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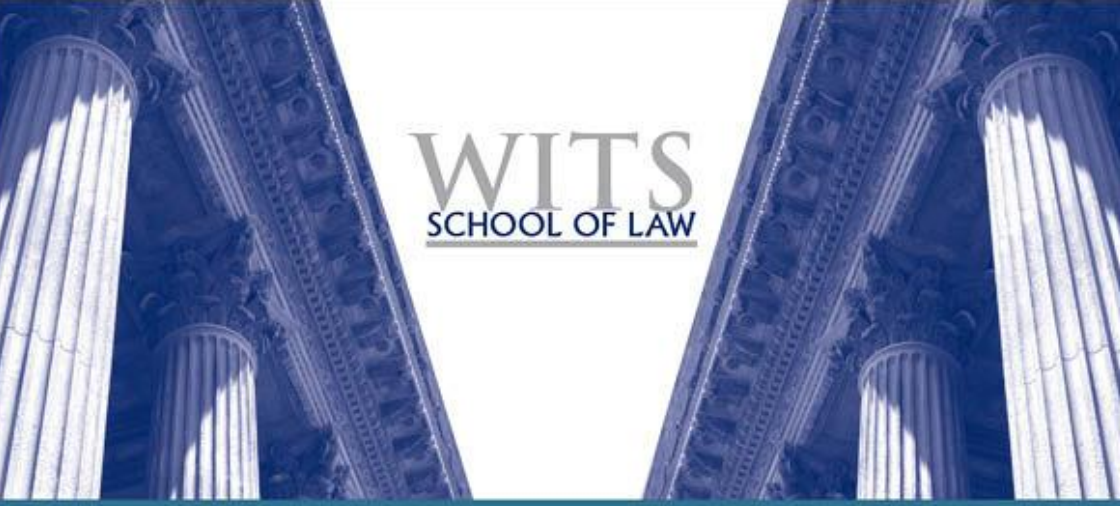

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RULING WITH THE WHIP

A Report on the Violation of Human Rights In the Ciskei

by

Nicholas Haysom

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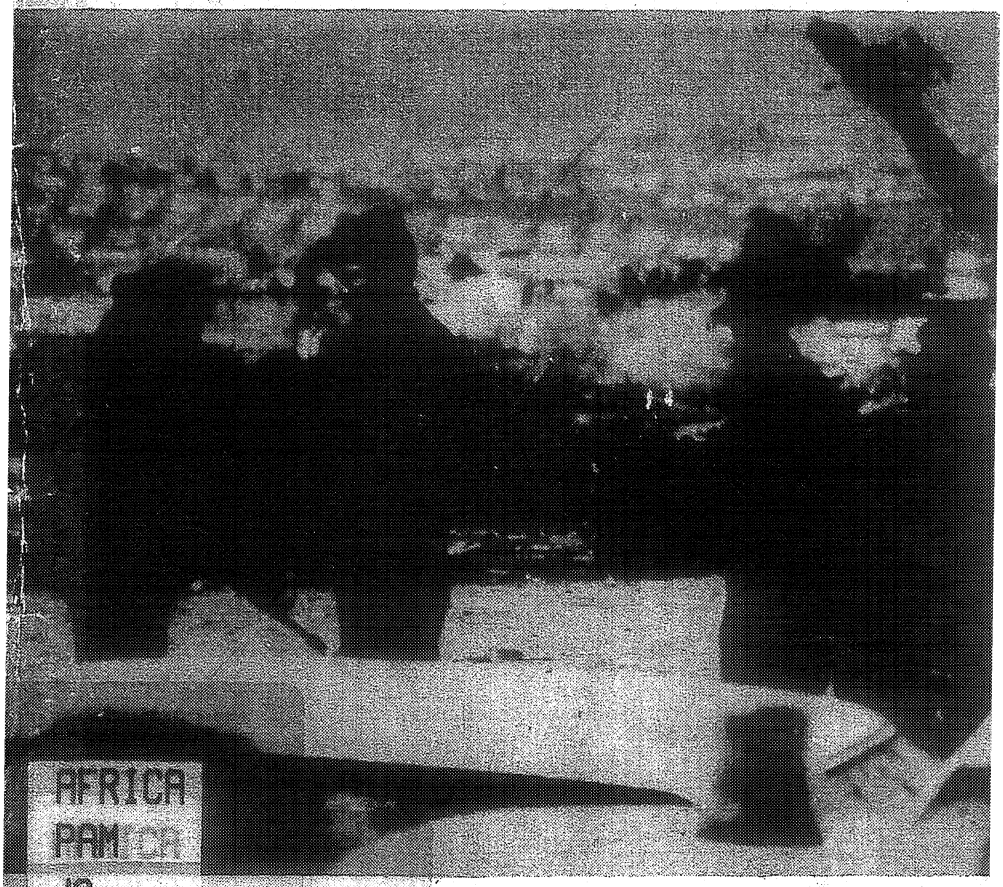
RULING WITH THE WHIP



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by Nicholas Haysom

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PREFACE

The Development Studies Group (DSG) at the University of the Witwatersrand, in conjunction with the Southern African Research Service (SARS), is publishing this report on recent events in the Ciskei in order to make the information on the extent of and background to the bantustan's violent repression more widely available. The Centre for Applied Legal Studies at the University of the Witwatersrand is also publishing the report.

We have left terminology as in the original report. Where the term 'black' appears, it refers to africans.

