU and MANWU. It said: "As the implementation of Un Resolution 435 is getting nearer, and ever-waited independence is becoming a reality, we see signs of public essential services being privatised."

"Privatisation is a threat because the cost of essential services will be regulated by the profit-motives of private companies, and then such services will be out of reach of the impoverished majority," said the statement.

Who could, for example, afford to pay private medical services, private transport, and private postal and telecommunication services?

"Unions have received cases from workers which indicate the effects of the privatisation process. Workers have already been dismissed and others are threatened with losing pension benefits, and are forced to accept degraded conditions of employment."

"Privatisation should be understood as being part of a well-orchestrated process of economic and political destabilisation," the unions said.

"It is preparing the ground for dissatisfaction, and is already attempting to undermine the political power of the future Namibian state."

"If privatisers are successful in this diabolical scheme, it will mean that the essential social services will be in the hands of profit-mongers, instead of the elected people's government," it said.

"As can be expected, the new owners will be South African-based companies which will then prepare the way for a neo-colonial system.

These moves are contrary to the interests of workers and the Namibian people at large."

"Therefore, the organised workers under the NUNW vehemently reject all

attempts at privatisation, said the statement.

"Since the threat of privatisation affects everyone, NUNW is organising an informative seminar on March 13 and 14."

At this seminar a plan of action will be discussed. Details of times and venues will be announced soon.

2 Friday March 3 1989

THE NAMIBIAN

PRESS STATEMENT

NANSO, MUNW, MUN, NAFU, NAPWU, NATAU, MANWU and SWAPO YOUTH LEAGUE

We are shocked and outraged about the events that have been taking place in the North eastern region of Namibia (Kavango) for the past months. On the 11th February, a number of armed soldiers armed with pangas, sticks, iron bars and other objects violently disrupted a student meeting at Rundu Senior Secondary School where some students have been injured. On the same day, another group of Koevoet violently attacked students and teachers at Leevi Hakusembe Secondary School in the Rundu area. On the 25th February, army and koevoet members intimidated the participants at the SWAPO conference in Rundu and threatened to open fire onto the people and run over them with their buffels. Such violent intimidatory actions against the students continued, and on the 4th March, a member of the army entered the hostels of the Rundu Junior Secondary School and opened fire against innocent students in which eight (8) students were injured.

We totally condemn this naked criminal act in the possible strongest terms and believe that this constitutes a gross violation by the racist South African army of the spirit of the agreements signed by the very same government. Such violent brutality of the colonial racist troops makes a mockery of Pretoria's claim of being serious with a peaceful transition to Namibia's independence. For the past months, racist troops of South Africa have been responsible for intimidating and shooting of innocent people at random, as evidenced by the happenings in the whole Northern areas of Namibia.

This latest violent action on the part of the South African army contradicts the statement of lieutenant General Prem Chand made on TV news on Monday night which claimed that the situation in northern Namibia is normal. Such public pronouncements of General Chand in view of the shootings at Rundu Junior Secondary School, make us to question the so-called impartiality of the Administrator General and the Army General of SWATF in informing the UNTAG properly about the situation in the north. We are doubting whether the UN personnel are not being given and fed with wrong information by the agents of colonialism in Namibia as far as the security situation is concerned.

We fear that such statements on the part of UNTAG officials claiming the normality of the situation might help to mislead and misguide the international community during the transition period in favour of racist South Africa.

We wish to register our deepest solidarity with the injured students and their families and reiterate our call for the immediate speedy withdrawal of racist South African troops from those areas, in terms of UN Resolution 435, as well as the total disarming and dissolution of SWATF, Koevoet and all other colonial institutions of repression and intimidation.

We are alarmed by the fact that racist South Africa has declared a campaign of terror and intimidation aimed at silencing our people, and in particular the students at their various schools. We are convinced that the South African government has either lost control over its armed forces or it does not have respect for the agreements signed by its own cabinet ministers.

