

ALBANY BLACK SASH

REPORT ON REPRESSION AND VIOLENCE

AUGUST 1990 - FEBRUARY 1991

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Introduction

The Eastern Cape regarded by many as a political battlefield during the various States of Emergency has subsequently become an area of relative calm in the tumultuous period that followed February 2nd. This calm should not be mistaken for a sign that the area is politically or materially placid. Consciousness in fact remains high, poverty and unemployment abound, expectations have escalated way ahead of De Klerk's reform program and the surviving apartheid structures are if anything more insulated against the forces of change than in other regions. All of this would seem to be a recipe for violent conflict to rival that of Sebokeng, Phola Park, Umlazi or Kayelitsha. However with the exception of the northern areas of Port Elizabeth for a brief period in August 1990 the region has not seen large scale eruptions of violence. Why?

The simple explanation for this is that the Eastern Cape is ethnically and politically homogenous. There are no Inkatha impis to provoke what is often portrayed as Zulu-Xhosa clashes. The lack of clearly defined divisions also denies any third force the opportunity to initiate the smoke screen violence that is often used to conceal a more defined reactionary objective. This should not be construed as a sign of unqualified support for the ANC, in fact pockets of grassroots support for the PAC and AZAPO exist throughout the region.

There is also no culture or tradition of tolerance for other political affiliations in the Eastern Cape and unfortunately few signs that one is emerging. The continued peace between the major political competitors is therefore a fragile situation and is seriously threatened when, for example councillors attempt to bolster their own credibility by posing as PAC members. This was the case in Fort Beaufort, according to the staff of the local Advice Office.

The other incidents of violence that effect the Albany area are invariably linked to local government issues and again the stubbornly maintained system of councillors. The authorities in the smaller towns are not well disposed to mass action directed against apartheid and activists from different areas frequently report cases of harassment and assault arising out of a backlash reaction to consumer boycotts. Some of the fairly minor but typical cases in the country areas are mentioned briefly in this report.

A small town named Barkly East poses a huge problem in terms of repression and violence and has accordingly been allocated more attention. Barkly East is a frightening example of confrontation

between two intractable forces, the one for liberation the other for the maintenance of the status quo. The people of Nkululeko township in Barkly, see no indication that the local police are committed to the enforcement of law and order let alone the process of reform.

#### Adelaide

In November 1990 police allegedly assaulted two comrades in their homes. The community linked the incident to the prevailing consumer boycott but one of the attacks apparently resulted from a case of mistaken identity after an alleged theft case. One of the victims was hospitalized as a result of the attack and the Grahamstown Legal Resources Centre is looking into the matter.

#### Alexandria

The intimidation and attacks on local community leaders, particularly Rev Dan Nkomo who suffered prolonged and serious harassment two years ago, seem to have stopped.

#### Alicedale

On the 16th December 1990 rallies were held throughout the region to commemorate Hero's Day. Toyi-Toying youth and residents on their way to a rally in Alicedale were dispersed by the police using teargas and rubber bullets. Six people were injured. The police in Alicedale are known to act against anything that looks like a gathering of comrades. They have informed the community (unofficially) that they consider toyi-toyis and even small gatherings of activists to be illegal. The local Advice Office wrote a letter to Vlok's office and were informed that the matter would be investigated.

#### Grahamstown

In Grahamstown itself the last outbreak of serious violence occurred in September 1990 when the Rini Town Council decided to act against those who had invaded land and built their own structures. By mid September the threatened demolitions had taken place and evoked a violent response from township youth and residents. In Fingo Village and part of the 'coloured' township balaclava clad men, some allegedly private contractors tore down shacks and damaged or confiscated building materials to prevent rebuilding. Despite a heavy police presence the reaction of incensed youth and residents was almost immediate. Police and private vehicles were attacked and Grahamstown Management Committee offices and a clinic were petrol bombed. A truce eventually prevailed after the Ministers Fraternal intervened and the Rini Town Council agreed to a moratorium on demolitions.

## Barkly East - renewed violence and sinister allegations

Barkly East is a small town in the North Eastern Cape that has a long history of police excess and judicial miscarriage.

Barkly's community, black and white, are profoundly aware of their isolation. As a result of this, national political trends are slow to reach Barkly, if they affect it at all. It was only after the Black Sash wrote to Minister Vlok in August 1990 that some attempt was made to sort out the serious shortfalls in the local court. Police and councillors in Nkululeko township are alleged to use violence and bullying tactics that are horrifying even by small town standards. Various incidents attest to the fact that the white authorities in Barkly expect to exercise total control over political developments in the township and their black counter-parts fulfil their duty by suppressing any form of resistance in very harsh and direct ways.

It is clear that the new era of political openness and mass mobilization sits uncomfortably with the whites of Barkly and they look to the police to keep the lid firmly on any signs of resistance.

In the past representations have been made to Minister Vlok to curb the police by the Sephton family, clergy and, as mentioned, the Black Sash. This had been to little avail. The Sephton family were visited by the security police as a result of their letter to Vlok and informed that charges were being investigated against them! In his response to the Black Sash the Minister said amongst other things:

"The Police at Barkly East are there to serve the community, regardless of colour or creed."

and

"With the information at his disposal, the Minister is satisfied that the Police acted within the ambit of their duties during incidents of violence."

Minister Vlok's dismissive approach is of great concern because violence has again erupted in Barkly and the actions of the police indicate little concern for preservation of peace or reconciliation. By January 1991 there were some signs that Vlok was taking the problem more seriously and the Sash has been informed that it's complaints are being investigated.