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RULING WITH THE WHIP

A Report on the Violation of Human Rights In the Ciskei

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TABLE OF CONTENTS

A. INTRODUCTION 1

B. BACKGROUND TO THIS REPORT 2

1. BACKGROUND ON THE CISKEI 3

1.1 Political and Constitutional Background 3
1.2 Life President Sebe and the Ciskei National Independence Party 7
1.3 Independence and the Economic Status of the Ciskei 10
1.4 The State Security Apparatus 15
(a) Legislation 15
(b) The Police, The Army and Law and Order 18
(c) Modus operandi 20
1.5 General Remarks 23

2. BACKGROUND TO THE 1983 BUS BOYCOTT 24

3. METHODS USED BY THE CISKEIAN AUTHORITIES TO COMPEL THE COMMUTERS TO USE THE BUSES OF THE CISKEI TRANSPORT CORPORATION 27

3.1 Harrassment of Commuters 27
3.2 Assaults and Shooting of Train Commuters 32
3.3 The General Harrassment of Commuters 41

4. VIGILANTES AND TORTURE AT THE SISA DUKASHE SPORTS STADIUM 44

5. DETENTIONS AND INCARCERATIONS 52

6. THE STATE OF EMERGENCY AND THE CURFEW 56

7. GENERAL TREATMENT OF PRISONERS IN THE CISKEIAN PRISONS 58

8. ADMINISTRATION OF JUSTICE 59

9. ASSAULTS ON DETAINEES HELD IN CUSTODY BY THE POLICE 60

10. ASSAULTS IN THE COURSE OF GENERAL HARRASSMENT 63

11. HOUSE SEARCHES 64

12. LOCAL AUTHORITIES 65

13. HOSPITALS AND MEDICAL TREATMENT 66

14. COLLABORATION FROM THE SOUTH AFRICAN AUTHORITIES 68

15. SOUTH AFRICAN FIRMS 70

16. OTHER ORGANIZATIONS 73

17. THE ROLE OF THE CISKEIAN ARMY 74

18. THE SCHOOL BOYCOTT 76

19. THE PEOPLE'S RESPONSE 79

20. THE TRAINS - THE RALLYING POINT 82

21. GENERAL RESISTANCE 84

22. UNION ORGANIZATION 85

23. RURAL AREAS 86

24. CONCLUSION 87

RULING WITH THE WHIP

REPORT ON THE VIOLATION OF HUMAN RIGHTS IN THE CISKEI

The scale of the legal and extra-legal forms of violence to which the residents of Mndantsane township in the Ciskei are currently being subjected to is best illustrated by the following summary of a statement from a Mr. N. The statement indicates the urgency of this matter and the need for an urgent response.

> "My sister was shot by the police when they opened fire on the commuters who were proceeding to the station in preference to the buses of the Ciskei Transport Corporation, which they were boycotting. A day after the funeral of my sister, Sunday the 22 August at approximately 2 a.m. vigilantes came to my house. They knocked on the doors and windows and demanded that I accompany them. They accused me of using a white Golf to transport workers who were refusing to catch the buses to their place of work in East London. In fact I have no car at all. Nonetheless they took me to the Sisa Ducashe soccer stadium where I was assaulted. I was suspended, while handcuffed, and whipped on my body and feet with sjamboks and sticks for several hours. Thereafter I was left in a changing room with approximately 35 other persons who had been brought there by the vigilantes. I was left there until Tuesday. During that time many other persons were assaulted by the vigilantes. We were given no food and no water. There was no toilet in the room. By Tuesday there were approxiately 80 persons in the room which was approximately 8 metres square. Because there was no running water in the toilet, faeces were piled along the edges of the room and in the corners. At one stage two vigilantes came into the room and took out a young woman. They raped her in the adjoining change room. On the Tuesday I was taken to a

police station and handed over to the police. On the Thursday I was taken to court. I had no idea what charge I was to face. There was no docket at court and I was taken back to my police station cell. The following day I was taken to court and charged with 'public violence'. Apparently I am alleged to have committed the offence at a time at which I was being assaulted in the stadium."

BACKGROUND TO THIS REPORT

At a conference attended by organizations concerned with the welfare of detainees and their relatives in South Africa held in East London on the 9 and 10 September 1983, the Border region of the Detainees Support Committee informed the conference of gross and startling allegations of human rights violations in the Ciskei region. Such violations concerned : the unchecked use of powers officially conferred on the authorities by the Ciskei National Security Act of 1982; allegations of the exercise of naked physical violence by an unofficial army of vigilantes sponsored by the Ciskei National Independence Pary (CNIP), the party headed by the Life President of Ciskei - Lennox Sebe; the extent and nature of the brutalities inflicted on the civilian population of Mndantsane in the course of their refusal to board buses in their oppostion of curfew regulations. The community of Mndantsane have been rendered more vulnerable by the inadequate media coverage of these events, and because of insufficient legal and medical professional assistance to record and expose these abuses.

As a result of these disclosures the Detainees Parent Support Committee (DPSC) Johannesburg, approached the Centre for Applied Legal Studies and requested that he investigated the scale of the violation of human rights in the Ciskei and report on such allegations. This report is as the result of numerous interviews held with various professionals and community

leaders as well as victims in East London on the 24 and 25 September 1983. This report has been compiled in a hurry. It therefore lacks the finer touches of a more measured report.

1. BACKGROUND ON THE CISKEI

1.1 Political and Constitutional Background

In December 1981 Ciskei became the fourth homeland to accept 'independence' from South Africa in terms of its policy of separate development. But even before its independence the Ciskei had achieved a special place amongst South African homelands because of the scale of the repression of opponents of the ruling Sebe regime and the extensive detention of trade unionists.

For the purposes of this report the political and constitutional origins of the Ciskei can be traced to the legislative division of South Africa into white and black land. (Black Land Act of 1913; Black Development Trust and Land Act of 1936). The black areas constituting little over 13% of the land area of South Africa was to be set aside for occupation by blacks. The remaining area constituted 'white' land and blacks were prohibited from entering into any contractual arrangement whereby they could farm, lease or purchase such land. In due course blacks were prohibited from entering or being in or on white land unless they qualified. They could qualify by ,for example, being a properly registered labourer (The Black Development Trust and Land Act of 1936; The Urban Areas Act of 1945; The Black Labour Regulations of 1965 and 1968). The economic function of this geographical division had its origins prior to 1948 - in the maintenance of the rural end of the migrant labour equation . The subsistance economy sustained

(in part) the individual migrant worker's family and provided the traditional tribal structure of social welfare .The cental government was absolved from responsibility for the latter while employers needed only pay the migrant an amount to maintain an individual and not a household .