We reiterate our call for constant vigilance from the people of Namibia and call upon them to continue with their work of mobilising, informing and organising our people to march in unison towards our long and delayed process of national independence and freedom.

We wish to appeal to the International community, various governments and in particular the United Nations, that such violent actions from the racist forces of South Africa pose a serious threat to the lives and security of the people of Namibia, and to the spirit of Resolution 435. Hence, we urge them to take note of the situation and to constantly and closely monitor the situation in our country. It is the responsibility of the International community to force South Africa to abide by the agreements reached, if a peaceful transition to our independence is to be secured.

Signed by :

NANSO	<i>R Kalenge</i>	Namibia National Students' Organisation
NLNU	<i>Abel - P.P.</i>	National Union of Namibian Workers
MUN	<i>P.P. Sully</i>	Mineworkers Union of Namibia
NAFAU	<i>Abel - P.P.</i>	Namibia Food and Allied Union
NAPWU	<i>Abel - P.P.</i>	Namibia Public Workers Union
NATAU	<i>P.P. H.P.</i>	Namibia Transport and Allied Workers Union
SWAPO YOUTH LEAGUE	<i>Abel - P.P.</i>	
MANWU	<i>Abel - P.P.</i>	Metal and Allied Namibian Workers Union

Waiting for the hangman

About 270 people — mostly blacks — are on death row, writes David Beresford

THERE is a curious belief which is widely held in South Africa's black community that death row does not exist. Instead, condemned people are sent to work for the rest of their lives as slaves in the Mint, never to be seen again.

The explanation usually ends with the defensive demand: "Well, have you ever met anyone that makes money?" That might make one suspect the story is told as a sick joke, except for evidence that the belief is held even by some who have themselves gone to the foot of the gallows.

A condemned prisoner who was reprieved recently has described how he believed the story until he was on death row and was given the job of washing the hoods worn by those who had taken the final drop. The bloody mess made of the garments left him in little doubt as to the fate he faced.

It is possible that the story has gained currency through the anxiety of relatives to avoid facing the full horror of death row. But the horror is there, at Pretoria's Central Prison; the "death factory", as one civil rights lawyer here has characterised it. "A factory which produces corpses. You know, you go in live and come out dead."

The horrors of Pretoria's death factory are beginning to confront the public here and abroad as a concerted campaign gets under way for the abolition of capital punishment in South Africa.

Apart from Sharpeville Six, little is known about prisoners on death row

Abolition movements are nothing new in this country. The last one, in the early 1970s, appears to have had a considerable impact on the authorities. The execution rate was halved between 1970 (81 hanged) to 1973 (42). The movement collapsed after 1974 and since then the figures have been rocketing to a record 164 executions in 1987.

The impetus for the new abolition movement is founded in political developments: the grim judicial harvest of the 1984-85 township rebellion, and the publicity attendant on such cases as the now reprieved Sharpeville Six.

This stream of people leaving the courts for the death factory show no signs of abating.

There are about 270 people on death row. With the exception of cases like that of the Sharpeville Six, little is known about them. But a report published today by the women's anti-apartheid group, the Black Sash, gives an unprecedented

insight into the nightmarish lives of people in Pretoria Central and the circumstances which led them there.

Based on the court records of 40 people awaiting execution last year, as well as interviews with lawyers and relatives, the report provides a profile of a death row prisoner. A disproportionate majority were black (92 per cent) from poor homes; 54 per cent belonged to political or community organisations — mostly affiliated to the United Democratic Front (UDF) — and 47 per cent were convicted of what many would regard as political crimes, including mob murders and guerrilla attacks.

It is, however, in its account of the judicial process that the Black Sash report is most damning.

Twenty-one per cent of the trials fought by legal aid lawyers last just one day

All of South Africa's judges are white. In capital cases, however, a judge is required to sit with two assessors who can be recruited from the black community. Yet Black Sash was unable to find a single case in its sample where a black assessor had been used.