The black community in Barkly is fearful of further police action and there are widespread rumours that the police have a hit list. Death threats are issued blatantly by some black policemen and an

activist recently received a death threat note.

Events in Barkly East 16 November - 18 November 1990

A comprehensive consumer boycott was called on the 12 November 1990. The atmosphere in Barkly became tense as whites interpreted the boycott as a declaration of war and police mounted patrols in the township. On the evening of Friday 13 a toyi-toyi was in progress to alert people to a meeting to elect a consumer boycott committee.

Popo Gila, a SAP constable with the Stock theft Unit, drove his car into the midst of the crowd, who parted to allow the car to pass. Gila got out of the car and proceeded to fire at random. The crowd ran away and a youth Siyabulela Yokhuwe (18) was wounded in the foot.

By this stage stones were being thrown at the car. Later, a shot was fired by the man known as 'Ntsere' (Special Branch) and Benjamin Zandile (30) was fatally wounded. After this it appears that there was widespread unrest and police moved into the township in force.

It should be noted that throughout the weekend, live ammunition was used rather than teargas or rubber bullets. In the course of Friday night, barricades were erected across many roads.

Dan Yaphi, a teacher who took Zandile's body to hospital in his own car was approached by police who took his name and car registration number. Yaphi later caught Constable Gila in the act of vandalising his car. At some point Gila's room was broken into and petrol bombed - his possessions were removed and burned.

On Saturday the 17th further arrests were made as toyi-toyis continued. Some time after 8pm Advocate Nqulo, a teacher and local Vice-President of the ANC was walking with a few friends when they were warned that Popo Gila was approaching with a gun. After making a futile attempt to hide the group decided to ignore Gila and walk away. As they walked away one of the group, Marawu turned and saw Gila aiming his shotgun at Nqulo. Gila fired a shot in the air and then shot Nqulo in the back. All members of the group insist that Gila never issued a warning.

It is alleged that the seriously wounded Nqulo was further assaulted in the course of being loaded onto a Casspir. Mrs Nqulo, a nurse, was on duty at the hospital when her son Advocate was admitted. Mrs Nqulo saw no sign that her son had been given first aid during transit.

It is also alleged that the Nqulo family and particularly the children suffered police harassment at their home in the course of the same evening.

There are many sinister aspects to the Barkly situation not the least of which is the allegations of a hit list in the hands of the police. Its existence is widely mooted by the Nkululeko people who say that both of the deceased were on the list. Shortly before his death Advocate was advised or threatened by a policeman Vuyisile Dingile, not to walk alone. This policeman boasted that Advocate would be dead by Saturday night. Also of concern was the fact the clothing worn by Nqulo at the time of his fatal shooting does not have damage that is consistent with the official cause of death. An independent Doctor has been instructed to oversee the post mortem.

The Stock Theft Unit seems to function as the local 'Reaction Unit' and has a reputation for brutality.

A contingent of Albany Black Sash members subsequently attended the funeral of the two fallen comrades on the 1st of December 1990. They encountered a strong police presence and were searched at a roadblock. It was considered important for Sash members to be present as a protective measure because there were good reasons to believe that heightened emotions at the funeral could have led to further violence and unrestrained police action. The Sash was also able to make contact with the lawyer representing this community and discussed the best ways of highlighting their plight and their recourse to legal action. The lawyer subsequently had his car vandalized.

It has subsequently been arranged that the community will receive additional help from the LRC.

#### Unrest in Barkly 25th January 1991

The exact circumstances surrounding the death of Lulala Hlalgwa are not yet known but an Advice Office worker gave a broad outline of conditions in the township at the time. On Friday 25 January at about 8.30pm there was a clash between SAYCO youth and a man Lalungelo Njova - a member of the Civic Guard Association. The Association was apparently formed to break the consumer boycott and has links to the local councillors. Njova was apparently armed with a panga and a sword and was chased to his house by stone throwing youths. His house was stoned before municipal police arrived and fired on the comrades, chasing them away. No injuries occurred. The police then tried to arrest some of the comrades and were allegedly about to fire to prevent their escape when an AO worker intervened and was held briefly before being released. Casspirs and two policemen on foot then patrolled the area and arrested 12 comrades who have subsequently appeared on charges of Public Violence and were refused bail.

Later the same night about 8 members of the Civic Guard Association attacked the home of Maggie Thethelwa which also functions as the local Advice Office. Windows were smashed and

the kitchen door broken down. The attackers announced their intention to kill Maggie who fortunately was out. Her son however sustained head injuries and was hospitalized. Comrades then confronted the attackers and drove them off. It is significant that the Civic Guard Association has also come to be known as "Inkatha". Whether this label was bestowed by the community or adopted by the Association itself, it follows a trend throughout the region. The body of Hlalgwa was discovered the following morning. The cause of death appears to be panga wounds.

### Conclusion

Although violence occurs on a small and isolated scale in the Albany region the potential for it to erupt on a grand scale is fairly great. The most likely cause of such a catastrophe would be increased impatience with the old local government system and particularly the resulting desperation of councillors. Linked to this are the calls for single municipal authorities and expectations regarding the upgrading of townships. If these factors continue to be ignored they could fuel resentment and spark unrest throughout the region. Similarly conservative white authorities are jeopardising the prospects for peace when they ignore national trends and attempt to impose apartheid style controls on political and civic patterns in their area. The probability that the smaller city councils are also manipulating black Councillor/vigilante dynamics poses a great danger for continued peace in the region. Finally, the attitude and style of most young activists from the political mainstream is understandably devoid of tolerance or sophistication. Adaptation to a more normal political environment could be long and painful process.