After 1948 the reserves. nomelands, bantustans, national states assumed a key political significance. The National Party proposed that it was incorrect to see blacks as a single racial category. They were to be regarded as eight ethnic nations (subsequently two more ethnic nations have been discovered including the Ciskei Xnosa). Each ethnic nation was to be entitled to its own independant nomeland, that is one of the overcrowded and economically precarious reserves set aside for occupation by blacks in 1913 and 1936. The corrolary of the privilege of exercising political rights in a homeland is that political rights for blacks will never be contemplated or granted in 'white' South Africa. The reserves were elevated from a disintegrating reserve , a self generating labour pool to the final solution to South Africa's political problems.In the Apartheid dream, there are no 'blacks' in 'white' South Africa , only foreign nationals who are there at the whim of their hosts, to 'minister to their needs' and to be subject to their discriminatory laws.

Commentators have suggested that the homelands play a secondary political function in cannalizing and containing political economic and social discontent arising out of South Africa's economic and political structure towards and within the homelands .The homeland rulers are increasingly called upon to police the policy of separate development and its resultant political and economic tensions by fair

means or foul.They do at least have the reassuring knowledge that in the last instance they will be backed by South African might .

The gradual devolution of legislative and executive powers to the homeland political structures has followed a twin process, a process which is reflected in the current political divisions in the Ciskei. On the one hand traditional political tribal structures were bolstered and refashioned by administrative and legislative measures which replaced democratic institutions (the Black Authorities Act, of 1951: Promotion of Black Self Government Act, of 1959) . On the other hand, legislative and executive powers were gradually granted to homeland political structures established on the foundation of the tribal structures mentioned above. Such powers were devolved in close cooperation with the white central state. In the course of this process chiefs were given extensive executive authority, financial rewards, control over the distribution of social welfare grants (over and above their extremely important power to allocate land to their subjects). These tribal positions were subject to the approval of the authorities for their continued appointment. It is thus not surprising that at the date of independence the constitution of the Ciskei should reflect a lack of faith in representative democracy. The Ciskei parliament comprises of 22 elected representatives and 32 appointed tribal personages. Nor was it surprising that in the homelands the appointed tribal chiefs should overwhelmingly support the policies of separate development on which their substantialy augmented rewards and powers were based .

The role of chiefs and headmen in engineering and coercing 'consent' to the homelands' ruling parties can not be underestimated , if one wishes to understand the dynamics of homeland politics .It is on the basis of the power of the chiefs and headmen, including their power to distribute land to the villagers, on which President Sebe, like other homeland leaders, has built his political power.As Patrick Laurence has pointed out, political control in the Ciskei rests as much on this comparatively subtle mechanism as on the repressive powers of the police. Nearly all these persons have been recruited 'as functionaries of the governing CNIP'. The fact that seven out of eight Cabinet Ministers were chiefs at the time that Laurence was writing (July 1983) reflects their pivotal political role.As Laurence pointed out , only about 25% of Ciskeians have land rights due to the limited land available for a population of 700,000. Almost half of these have been relocated there from 'white South Africa in the last 20 years. The Ciskeian state is reducing this even further by removing people off the land to make way for a group of commercial farmers. This elite dare not fall out of favour with the government for fear of joining the landless pariahs. The latter , to be found in Ciskeis pathetic resettlement slums, are 'not people with nothing to lose but their chains.They are dependent on chiefs and government-appointed headman for the allocation of houses, pensions, social welfare, and most importantly - contract work in South Africa'. Only a lucky minority are able to find work in the Ciskei, either in the civil service if they have party credentials, or in the infant and most exploitative Ciskeian manufacturing sector. For many the only alternative to starvation is migrant labour. It is the chiefs who allocate these labour contracts . The chiefs themselves will be allocated contracts in

accordance with their loyalty to the ruling party. Thus the system operates as a form of control both over and by the chiefs. (Rand Daily Mail 21.7.83)

Hammond-Tooke has pointed out that in fact this system of using chiefs and headmen whose status is greatly enhanced has no traditional counterpart (cited in G. Mare Homelands Farce or Tragedy S.A.R.S. 1982). It is merely a distortion of traditional authority structures. Because of the increasing tension between chiefs and their subjects, an inevitable consequence of their inflexible and hierachial function, President Sebe has now authorised chiefs and headmen to carry guns.

It is not surprising that the chiefs and headmen play a vital role in recruiting the CNIP vigilante army which has been used, and is being used now, to physically crush opposition to Sebe's policies.

1.2 Life President Sebe and the Ciskei National Independence Party.

Lennox Sebe was an assistant inspector of Bantu Eduction in the King Williams Town circuit until elected to the Ciskei Territorial Authority in 1968. In 1973 he ousted the Chief Minister of the Ciskei, Chief Mbandla, and was installed as Chief Minister himself. This was the result of a 'vicious tribalistic anti-Fingo campaign'. Mbandla, was a member of the Fingo tribe, the numerically smaller educated elite. Mbandla, a weak and vacillating leader, was no match for the ambitious Sebe. Mbandla formed an opposition party which, as in other homelands, dwindled until Mbandla himself joined the CNIP.

Shortly after he had assumed Mbandla's position Sebe formed the Ciskei National Independence Party.

One of the reasons that the CNIP organization is so dependent on coercion and manipulation is that the Ciskei does not have the dubious benefit of an exclusive ethnic ideology. The Transkei, the first independent homeland and also a Xhosa ethnic homeland, has appropriated Xhosa chauvinism for its own purposes. Ciskei's subsequent separate existence is due to the haste of the South African government to establish the Transkei as a pilot homeland. There is now a belated and artificial attempt to create a 'Ciskeian National Identity', partially as a defence against the manouvering of the Transkeian government. One such example of this attempt is the establishment of a monument (a statue of Lennox Sebe) at Ntaba Ka Ndoda, a historically significant site.

That Sebe regards the chiefs as an important mechanism for establishing his legitimacy is evidenced by the fact that Sebe, a commoner, has elevated himself to the position of a chief. His chiefdom consists inter alia of land granted to the Ciskei in exchange for black land expropriated from Ciskeians in South Africa. His chiefdom apparently encapsulates 100 000 tribal subordinates, a figure which swells his salary as a chief. President Sebe has also instituted 'The Order of the Blue Crane' and more recently was elected 'President for Life'.