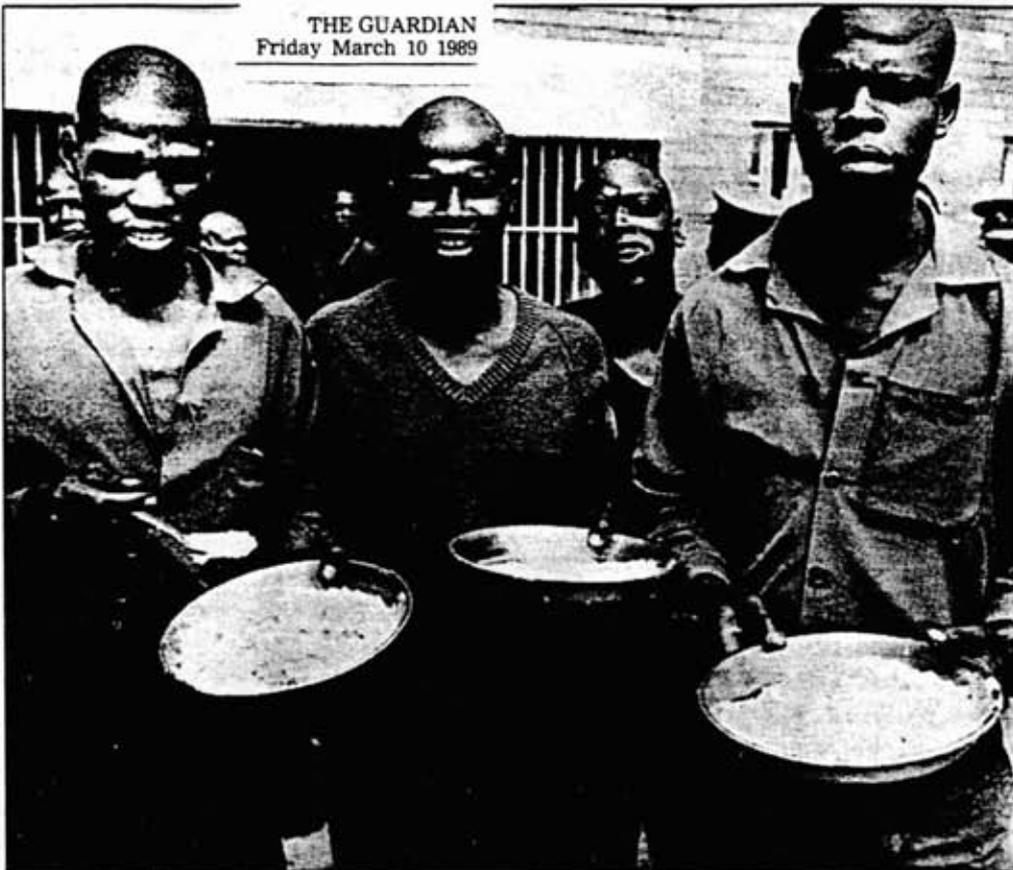
This reliance on white judicial officers raises not only the possibility of racial bias, but language difficulties. In 85 per cent of the cases, an interpreter had to be used by the court. In 1987, a man was sentenced to death for a mob murder as a result of the literal translation of the word "we" — in the statement that "we" set the victim alight. It subsequently transpired, and the Appeal Court accepted, that the phrase used in Xhosa did not imply association with the mob.

But perhaps the most appalling aspect of legal process in capital cases relates to inadequate representation by counsel.

In South Africa, an accused in a capital case is entitled to a lawyer paid for by the state. But the government provides only £25 a day while the country's leading counsel command several hundred pounds. Inevitably, the briefs are picked up by the inexperienced, or incompetent.

