

NAMIBIA

Developments in Namibia in the course of 1974 and 1975 centred mainly around an air of expectancy within the black community that a major development in the move towards liberation of the country would occur. This expectation was coupled with fearlike repressive measures by the South African Government and hastened development of a Bantustan policy in this area.

Arrests and Detentions in Namibia

Mass arrests and detentions of SWAPO and SWAPO Youth leadership were launched by the South African Police in Namibia at the beginning of 1974. This was a continuation of the trend which started towards the end of 1973. Out of 156 people arrested at a police road block on their way to a meeting in Rehoboth on the 13th of January 1974, 127 people were charged with either failing to produce travelling documents, failing to produce identification papers or being unlawfully in Katutura township. The trial was held on 21st and 22nd of January before a Bantu Commissioner, Mr D. S. Oukamp. Of the 127 arrested Mr David Merero was released on a fine of R5 the others being detained for over a week before they made a "court appearance". Mr Merero was a National chairman of the South West Africa People's Organisation (SWAPO) and therefore the most senior man inside the country.

This was only the beginning of a series of arrests which continued into February and March 1975. It was alleged that a total of about 313 people had been involved in these arrests.¹

On the 7th of February, police swooped on the home of Mr David Merero at night at the Katutura township. The eight security policemen raided both Mr Merero's home and his general dealer store for eight hours and at about 2 a.m. on the 8th they took him away with a large quantity of papers seized during the raid. This followed arrests of six prominent officials of SWAPO seized during the previous week.

These were: Ezriel Taapopi chairman of the SWAPO Youth League, Axel Johannes SWAPO secretary in Windhoek, Daniel Shiwangurula the SWAPO secretary in Walvis Bay, Benjamin Namalambo member of the SWAPO executive in Windhoek and Chihepo Mvili a member of the Youth League executive in Windhoek. All these people were arrested without any specified charges being laid against them.²

The Administrator of South West Africa, Mr B. J. van der Walt, revealed that a total of ten men, all office bearers of SWAPO, were being detained under article 6 of the Terrorism Act. The men were: Merero, Taapopi, Namlambo, Johannes, Shiwangurula, Mvili and four others not mentioned before i.e. Thomas Komati, George Isak Itengu, Lot Zacharias, Joseph Kapangua³.

Following these arrests the Afrikaans paper in Namibia *Die Suid Wester* claimed that SWAPO was broken. Clearly a lot of the SWAPO leadership had been arrested and this did somewhat neutralise some of the activities of SWAPO in the country. However, a defiant Mr Shindabih Mashalaleh, vice-chairman of the Youth League, declared "The police will have to jail the whole of Namibia in order to break us." Part of the police anger against SWAPO arose out of their very effective politicization of the population in Namibia. In actual fact SWAPO was operating in three parts i.e. SWAPO at home which publicly advocated peaceful change, SWAPO Youth League which was more militant, and SWAPO in exile which is for violent change".⁴

There was considerable international reaction to the SWAPO arrests especially since SWAPO is the only internationally recognised representative of the Blacks in Namibia. The United States Government delivered in Pretoria through their American Embassy a request for information on the series of arrests, political trials and detentions in Namibia, and observers saw this as a sign that the United States was planning to reassess its basic policies towards South West Africa.⁵

Further Floggings in South West Africa

The brutal floggings, some of which had resulted in court action in 1973, continued in 1974. South Africa continued to regard the matter as a *troublesome matter*. The court cases had been brought about by Bishop Leonard Auala of the Lutheran Church, Bishop Richard Wood of the Anglican Church and Mr Thomas Komati the office bearer of SWAPO. The three men had originally obtained a provisional order restraining the Donga and Kwanyama tribal authorities from flogging members and supporters of SWAPO and Demkop. They were now applying for a final order on this matter. Mr Soggot appearing for the three applicants said that the evidence before the court suggested prejudgement, malice, and grossly irregular and arbitrary court proceedings in tribal courts in Ovambo.