Although his power base has been establisned primarily on the support of chiefs he himself has not hesitated to detain chiefs who are opposed to his government. In 1978 the Ciskei National Independence Party won every seat in the elections for the Ciskein Legislative Assembly. The opposition objected to the

fact that Proclamation R 252, which made provision for detention without trial was used to intimidate and detain opponents. The opposition considered applying to the Supreme Court to have the election results set aside on the grounds that there had been intimidation of voters and interference in the opposition campaign. This action did not eventuate. When the assembly convened chief Sebe declared that he would not recognize the three appointed members opposed to the CNIP as the official opposition because 'a one party state had been created in Ciskei by the will of the people'. On the same grounds the opponents of the CNIP were barred from moving a vote of no confidence in the government. By 1980 the opponents of the CNIP had walked across the floor to join the CNIP. It has been claimed that the reason for these members joining the CNIP was due to the fact that aid and welfare to their constituencies had been blocked.

How has the CNIP engineered consent to Sebe's continued rule? Chiefs and headmen are instrumental in obtaining the rural members for the party. In the urban areas CNIP canvass door to door. The significance of party patronage in the urban areas is almost as important in the rural areas. Houses in the townships, the various social welfare grants, and employment in the civil service (by far the largest single employer), are more easily obtainable if one is a member of the party and has contributed to the statue of Sebe. In the resettlement camps the same applies in regard to drought relief. In 1982 civil servants were threatened that their salaries would be stopped if they did not attend the CNIP congress. The CNIP however has the least support in the urban areas. Thus President Sebe has sought to consolidate his political position away from such townships as

Mndantsane in East London. During a bus boycott in 1974 and scnool boycotts in 1977 President Sebe has used CNIP vigilantes (The green berets) to quell dissent.

President Sebe has been able to exercise unchecked political power without parliamentary opposition. Besides nis personal tastes for such things as expensive cars, titles of office, over seas travel and banquets, his political style has been characterised by nepotism . He has appointed numerous family members to high office. In July 1983 ne was elected President for life. Throughout his tenure as Chief Minister. Prime Minister. President of the Ciskei he has been able to use the full spectrum of security legislation and tne machinery of state to harrass and detain tne extensive political opposition without fear of the political consequences. On the other hand the lack of parliamentary opposition to President Sebe has meant that disaffected Ciskeian citizens have turned to extra-parliamentary organizations to advance their interests and to protect them. This factors explains both the degree of repression of trade unionists in the Ciskei as well as the deptn of their support in the townships.

1.3 Independence and the Economic Status of the Ciskei

Before we discuss the implications of "independence" for the Ciskei, it must be mentioned that no State, except for South Africa and her independent homelands, nave recognized the Ciskei as a country territorially or politically independent from South Africa. She can only operate diplomatic missions in foreign countries through South Africa's consulates. Ciskeian passports are not recognized and Ciskeian officials have perforce to use South African passports.

For our purpose the most important legal implications of tne independence of tne Ciskei are contained in the Status of the Ciskei Act of 1981 (an Act passed by the central state conferring 'independence' on the Ciskei) and the Ciskei Constitution Act. In terms of the former a statutorily defined group of people who have ethnic, cultural or linguistic connections with the Ciskei, although they have never lived there, are stripped of their South African citizenship and are granted tne status of aliens in Soutn Africa. In terms of the latter Act all laws passed by the South African Parliament tnen in operation in the Ciskei continue to nave effect until expressly repealed or amended by tne Ciskeian government. As a consequence of the homelands policy an estimated 350 000 blacks have been removed from South Africa and have been settled in the Ciskei, thus exacerbating the problems of poverty, malnutrition and overcrowding. Ciskeians squatting in the Cape are now treated as aliens and deported as foreign citizens. Rights which they may have acquired as citizens of South Africa are forever lost, including and especially the right to acquire the qualification to live in an urban area in terms of s 10(1)(b) of the Urban Areas Act. Contradictorily while they are in South Africa , they are not treated as other foreign nationals mignt be (eg Germans, Canadians etc), but are still subjected to racial legislation. It was primarily for these reasons that the Trade Unions (SAAWU; GWU; AFCWU) stated that their members' interest would not be served by the granting of independence. Indeed the year preceeding the granting of independence Ciskei distinguished itself by detaining an unprecedented number of trade unionists and trade union members.

The Quail Commission of Inquiry established by the Ciskein authorities themselves to investigate the feasibility of independence reported as follows:

(a) There was a high level of infant mortality and a wide spread incidence of malnutrition in the Ciskei. The infant mortaility rate has been estimated in some areas as high as 50%. Half the children between the ages of two and three suffer from malnutrition and related diseases.

(b) There was a serious housing shortage and land shortage was chronic. The average land allocation per family is one hectare which scientists have estimated to be insufficient for one person's subsistence..

(c) Unemployment was rated between 25 and 30% of the economically active population.Jobs within the Ciskei provide a very small fraction of the employment requirements. The average Ciskei household is dependant for up to two thirds its cash requirements on remittances from migrant workers or money earned in white South Africa.

(d) The Commission found that if the Ciskei were to accept independence in accordance with the terms offered by South Africa it would mean abandoning any hope of Ciskeians participating in whatever future arrangements might be devised for sharing in an effective way in the government of the whole of South Africa. The Commission found that the majority of Ciskeins did not favour independence for the territory. 90% of Xhosa speakers favoured universal adult suffrage in a unitary political system. The Commission then set out five conditions on which independence might be a feasible exercise. These conditions were not met. The secretary of the Quail Commission, Mr Richard Procter-Simms said that the Ciskei government had been 'hell-bent' on independence whatever the cost to the people.

The response of President Sebe's government to the economic crisis facing the Ciskei has been inadequate. Sebe is reported to have recently bought a R70 000 Daimler to add to his BMW and Mercedes Benz. Cabinet ministers receive substantial salaries on a par with public officials anywhere else in the world. A substantial percentage of the available finance is being diverted to the construction of a new capital at Bisho (including palatial residences for ministers). The 1982.83 budget reflects that the Department of State Security is allocated almost two thirds of the figure allocated to Finance and Economic Development. The 1982.83 allocation to State Security reflects a 250% increase thus establishing the state security apparatus as possibly Ciskei's major growth area. (An increase from the 1981 figure from R5000,000 to R17 000,000). The Ciskeian Government is negotiating to buy an Executive Lear Jet although it has no landing strip.