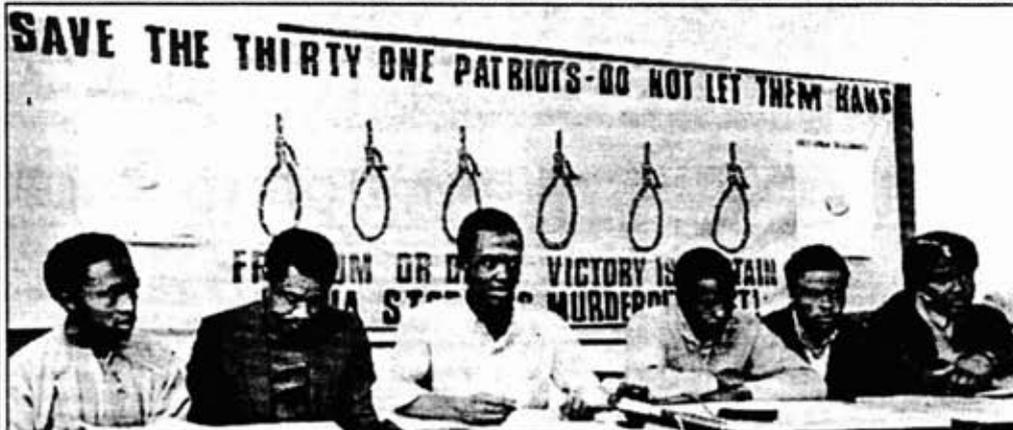
Fortuitously, perhaps — scandalously as well, for the local legal system — the high number of political cases means that many are defended by legal teams funded by local and overseas church groups (47 per cent of the death row sample). But 32 per cent had to rely on legal aid. And it is perhaps a reflection of the quality of those defences that 90 per cent of funded political trials lasted more than a month, while 21 per cent of the legal aid cases last one day, and 57 per cent less than four days.

The type of defence team has an important bearing on the crucial question of mitigation. The South African Government, in an attempt to impress the white electorate as to how



THE GUARDIAN
Friday March 10 1989

On the inside . . . Mealtime in a South African prison: 92 per cent of prisoners on death row are black (above); Student and trade union organisations call on the government to grant a reprieve to condemned anti-apartheid activists (below)



though it was on criminals, has introduced a mandatory death sentence by which the judge is forced to send a convicted murderer to the gallows unless the defence can prove extenuating circumstances.

The consequences are inevitable in cases like that of the three ANC guerrillas who are refusing to recognise the court, or the case of another condemned man, Michael Matli.

Matli, aged 31, was sentenced to death for a stabbing. The trial judge gave him "precisely five minutes" to decide whether to use his legal aid counsel. Matli failed to do so and, conducting his own defence, also failed to call any witnesses, or to plead extenuation and was therefore dispatched to the hangman.

Argument in extenuation frequently needs to be based on expert evidence from psychiatrists, sociologists, and the like — the cost of which falls outside the budget of a legal aid defence. In the Black Sash sample, no expert witnesses were called in legal aid cases.

Some valiant attempts are made by concerned groups to

plug this gap and their success again provides an implicit indictment of the legal system.

The prison reform group, Nicro, for example, has provided criminologists to assist in legal aid defences. In 12 murder cases in which two such criminologists have been involved, there were no death sentences. Most of the accused were white, however, and the criminologists candidly confess that "language and cultural" differences make it difficult for them to act effectively for blacks.

Another private group, Lawyers for Human Rights, has done extraordinary work saving the lives of prisoners with last-minute stays of execution. The Department of Justice, in an apparent attempt to minimise publicity in advance of executions, has refused to announce the names of prisoners about to be hanged.

The LHR has set up its own network of informers to secure the information and establish whether all avenues of appeal have been exhausted.

In the last quarter of 1988, the organisation successfully went to court to win stays of execu-

tion for 10 of 55 people scheduled to be hanged. They have also won stays by direct appeals to government, including the case of Paul Setlaba who was saved with four hours to go after a telephone call to the Minister of Justice. Setlaba — convicted for a mob murder on the evidence of a single, teenage witness — had his death sentence commuted last week.