The nature of the assault, up to thirty lashes, indicated "a pitiless administration of violence intermingled in certain cases with sadism... There is no charge, no plea, no cross examination and no argument. The machinery of elementary justice is simply thrown out of the window."⁶

The State in their answer simply replied that the three applicants had no right to intervene. The two bishops were not personally affected whilst Mr Komati had no right as he did not belong to the tribes in question. Mr Monton, the State Counsel, also alleged that the Kwanyama and Ndonga tribal authorities had been wrongly cited. They were administrative bodies and not judicial or quasi-judicial authorities like courts of herdmen and chiefs. He said the proclamation under which tribal courts functioned permitted corporal punishment. The number of lashes was left to the discretion of the court.

In his judgement delivered on the 22nd of March the judge president of South West Africa, Mr Justice F. H. Badenhorst refused to restrain the tribal authorities from flogging members of SWAPO and Demkop. He ruled that people sentenced to those floggings had the right to appeal to higher authorities. The three applicants applied for leave to appeal against this decision. The counsel for the tribal authorities, Mr C. Monton, did not oppose the application, but Mr Justice Strydom turned it down. Mr Soggot then applied for temporary relief in the form of a provisional interdict restraining the tribal courts until such time as the matter had been dealt with by the appellate division. This was also turned down by Mr Justice Strydom who refused to hear evidence of the most recent flogging which had taken place after the interdict was lifted in March.

Early in April the American Government officially warned South Africa that the trend of events in Namibia was damaging bilateral relationships. The statement said, "The U.S. Government has viewed the developments in Namibia over the past year with much concern. In response to reports that hundreds of oppositionists were detained incommunicado for varying lengths of time and that the Ovambo homeland authorities had publicly flogged released detainees...our Ambassador to South Africa officially registered deep U.S. concern with the South African Government".⁷

On April 9, 1974 another supporter of SWAPO Mr Salom Ndeulita was flogged by the Nkwanyama tribal authorities under headman Gabriel Katamba for allegedly insulting the Ovambo Minister of Education Mr Njoba by calling him a 'Swart Boer' (a black Afrikaner)⁸

Meanwhile the original applicants in the flogging case petitioned the Chief Justice for leave to appeal against the decision of the Windhoek Supreme Court. Leave to appeal was granted. This led the applicants to once more seek interim relief pending the outcome of the appeal.

Mr Soggot said that it was an unescapable conclusion that the Chief Justice in granting leave to appeal did so in the belief that there were reasonable prospects of success. Mr Soggot was of the opinion that pending the determination of the appeal, affected persons were in danger of becoming victims of "the system of intolerable brutality" to which the political opponents to the chiefs and herdmen in the Nkwanyama and Ondangua area had been subjected.

Namibia Exodus into Angola

A direct sequel of the floggings, mass arrests, detentions and political trials in Namibia was the exodus in June 1974 of large numbers of Namibians who crossed into Angola. The numbers of refugees were estimated at about 3 000. The exodus first came into public notice in newspaper reports on the 19th of June. Those fleeing included teachers businessmen, students and ordinary people. It was postulated that the exodus was linked with the *coup d'etat* in Lisbon and the impending realization of the liberation struggles in Mozambique and Angola. It was felt that with Angola no more under the reactionary government which was pro-South Africa, SWAPO men no longer feared deportation of their men from Angola back into Namibia. Reacting to the exodus, the Ovambo Legislative Council in a special motion urged its cabinet to immediately and thoroughly look into the causes and consequences of the exodus. Amongst the steps suggested by the Council were that

- Pretoria be asked to hold talks with Lisbon so that the "hole in the border" could be plugged.
- Fugitives should be told that they would be pardoned if they returned to Ovambo within a certain time.⁹

In an initial reaction the Portuguese Government announced that they would not send back the Namibians who had fled into Angola but would keep them in internment. They would not be allowed to link up with the SWAPO guerilla movement or established bases in Angola or take other action against the South African Government.¹⁰

Meanwhile the Commissioner General for South West Africa, Mr Jannie de Wet, said that the exodus of the Ovambos had been organized by a secret organization operating from outside the country. Mr de Wet further said that this organization must exist because an exodus on the scale experienced could not have taken place without having been organized. Referring to terrorist training camps in places like Zaire, Mr de Wet felt that the refugees had gone to these camps for training in order to invade South West Africa.¹¹

Amongst those who fled was Mr John Otto chairman of SWAPO in Owambo, Mr Phillip Alweendo, member of the SWAPO executive, Miss Deshimona Uuyuma acting secretary of the SWAPO Youth League

and three sons of Mr Sam Nujoma president of SWAPO in exile. Five other people who had been recently flogged were also named amongst those who had left.