Mdantsane is the Ciskie's largest town. It is a dormitory township to East London. Workers commute daily from Mdantsane to the industries in and around East London. They also shop in East London. It is estimated to be the second largest township after Soweto. The conditions in this township are far from satisfactory. President Sebe has warned that he will divert the resources away from Mdantsane because of its political oppostion to him.

In regard to its labour legislation, Ciskian legislation is that which was applicable in South Africa in 1972. Accordingly not even the recent reforms embodied in the Labour Relations Amendment Acts of 1979 and 1980 are applicable in the Ciskei. The only statutorily recognized collective bargaining form is the plant based works committee or liason

committee. Minimum wages in terms of Wage Agreements and Industrial Conciliation Agreements are not applicable in the Ciskei. Major General Charles Sebe (brother of the life president) has stated that Ciskei's prime export is its men and women willing and able to work. Accordingly he has stated that it was his intention to ensure that the Ciskeian product was the best available on the market. It was with this in mind, he informed the press, that he would establish a centralized labour information bureau which would monitor the performances and records of conduct of all Ciskeian workers. If Ciskein workers had a record of union membership or participation in a strike it would be reflected in their records. As a consequence they would be by-passed by the official labour recruitment channels. Sure enough it was reported in the South African Labour Bulletin in 1982 that the Ciskei Manpower Developement Centre was logging reports from employers on workers performances. Workers who have 'misbehaved' are marked 'unreliable' (South African Labour Bulletin Vol 7 No 4, 5 February 1982). But even industrialists must have been startled when Manpower Minister Maqoma announced that he was planning punishment camps for migrant workers who breached their contracts . In consultation with the then state security chief Charles Sebe he would introduce "disciplinary training" for these "unpatriotic" workers (Golden City Press 22, 5, 83) .

It needs hardly be added that independence has brought little of benefit to the man in the Ciskeian street. Professor Charlton has commented, that apart from certain traders, the chiefs, and a small educated elite, the man in the street is in many senses worse off. (Annual Survey SAIRR 1982)

1.4 The State Security Apparatus

(a) Legislation

Prior to independence the Ciskein authorities had at their disposal wide emergency powers conferred upon them by the South African State President, who as Supreme Chief was able to issue proclamations in black areas regulating the administration of blacks (the Black Administration Act of 1927). The relevant proclamation was R252 of 1977 , analagous to the notorius R400 introduced in the Transkei in the early 1960's. In practice, Proclamation R 252 allowed for detention without trial for a period of 90 days which could be renewed on expiry. The Minister's power to authorize detention was placed beyond the jurisdiction of the courts. The Proclamation further provided for the prohibition of all meetings held without permission of the magistrate, rendered criminal 'any statement likely to have the effect of subverting or interfering with the authority of the government or any officer or anyone in the employ of the government or of any chief or headman'. It prohibited the boycott of any meeting convened by any chief headman or officer of the government. It prohibited any boycott 'with the object of causing loss, disadvantage or inconvenience to anyone or anybody'. Proclamation R252 rendered it an offence to treat the chief or headman with disrespect or to fail to render him such services as 'he should be shown or rendered in accordance with bantu law and custom'.

This Proclamation existed side by side with South African security legislation which empowered the banning and banishment of persons, the prohibition of publications, the outlawing of organizations by administrative fiat. These laws remained in force in the Ciskei after it was declared independent in December 1981. Indeed these laws were used during and prior to the period preceeding independence to detain opponents to the granting of independence. Even in 1978 opposition candidates in the Ciskeian general election as well as opposition meetings were banned in terms of the powers provided by R252. It is mostly the extra-parliamentary critics , particularly trade unions and trade unionists, which have borne the brunt of the enormous powers provided by the proclamation. For example in March 1979 at least 75 persons were in detention. 65 of these were detained for taking part in a bus strike in January of that year. The remaining 10 were detained for political reasons. In November 1980 10 officials of the South African Workers Union, 5 officials of the Western Province Workers Union and 3 officials of the Food and Canning Workers Union were detained in terms of R 252. Amongst those detained that year were Thozamila Gqweta, Mr Hintsa Siwisa a lawyer in Mndantsane who had been assisting school students, and a member of the Ciskei legislative assembly. It is not clear how many people were detained during the whole of 1980.

But in September 1981 alone 205 unionists from SAAWU, AFCWU and the GWU were detained under Proclamation R252 . All of the detainees were subsequently released.

Proclamation R252 has now been replaced by the National Security Act of 1982 which contains most of the much criticised features of the South African security legislation and a good few more besides . It provides for the use of detention without trial, bannings of individuals prohibition and outlawings or organizations and publications and defines security offences in typically broad terms. Most of the wide ranging powers mentioned may be exercised on the simple discretion of the former Commander General of National Security. After three to six months of solitary confinement a detainees case may be heard by a review committee. However the review committee meets in camera and its recommendations are not binding upon the President of Ciskei. Families of detainees are not entitled to be informed of the arrest of their relatives. The position of the Commander General of State Security, who happened to be none other than brother Major General Charles Sebe, a former South African Security policeman, has been described as that of a 'virtual dictator'. The Act also requires applications for the registration of a newspaper to be submitted to the Commander General who may require a deposit of up to R20 000 as security against the newspaper being prohibited. The Act also prohibits forms of strikes and forms of encouragement to strike. The new Act has been used against trade unions on the same scale as Proclamation R252. A legal study of the homeland security legislation descibed it as 'having seized the worst aspects of South African legal system and then honed and tempered them into a uniquely malevolent tool' (cited in G. Mare).

The Ciskeian government has not responded constructively to criticism of its use of the security laws. Thus a commissioner on the Quail Commission (appointed by the Ciskeian Government itself), Professor Rotberg, stated in a separate opinion that the 'human rights of the Ciskei had been violated by the territory's administration and that breaches of accepted forms of democratic behaviour have been common' in the territory. Chief Sebe said he would treat Professor Rotberg's comments with contempt and that 'that portion of the report already reposes in my waste paper basket'.