Progress towards the gallows has the deliberation of a factory conveyor belt

The horrors of death row and what must seem a never-ending nightmare for the condemned prisoners and their families must be measured against this background.

Sixty-six per cent of the Black Sash sample were in their second, or third years on death row, where their progress

towards the gallows has all the deliberation of a factory conveyor belt.

Fed with tranquillisers and sleeping pills — lights are kept on 24 hours a day — they move from isolation cell to communal cell. And then they get their "date", usually seven days before they hang, and they take their penultimate walk to a group of isolation cells known as "the pot".

In the pot, they are given the "privilege" of singing and frequently do, day and night. On the eve of their deaths they are given about £1 for a farewell binge at the prison tuckshop, and a whole chicken as their last meal. The days when whites received a whole chicken and blacks half have apparently ended.

And then it is into the death chamber, for fingerprints to establish it is the right person, the hood, the rope, the trapdoor, and what the heart surgeon, Dr Chris Barnard, in an examination of the medical aspects of hanging, once described as a "slow, dirty, horrible, brutal, uncivilised and unspeakably barbaric" death.



Relatives of the 25 Uppington trialists listen to Joyce Mokhesi, sister of one of the 'Sharpeville Six', at a meeting to discuss their problems

Photo: ERIC MILLER, Amapa

A BACKGROUND of disadvantage, discrimination and lack of rights set the scene for the 1985 murder of municipal policeman Lucas "Jetta" Seshwala, an Uppington court heard this week.

Social anthropologist Professor Martin West was giving evidence in mitigation of sentence in the trial of the Uppington 25, convicted — on the principle of common purpose — of the murder. A 26th defendant was found guilty of attempted murder.

West, of the University of Cape Town, referred to a December 1987 socio-economic survey commissioned by the town council of Uppington's black township, Paballelo, the home of all 26 defendants.

Paballelo's town clerk first had to be subpoenaed by the defence team to produce the report for West's scrutiny.

West said the report showed the township had some of the classic features of poverty: overcrowding, unemployment and low wages.

Based on an "acceptable" 45 percent sample of Paballelo's estimated 10 000-strong population, the report revealed that:

- Some 965 extra families were living on a total of 1 421 residential sites. The figure of 1,68 families for each site represented "serious overcrowding".

- There was an "extraordinarily high" unemployment rate of 30,9 percent in December 1987. The average figure among black people in South African towns in August 1987 was 13,9 percent and the national average overall was 18,2 percent.

- At least 92,4 percent of Paballelo breadwinners were earning less than the Minimum Living Level of R557 a month, calculated for a family of seven in Kimberley in an August 1987 Unisa Bureau for Market Research report.

- Fully 57,5 percent of Paballelo

The impoverished backdrop to the Uppington murder

The Uppington 25 came from a township which suffered from massive overcrowding, high unemployment and low wages. These contributed to explaining the tensions in the township at the time of the murder in 1985, the court heard. By GAYE DAVIS

breadwinners were earning less than R250 a month and 36,9 percent less than R150 a month. Even lower incomes were earned by other family members, with 66,1 percent earning less than R250 a month and 46,8 percent less than R150.

West said the court's judgment said relatively little about Paballelo's socio-economic conditions — but they were relevant to understanding the context in which the events of 1985 took place.

West said the judge accepted residents had complaints about rents, schooling, poor facilities and official harassment, but found few of the accused were directly affected, as most lived with their parents and did not themselves contribute to rents.

Whether the complaints were objectively "real" was not the issue, West said. "If the inhabitants perceive there to be complaints, then there are complaints, irrespective of the assessment of outsiders."

It was improbable that the grievances were contrived: Paballelo facilities

were improved after the trial began in 1986.

Rents were a major item of expenditure, and failure to pay rent led to evictions. Young people were "patently affected".