At a Nationalist Party Conference in South West Africa, delegates voiced concern over the disappearance of large numbers of farm workers to unknown destinations. A delegate from Karibib said, "The workers get letters from Owambo and from urban areas. The day after, they leave. They do not even say that they are leaving".¹² This was the first acknowledgement of the labour problems caused by this exodus.

In the meantime the Portuguese authorities had not enforced their earlier decision to put refugees in camps. Instead they were told by police, after brief detention, that they were free to move when they wanted. Some of them were allowed by the Zaire Government to cross into Zambia.

On the 16th of July Mr Otto was reported to have reached Zambia. From statements issued by Mr Peter Katjavivi, SWAPO's representative in London, it was learnt that the Namibians had left following speculation that the South African Government was planning to crack down on SWAPO leaked out that the South African authorities were about to intensify their campaign against SWAPO members in Owambo. The men were afraid of being arrested, detained without trial or flogged. This is why they crossed the border".¹³

Namibia Institute in Zambia

At about the time of the arrival of Namibian refugees in Zambia Dr Sean MacBride the U.N. Commissioner for Namibia flew into Zambia to press on for the establishment of the Namibia Institute. The Institute had been a long standing project since the beginning of the year, suggested by SWAPO and fully backed by Dr MacBride, for the purpose of training Namibians in exile in various educational fields and also to provide a possible infrastructure for the administration of a free Namibia. The Institute would operate in association with the University of Zambia and would after liberation of Namibia move over to Windhoek to form the nucleus for the University of Namibia. Amongst countries that promised initial contributions to the scheme, were West Germany which promised a grant of R125 000 and United States which promised R33 500.

In addition to the Institute the United Nations approved of the establishment of a U.N. radio broadcasting station in Lusaka called the Voice of Namibia. Mr Proinsias Mocaonghusa, a well known Irish journalist and broadcaster was appointed on a six months basis to train personnel for a new broadcasting service in consultation with the South West African People's Organization.

Bantustan Policy Entrenched in Namibia

In the course of 1974 and 1975 there were no indications that the South African Government was prepared to back down from its policy of furthering the Bantustan philosophy in Namibia. The country is still run on parallel lines with mainland South Africa, with portions of land being officially set aside for the country's African tribal groupings.

Replying to a question in Parliament, the Minister of Bantu Administration and Development revealed that the homelands in Namibia had the following areas under their jurisdiction:

Damaraland: 4799 000 hectares	Kaokoland: 4898 000 hectares
Hereroland: 5607 000 hectares	Kavango: 4170 000 hectares
Owambo: 5607 000 hectares	East Caprivi: 1153 000 hectares

Plans were going ahead for the January 1975 Owambo elections in spite of the increasingly consolidating world opinion against the continued stay of South Africa in Namibia. The only response that South Africa had was to call for an all race talk in Namibia with representatives being chosen on an ethnic basis, i.e. Hereros having their own representatives, Owambo theirs etc.

World Opinion Consolidating against South West Africa

As a means of further pressurizing South Africa to withdraw her presence from Namibia, SWAPO in-exile and other Anti-Apartheid groups began to mount pressure for a withdrawal of investments from South West Africa. The pressure was directed mainly at United States, British, Canadian and other European companies with investments in South West Africa.

The allegation was that the companies contributed to the economic exploitation of Namibia's Blacks who formed three-quarters of the labour force. The companies in question dealt mainly in minerals and oil.

It was revealed that major international mining companies from the United States and Europe had invested millions of rands in exploring and prospecting in South West Africa, anticipating a massive boom in minerals in the country. The boom had been mainly in the diamond industry where 1973 sales had reached R147 million. The companies concerned were General Mining, Oamites Mining Company, Iscor, South West Africa Co., Rössing Mining,—a subsidiary of Rio Tinto Zinc—Consolidated Diamond Mines and Tsumeb Corporation. Most of the 1973 success had been due to the Consolidated Diamond Mines, a South African company with considerable British participation. At the receiving end of most of the pressure was the British Labour Government which was being pressurized to cancel the controversial Rössing contract in South West Africa.