(b) The Police, The Army and Law and Order

It has already been mentioned that this aspect of the civil service constitutes the fastest growing 'industry' in the Ciskei. The police force was established by transferring Ciskeian members of the South African Police together with various white advisers and seconded officers to the Ciskeian Department of Police. The relationship between the South African Police and the Ciskeian police has always been close. There have been several examples where persons have been detained in either one of the two jurisdictions and before or after interrogation handed to their colleagues across the 'border'. This practice exists notwithstanding the existence of a formal extradition treaty signed by the Ciskeian government and the South African government. The Ciskeian police officials have been known to detain people in South Africa and South African police officials have been known to participate in raids in the Ciskei. The most recent example being the detention of several members of the

Ciskeian Central Intellegence Service and members of the Assembley and Cabinet who were detained earlier this year. In this case the arrests were performed by both the Ciskeian police and the South African police 'called in to assist'. The Ciskeian Central Intellegence Service has access to the information files of the South African police. Applications for licenses to possess firearms were channeled through Pretoria. More recently the South African government has undertaken to build a police training college at the new capital, Bisho.

After independence the Ciskeian authorities structured their armed forces and the police under the single banner of the Ciskeian Combined Forces with the Life President as commander in chief. Major General Charles Sebe (brother) was appointed Director General of State Security. The task of policing the security of the state was accorded to the Ciskei Central Intellegence Service (CCIS). In 1979 Lennox Sebe stated that the CCIS 'does not follow normal departmental procedures in reporting to myself and the Cabinet'. Major General Charles Sebe was reported as saying in 1981 that the CCIS is 'like the KGB in that it has an executive role'. Major General Sebe has given a wide definition of the role of the CCIS. It includes surveillance of trade unions, poets and any activity taking place in the Ciskei. Poets and playwrights were supposed to apply to him before they could write because 'they have a method of putting across their ideology through poems and plays. I have taken it upon myself that any person who has a gift as a poet or playwright should be scrutinized'. He has stopped funerals and

detained mourners on the basis that funerals were used to further subversion. In 1982 it was reported that officers of the CCIS had been stationed in every district and its function would be to work with the police and social workers to indentify political and other problems and to feed information to other government departments (Annual Survey, 1982). The Ciskei Security Force consists not only of the Police and the CCIS but is also composed of the Ciskeian Traffic Police and 'the Ciskeian Airborne Division'. Furthermore they are bolstered in times of civil unrest by the Green Berets (vigilantes recruited from the rural areas). More recently chiefs and headmen have been issued with firearms.

(c) Modus operandi

Over the past few years police have been increasingly called upon to use their muscle against residents, students and disaffected Ciskeian citizens. One such recent incident occurred when students at Fort Hare stoned a cavalcade of cars reportedly carrying the Life President. Two students were shot and 1500 others arrested. As mentioned above participants in a bus strike in 1980 were arrested under security legislation. The police have been involved in a few actions against ANC guerillas and one or two trials a year have been brought against ANC members. However the focus of the repressive powers at the disposal of the police has been directed at trade unions and trade unionists. Thus Siza Njikelana, vice president of SAAWU, has been in detention since July 1983.

It is his estimated sixth period of detention. Officials of the African Food and Canning Workers Union and the General Workers Union have been detained several times over the past four years. During some of these periods of detention tney have been subjected to assaults, torture, or abuse of one form or another. Perhaps the most illustrative case is that of Thozamila Gqweta, president of the South African Allied Workers Union (SAAWU).

Thozamila Gqweta has been detained by the Ciskeian Secret Police or the South African Secret Police an estimated eight times. He has never been charged or convicted of an offence. Some of these periods of detention and solitary confinement have been lengthy. On at least one occasion he had been tortured. He testified in the trial before the Ciskei Supreme Court in March 1983 that he had been punched, stripped, suspended by handcuffs from a window bar while under interrogation. His mother and his uncle were burnt to death in a fire in which it is alleged that the doors of the house in which they were burnt to death were wired from the outside. His girlfriend Diliswa Roxisa, was killed shortly afterwards when Ciskeian police opened fire on mourners returning from the funeral. When interviewed by a corresondent from the American Broadcasting Corporation, Charles Sebe explained the failure to investigate the cause of death of Gqweta's relatives by saying "people die in the busn". Wearing sunglasses and a peaked cap he was asked how it was that Gqweta's girlfriend appeared to have been singled out and shot in the crowd of mourners. He replied "coincidences happen".

It would be incorrect to state that only trade unionists have been subjected to this form of harrassment. Members of the Dependants Conference, journalists, chiefs and church workers have been subjected in various degrees to the same form of harrasement. The fact of the matter, however, is that very few persons are ever brought to trial. Charles Sebe himself has stated that 99% of those people detained are released within 90 days. In one case President Sebe went so far as to announce that four unionists recently detained were members of a secret ANC underground cell. Notwithstanding this startling disclosure by a head of state prior to the production of formal charges, the four unionists were released without charge.

Finally, it should be mentioned that there have been consistent and persistent allegations of assault and torture of the kind that have characterized South African security trials. In particular the alleged methods of torture employed on detainees is strikingly similar to the methods allegedly used by the South African Police. In particular these have included physical assault: the helicopter (the suspension of a crouching victim by means of a pole which runs behind the victims knees and over his elbows); hooding (the application of a canvas or wet sack hood over the victims head so that the victim is asphyxiated until or just before he loses consciousness); electric shocks; suspension by means of manacling one hands to a high cross beam; the inducement of physical and mental exhaustion. A Mr Hlekani was allegedly subjected to the novel torture of being dragged behind a

boat by means of his handcuffed hands. General Sebe's own wife claimed in an application to secure his release from detention that her husband was in danger because - as she put it - "people can get strangled or poisoned in prison". At least one prominent opponent of the regime has had an assasination attempt perpetrated on him. It is unclear who the assasin was and who instructed him.

1.5 General Remarks

It has been the purpose of this lengthy introduction to provide at least a framework for understanding the endemic source of conflict within the Ciskei as well as the current means used to ensure the hegemony of the Ciskei National Independence Party. Since July 1983 the scale of that naked coercion has been unprecedented. However it would be a mistake to believe that the current evident unpopularity of the Sebe regime is a novel phenomenon. Rather events that have taken place since July have thrown into sharper relief the tension that exists between President Sebe and the people he governs.

The scale of repression in the Ciskei has not received the same kind of attention that similar events would have received in South Africa. This is in part because opponents of the policy of separate development have interpreted the 'independence' pageant as mere farce. The new flags, anthems, universities, Supreme Courts, and bungling diplomatic exchanges are scornfully regarded as stage props. This approach however tends to ignore the very real powers that have been granted to the Ciskei government, which has shown itself willing and ready to use them to the full. On the other hand those that have expressly or sub consciously accepted the

'independence' of the Ciskei and other homelands have displayed less and less interest in what takes place there.