A number of the accused, despite their youth, had parental responsibilities; others were contributing to family resources and some were "critical to the financial support of their parents".

They would have "very reason" to be directly and personally affected by rent increases.

The judgment also mentioned problems in schools over the quality of education. The judge felt it unnecessary to make any assessment of this, but it was unlikely that the serious inequalities in black education would be unknown in Paballelo, West said.

Paballelo residents were also at the bottom of an imposed racial hierarchy — the most disadvantaged in terms of facilities, employment and opportunities for advancement — and had no direct political representation.

"They are third-class citizens in Uppington, which is a conservative area in terms of white politics, and have been subject to all the controls and restrictions on black people generally."

"It is this context of disadvantage, discrimination and absence of rights which sets the scene for the events of November 1985," West said.

Paballelo was a relatively quiet, conservative area. People had made

the best of their situation and homes. Crime was fairly low by township standards and there was less "unrest" than in other areas in 1976 and 1985.

"But this in no way detracts from the underlying frustrations and sense of deprivation," West said.

He endorsed psychological evidence that the differing social backgrounds of the accused were at complete variance with the crime for which they had been convicted.

The accused include the elderly parents of 10 children, three sets of brothers, three women, people who can neither read nor write and others with tertiary education, regular churchgoers and others with no religious convictions, scholars and workers, unemployed people, people from stable families and broken homes.

West had no doubt that the confrontation with police on the day of the murder, when a meeting about high rents was dispersed with teargas, could have led to "cohesion among those present".

"The particular situation, in the context of the frustration and disadvantage referred to, could lead to common action by a disparate group of people in the psychological climate created."

The accused are: Kenneth Khumalo, 32; Tros Gubula, 30; David Lekhanyane, 24; Andrew Lekhanyane, 28; Myner Gudlani Bovu, 28; Zuko Zabandini, 32; Elisha Matshoba, 23; Justice Bekebeke, 27; Barry Bekebeke, 22; Ronnie Masiza, 22; Wellington Masiza, 26; Booi Jafta, 23; Elizabeth Bostaander, 22; Gideon Madlongoiwane, 60; Evelina de Bruin, 63; Albert Tywilli, 26; Neville Witbooi, 20; Roy Swartbooi, 22; Jeffrey Sekiya, 24; Sarel Jacobs, 22; Ivan Kazi, 21; Koliswa Duba, 20; Abel Kuru, 22; Zonga Mokgatle, 30 and Xolile Yona, 24.

The trial continues.

Murder under social pressure

A SOUTH AFRICAN judge made history last week by accepting basic principles of social psychology as extenuating circumstances in a murder trial.

Eight black defendants had courageously pleaded guilty to murder in the full knowledge that they faced mandatory death sentences unless the case for extenuation was accepted. American psychologist Scott Fraser and I testified as expert witnesses that the defendants were subject to a number of powerful social pressures which largely explained why they behaved as they did.

The court accepted that the pressures we described had influenced the behaviour of all eight defendants but decided to reduce the sentences of only four of them. The other four are due to be sentenced to death today, but their lawyers will apply for leave to appeal.

The murders were committed on 28 April 1987 during a strike of railway workers and other employees of South African Transport Services (Sats), organised by the South African Railways and Harbours Workers' Union (Sarhwu). Andrew Nedzamba, a black van driver, had been sacked for being dilatory in handing in £10, which he had collected during a delivery. Members of Sarhwu came out in sympathy, demanding, among other things, the unconditional reinstatement of Nedzamba, improvements in the Sats grievance procedures and elimination of employment practices involving privileges reserved for white employees.

As the strike gained momentum, the management refused to negotiate with representatives of Sarhwu. They decided instead to lock the strikers out of Sats premises. Many strikers, migrant contract workers from the rural "homelands" living in Sats hostels where conditions were starkly reminiscent of concentration camps, found themselves without roofs over their heads.