Besides the American policy towards Namibia already mentioned the new British Labour Government shortly after its election, sounded early warnings for a switch in policy from the original Conservative Government's refusal to accept the UN ruling on Namibia. The British Government instructed the British Embassy in Pretoria to send observers to all political trials in Namibia. Britain further protested to the South African Government against floggings and detentions in Namibia. The Wilson Government was also reported not only to be considering the appointment of a representative to sit on the Council for Namibia but also to be planning financial support for Namibians.¹⁴

By the middle of December, anti-South African feeling on the Namibian question had consolidated to the extent that the United Nations Security Council demanded unanimously that South Africa should make a solemn declaration that it would give up control of South West Africa. This arose out of a resolution submitted by Kenya, Mauritania and the Cameroons. The resolution condemned the "continued illegal occupation of the territory of Namibia by South Africa" and "the illegal and arbitrary application by South Africa of racially discriminatory and repressive laws. The Council also made the following demands:

- That South Africa should comply fully in spirit and in practice with the provisions of the Universal Declaration of Human Rights.
- Release of all Namibian political prisoners including those imprisoned or detained in connection with offences under so-called internal security laws, whether such Namibians have been charged or tried or are held without charge and whether held in Namibia or South Africa.
- Abolish the application in Namibia of all racially discriminatory and politically repressive laws and practices, particularly Bantustans and homelands.
- Accord unconditionally, to all Namibians currently in exile for political reasons, full facilities for return to their country without risk of arrest, detention, intimidation or imprisonment.¹⁵

South Africa was given until May 30th, 1975 by which time, if there was still no compliance, the Security Council would consider appropriate measures to take against South Africa. It was freely speculated in political circles that these could involve sanctions and ultimately the use of armed force although no specific mention was made of this.

South Africa's response to the United Nations' challenge was a mixture of compromise and hardline. The approach was two-pronged. South Africa insisted that the future of people in Namibia depended on the various population groups in Namibia and stress was laid on the

constitutional talks that were being arranged on an ethnic basis by the leaders of the white population.

In a speech delivered in Windhoek Mr Vorster invited the Africa chairman of the Namibia Council as well as the OAU special committee on Namibia to visit the territory but he refused to grant recognition of SWAPO as a sole representative of the people, nor did he want to accept any form of U.N. supervision. This speech coupled with the fact that the South West African Legislative Assembly decided to remove all provisions for petty apartheid e.g. in hotels, cafes, restaurants, public buildings and services and also a more relaxed influx control, seemed to have given the traditional supporters of South Africa in the Security Council, enough leverage to block what they regarded as extreme action by the African countries. Whereas African diplomats at the Security Council meeting at the beginning of June 1975 were of the opinion that the question of apartheid was peripheral to the handing over of power, Western powers were reluctant to move on to the stage of economic embargo and eventually a deadlock was reached.

Owambo Elections

The Owambo elections which were scheduled for the middle of January took place in a shroud of security measures. Owambo was still controlled by Proclamation R17 introduced in 1972 after the Owambo strikes. The Proclamation makes it difficult for Blacks to enter or leave the area even if they are Owambo. In addition, it forbids political activities without permission of magistrates or headmen, prevents free travel and provides for detention without trial. It was in this atmosphere that the second general election occurred and the resultant poll was above 50%.

Opponents of the Government's separate development policy claimed that because the grasp of authority was like a stranglehold, people were pressurised into voting. Outside the homeland Owambo did not vote in any significant numbers and SWAPO argued that this was because these people were removed from the influence of Proclamation R17 and the powers of chiefs and headmen. The argument of the Government officials was, of course, the opposite.

Chief Filemon Elifas emerged as the Chief Minister of the legislative council after the elections and immediately set about attacking SWAPO.

SWAPO withdraws from the National Convention

In January 1975, SWAPO withdrew from the National Convention which was an alliance of most black political efforts in Namibia. This was after SWAPO had gained sufficient recognition from abroad and extensive grasp and support in Namibia.

The break away sparked off an attack on SWAPO by Chief Kapuuo, chief of the Hereros who had been leader of the convention. In his

attack Chief Kapuuo claimed that SWAPO was an all-Ovambo organisation and this immediately caught the imagination of the South African white press who were bothered by the rising popularity of SWAPO and the hardline they were adopting.

However in March 1975 the formation of a new Namibia National Convention, grouping the more militant individuals and organisations (SWAPO included), to the isolation of the moderate chief Kapuuo and his followers, was announced.