2. BACKGROUND TO THE 1983 BUS BOYCOTT

The boycott of buses operated by the Ciskei Transport Corporation (CTC) began on the 19 July 1983. This was not the first bus boycott in Mndantsane. The last major bus boycott in Mndantsane occurred in 1974. That particular bus boycott was undertaken by the residents of Mndantsane against the bus service then owned by the Border Passenger Transport Company. When the boycott ended the Ciskei government intervened and bought out the company. The new holding company was now the Ciskei Transport Corporation and in which the Ciskei government holds a 50% shareholding. It is rumoured that President Sebe himself has a personal shareholding in the company. Apparently the remaining 50% is owned by the Economic Development Corporation.

The bus boycott of 1974 ended when the boycotting commuters were physcially assaulted by vigilantes. These vigilantes were to be known as the 'Green Berets'. The vigilantes were allegedly organized by the Ciskei National Independence Party of Lennox Sebe.

In 1980 a Rhodes University study found that the CTC were using approximately 650 buses to transport nearly 50 000 commuters daily. The same study found that the average Mndantsane worker spent between two and three hours every day travelling to and from work. That study stated that as Mndantsane was a dormitory town for East London's industries, and as the people were the poorest in the community, who must by law reside in black areas far away from their places of employment a more equitable subsidy scheme should be devised. 'The costs of the present scheme

are enormous and it is insufficient and unfair. The public transport system becomes a service to employers and not to travellers' (Natal Mercury 7. 8. 83).

During May 1983 the CTC announced that it was to increase certain of its fares on certain of its routes by at least 11% . A community meeting was called by the most prominent community, student, and trade union organisations to consider the increases on 12th July. At this meeting a committee of ten was elected to make representations to the company and to report back . It was argued at the meeting that such increases followed on recent increases on basic food stuffs and that the commuters could not afford the increases. Workers argued that the increases were taking away whatever wage increases had been won, and that for the old and unemployed the increases would be even harder to bear. The committee met with officials of the company, Mr Osborne, on the 13th July - the day the increases came into effect. Mr Osborne responded to the representations by claiming that the company had consulted with the Ciskeian government and others, that he could not assume that the committee was representative, and that it was too late to object to the increases. He undertook to phone the committee the following day to inform them of the company's response.The company duly informed the committee the following day that they would not retract their decision. At the report back meeting on 17th July it was decided to call a boycott of the CTC busses.

The following day the press reported an 60% drop in the use of CTC buses and an 80% drop the following day. The initial participants did not have much confidence that the boycott would succeed or last .There were enough persons who could afford the increases. Indeed it was only the strong arm tactics of the Ciskeian authorities that ironically, but decisively, turned the tide. From 25th July onwards the police, and in due course the army, the private army of

vigilantes and various other means at the government's disposal were used to attempt to force communters to catch the buses. The beginning of the boycott received scant attention from the public and the media because of the more publicized detention of Major General Charles Sebe and several others. Charles Sebe, Commander General of National Security was detained on 21 July, together with the deputy head of the CCIS Brigadier Tansange, General Minaar, a white South African security adviser, and the Minister of Transport, yet another brother of Life President Sebe.

At a subsequent meeting between the company and the committee only four of the committee members arrived because the remainder had either been detained or were prevented from coming . Eventually the Ciskeian government detained eight of the ten members .These detentions have themselves prevented the negotiation of a settlement. On the 29. 8. 83 EDC chairman Adendorf met SAAWU secretary-general Sam Kikine to discuss a solution .Kikine's reply was predictably that those detained must be released and those shot and wounded must be compensated before negotiations can take place.

The company has undoubtedly been seriously affected by the boycott. It is estimated to be losing several hundred thousand Rand a month. Its annual report reflects a total loss over the past 12 months of R6 million. It is not surprising then that the company went to the lengths of dropping leaflets over Mndantsane. It also dropped the increase by half, but President Sebe emphatically denied that this move had 'anything to do with the boycott'. One of the company's responses has been to retrench 307 of its employees.

It must be emphasized that the boycott has involved great sacrifices on the part of the commuters. Apart the violence they have been subjected to, many of the commuters have to walk between 12 and 32 kilometers a day to the station depending on the zone or unit of Mndantsane they live in. Mndantsane is a particularly spread out township. This may mean leaving for work at 3:30am and returning after 8:00pm.

3. METHODS USED BY THE CISKEIAN AUTHORITIES TO COMPEL THE COMMUTERS TO USE THE BUSES OF THE CISKEI TRANSPORT CORPORATION.

In order to break the boycott the Ciskeian authority served an early warning on commuters that means would be used to force them to catch the buses. In the past two months they have indicated their willingness to use official and unofficial, legal and extra-legal forms of violence. As the violence has escalated so has the nature of the conflict. The conflict has now quite evidently become a test of wills between the ruler and his unwilling subjects.

3.1 Harrassment of Commuters

The first concerted attempt to break the boycott was directed at private car owners and taxi drivers. The police established road blocks on the main roads in and out of Mndantsane . Queues of up to 100 cars were forced to wait for extensive periods of time to get through the road blocks set up on 21 July. From then on road blocks manned eitner by the police or vigilantes under the control of the police harrassed car passengers, car drivers and taxi drivers. On 22 July it was reported in the press that police were manhandling car passengers including women and children. Passengers claimed they were whipped with sjamboks particularly at the road block at the entrance to Mndantsane. Cars were stopped on 22 July,

forcing passengers to walk the many miles to their houses in this dispersed township. The police allegedly informed the drivers of the vehicles that their instructions were to allow only the driver's immediately family to be transported. On 1 August it was reported that some cars were being summarily impounded. By 3 August the CTC itself reports that between 150 and 200 cars have been confiscated for 'illegally transporting passengers'. The police have also used the various check points and road blocks to stop passengers in taxis and in private vehicles and forced these passengers to alight and to return to the bus stops. This practice which started on the 3 August still persists . An extraordinary feature of the harrassment of passenger car commuters was that the impounding of such vehicles has been carried out both by the police and the Ciskei Transportation Board. There are a number of abuses in the process of issuing traffic summons in respect of such alleged offences of transporting passengers without a license. Thus a man who had 4 passengers was charged with carrying six people. Some people were charged for carrying relatives or friends.