Several thousand workers decamped to Cosatu House in the centre of Johannesburg, a building occupied by the Congress of South African Trade Unions. One of the men now convicted of murder with extenuating circumstances, Bongani Sibisi, acted as chairman in the main hall. On 22 April

Andrew Coleman tells how his evidence saved four black South Africans from death

1987 police shot dead three strikers at Cosatu's Germiston office. When news of these killings reached Cosatu House in Johannesburg, a group of strikers decided to go to Germiston to see what had happened.

They were approaching the local Doornfontein station when police opened fire, killing three of them. The police then stormed

with a long bread knife and dropping a concrete block on their heads. One man now facing the death penalty doused the bodies with petrol and set them alight.

Only four of the eight defendants in the trial participated directly in the killings. Sibisi, the chairman in Cosatu House, was not even present at the scene of the crime. But all eight associated

we believe were present in the period leading up to the killings. The dense crowding in Cosatu House and the singing and dancing that took place are likely to have caused the people there to become "de-individualized" — less aware than normal of their individual identity and accountability. De-individualization makes people especially vulnerable to external, situational pressures which, in any event, are far more powerful than they appear.

We presented evidence of conformity and obedience pressures operating in Cosatu House and at the scene of the crime. We discussed the relative deprivation that the defendants seem to have experienced when they compared their wages, working conditions and general quality of life with their white co-workers. We cited evidence of extreme frustration among some of the defendants and pointed out that frustration, together with relative deprivation, has been shown to generate anger and aggression.

Finally, we suggested that Sibisi showed the classic symptoms of learnt helplessness — a passive, withdrawn condition resulting from exposure to repeated, inescapable stress.

We concluded that the combination of situational forces was "so powerful, given the most unusual confluence of circumstances in Cosatu House, that it would have taken unusual personal qualities to have resisted them".

I remained convinced most ordinary people would have behaved similarly in the circumstances that prevailed, and I said so. The court's decision that these factors amounted to extenuating circumstances for four defendants has far-reaching implications for trials in South Africa and elsewhere.

Far more executions take place in South Africa than in any other country in the world, including Iran. In 1987, for example, 164 South Africans were hanged, and the cumulative total over the last five years is more than 700; It took Britain, with a population more than twice that of South Africa's, half a century to hang as that many people before the death penalty was abolished in 1969.

□ Andrew Coleman is a reader in psychology at Leicester University.



South African railmen: a strike's inflamed emotions led to a lynch mob

Cosatu House, claiming there were "trained terrorists" in the building, and many more strikers were injured.

A few days later the strikers learnt that they had all been fired by Sats. The group in Cosatu House, by now a frustrated and angry mob, unanimously decided to kill five workers who had refused to join the strike and had been kidnapped from their workplaces and brought there. Many people helped bundle the non-strikers into a pickup truck and drive them to a nearby wooded area. On the way, a striker who has been found guilty of murder with extenuating circumstances engineered the escape of one intended victim. The lynching party killed the others by stabbing them

themselves with the unanimous decision of the vast mob in Cosatu House to kill the non-strikers. They were therefore found guilty by virtue of "common purpose".

What accounts for the involvement of eight ordinary, law-abiding, non-violent men without criminal records in this brutal murder? I pointed out in my evidence that "the fact that these men behaved in a manner that seems to have been quite out of character is itself a remarkable fact, and one that leads me to the strong presumption that unusual and powerful factors must lie behind their uncharacteristic behaviour".

Scott Fraser and I drew attention to several situational factors, all firmly established by basic research in social psychology, which



Jan van der Berg, who bars blacks from his Windhoek restaurant, extends his hand to UN personnel overseeing Namibia's transition to independence.



Police armed with sjamboks standing in portions of the hotel and other corridors well away from the eyes of the UN team.



The message on the placard speaks for itself: General Chand couldn't have missed seeing the large crowd of Namibians who went out to welcome him despite being whisked away in an army convoy into Windhoek.

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