A statement issued by the N.N.C. on May 30, 1975, strongly condemned the activities of Chief Kapuuo. Part of the statement read:

“The South African Government is sending its stooges and puppets to attack a Namibian liberation movement outside, namely SWAPO, and to canvass for their acceptance and recognition overseas. They normally get passports as people who are moderate and thus acceptable to the Whites in this country. This NNC condemns such pseudo-politicians who change as their audience changes from place to place... The above definition is clearly applicable to Mr Clemens Kapuuo and others in his clique who are going out with the sole purpose of attacking SWAPO and thus making no contribution to the Namibian course...” The statement was released under the hand of Mr D. J. K. Tjongarero, secretary for information and publicity of the NNC.

In June the Namibian National Convention which also rejects the ethnically oriented constitutional talks gave notice of a peaceful demonstration by means of a march through Katutura, Khomasdal and the city of Windhoek. The demonstration was meant to mark the rejection of South Africa's occupation of Namibia and would be staged on June 14. The demonstration was however banned by the South African authorities in Namibia.

However, the organizers of the march decided that they would go ahead with the demonstration in spite of the order prohibiting it. They were expecting about 3 000 people to take part in the march with NNC peace officers flanking the columns. They had been instructed not to respond to any provocation. Mr Tjongarero who was making the announcement said that he would be seeking an interview with Mr Dirk Mudge of the South Africa Executive Committee in a last minute attempt to get official permission for the demonstration, but whatever happened the march would go on. “If we are opposed by police, we know what to do in the event of teargas and we also know what course of action to take in the event of a baton charge”.¹⁶

It was also reported that the police had been alerted and reinforced not only with men but with a large number of dogs. The official position was that the meeting had been banned under a prohibition order authorised by Minister of Justice, Mr J. T. Kruger and signed by the acting chief magistrate of Windhoek Mr C. J. Botha. The order was

made under Ordinance 9 of 1930 read with Article 19 of Act 25 (South West African Affairs Act of 1969). Mr Botha had "reason to apprehend that the public peace would be seriously endangered by the Assembling of the public gathering convened by the Namibian National Convention."¹⁷

A warning was issued to the NNC by Mr Ben van der Walt on the Friday before the demonstration. He made an appeal to the NNC to call off the protest or otherwise accept full responsibility if the threatened march resulted in police action. Mr van der Walt assured the people of Windhoek, Katutura and Khomasdal that their properties would be protected.¹⁸

Early on June 14, 1975, the NNC called off the protest in the face of a show of force by police and military units. However, about noon, several demonstrators lined up and unfurled placards criticizing South Africa's presence in South West Africa and attacking the authorities for stopping the planned march. The demonstrators were watched by about 400 onlookers and were eventually arrested by the police. The local divisional Commissioner of Police Brig. Wally Louw said that the eighteen Blacks would be charged with holding an illegal gathering and probably appear for remand the following week.¹⁹

Shootings in Owambo

In the middle of June 1975, one woman died, and two men were seriously wounded in shooting incidents in Owambo. It was alleged that the shooting occurred over paintings on walls and roads which carried slogans labelled as "SWAPO's". The Defence Department was investigating the shootings according to Mr P. W. Botha the Minister of Defence. The shootings had occurred at Ondangwua where the woman was killed and at Rundu where the two men were wounded.²⁰

REFERENCES

¹*Daily News* 8.2.74.

²*Rand Daily Mail* 6.2.74.

³*Rand Daily Mail* 12.2.74.

⁴*Star* 14.2.74.

⁵*Star* 23.2.75.

⁶*Daily News* 8.3.74.

⁷*Cape Argus* 5.4.74.

⁸*Star* 10.4.74.

⁹*Daily News* 26.6.74.

¹⁰*Star* 27.6.74.

¹¹*Ibid.*

¹²*Star* 25.7.74.

¹³*Sunday Express* 7.7.74.

¹⁴*Hansard* 175 Vol 2. Cols. 108-109.

¹⁵*Star* 5.7.74.

¹⁶*Rand Daily Mail* 18.12.74.

¹⁷*Rand Daily Mail* 13.6.75.

¹⁸*Ibid.*

¹⁹*Star* 13.6.75.

²⁰*Star* 14.6.75.

²¹*Rand Daily Mail* 23.6.75 and 24.6.75.