There have been numerous allegations of assaults perpetrated by both vigilantes and police in the course of forcing persons out of cars and taxis. Although there were incidents of car passengers being beaten and sjamboked prior to the 2 August it was on that date that vigilantes - operating under the supervision of the police - were introduced to man the checkpoints. Since that date these vigilantes have seen themselves as being free to assault and sjambok car passengers without restraint.

As recently as 21 September a Miss B. M., a cashier at a restaurant, was travelling home at approximately 7.30 p.m. in a private car. Just outside Mndantsane the car was stopped by a Combi with a government registration and waved down with a torch. Passengers were ordered to alight. Miss B.M. was then assaulted with sjamboks and sticks. She was kicked in the eye. As a result of the assault she sustained a broken arm, bruised back and breasts and legs and lacerations and weals on her back. She lost consciousness during the course of the assault. When she regained consciousness the combi had gone and she was lying on the side of the road. She did not report the matter to the police because she believes vigilantes are not prosecuted. She was treated in hospital.

Assaults on commuters travelling in private vehicles has continued since late July, notwithstanding the fact that six commuters brought an urgent inderdict before the Ciskei Supreme Court restraining the police from assaulting them on their way to and from work. In the case which came before the Supreme Court in August Miss Tankise Brown stated that on 28 July the taxi in which she was travelling was stopped at Jacko's garage Unit 1 Mndantsane. The Ciskei police and soldiers ordered her and her fellow passengers out of the taxi. 'Without much ado the police started assaulting us and asking us why we were boycotting buses. They beat us with sticks and sjamboks saying that that would teach us to board the buses in future. We ran in different directions. When we crossed the railway line bridge into the Republic of South Africa the police stopped chasing us'. Miss Tankisa Brown found herself in the invidious position of having to decide whether she should go to work and run the risk of certain injury or death if she chose not to use the buses or alternatively whether to stay

away from work and suffer from the inevitable loss of employment. She stated that the police had no right to determine what sort of transport she should use, let alone force her to use any form of transport. In the circumstances the Supreme Court granted an interdict restraining the police from forcing the six Applicants in that matter from using the buses. The police, however, together with the vigilantes under their supervision, have continued to force commuters to use the buses.

As with the actions taken with commuters using the trains, the vigilantes and the police seem to be bound by no legal limits. The press have reported that a Mr Ernest Myoni was dragged from a taxi near the station in early August. Mr Myoni stated 'they hit me with knobkerries and sjamboks breaking my ribs but I am still going to travel by train'. A garage employee, Mr Agree Mlombi, was using his firm's truck to drive employees to work when he was stopped by soldiers. He showed them his papers and permission to use the truck to transport employees but they did not listen. They ordered his colleagues to get off the truck and walk. He was then hit over the head by policemen. Mr Babu reported that he arrived at work after midday as he was forbidden to use taxis or trains and had decided to walk. 'The Ciskeian police are shooting and hitting people near trains and taxis, we are scared to use either so many of us hike. Our bosses do not believe what is happening. Today I brought my boss a bullet because I was so late. He now believes what we are going through.' (Sunday Tribune 5.8.83).

One taxi driver, a Mr Mabulu, told the press that he had driven to the highway terminal to drop a passenger when he was attacked by vigilantes. 'Four men

carrying sticks and one carrying a sword asked why I was loading passengers. Before I could answer them one of the men pulled me out of the taxi.I explained that I was licensed to carry passengers. While trying to reach out for my license I was assaulted with sticks. Some people were screaming when I was being beaten up.' Mr Mabulu explained that when he went to the police to take a statement to report the assault he was asked why he was operating a taxi when he had been told not to operate one during the bus boycott. (Daily Dispatch 8. 8. 83)

A Mr Morris Nono, a taxi man, claimed that a man from Kingwilliamstown forced passengers out of his car. Mr Nono said he snowed him his carriage certificate but the man said that he was not interested. He said that he had been given an instruction to stop taxis from operating in Kingwilliamstown. (Daily Dispatch 3. 8. 1983).

A Mr Managaza reported on the 23. 7. 1983 that his taxi was ordered to a stop by policeman. As the passengers got out they were hit with sjamboks and truncheons. Mr Mapunye, a spokesman for the committee formed to oppose tne bus fare increases, stated on the same day 'women were also sjamboked ruthlessly'. (Daily Dispatch 23. 7. 1983).

Forcing unwilling commuters to use buses has not been successful even when the commuters were physically put into the buses. Thus it was reported on the 5th August that once the buses had left Mndantsane the passengers forced the buses to stop, demanded and were given their money back. (Rand Daily Mail 6. 8. 83).

3.2 Assaults on Train Commuters

The brunt of the excessive tactics used by the police, army and vigilantes to break the bus boycott was borne by the train commuters. As with the vehicle commuters the means used to prevent these commuters from catching trains appeared to know no legal bounds.

3.2.1 It was at the same stage of the boycott that the police began to harrass taxi drivers and owners of private vehicles that they commenced a coordinated attack on commuters attempting to reach the railway stations to board trains to and from work. Persons attempting to proceed to such stations or persons alighting from the stations at the end of the working day, were confontronted by groups of police and vigilantes. Thus on 18 September 1983 the Sunday Tribune reported Solomon Masangane's story that he was attacked by police in civilian clothes on his way out of the railway station. 'Without any questions they hit me with sticks. About eight policemen were hitting me. One of them asked me why we were travelling by trains and not using the buses. I told him buses were not used'. When they had stopped hitting Mr Masangane both his legs were broken. He also had four cuts on the head and a broken finger. 'My right foot was dangling and I tried to stand up but couldn't.'

Factory worker Shula Ndukwana Bixa was stopped by vigilantes who told her that if she had any complaints she should not bother

to complain to the president because they were acting on his behalf. They hit her on the arm with a rifle fracturing her arm and threw her onto a bus. Two day later she was again confronted by the police and pushed towards a waiting bus. 'They hit me again on my injured arm causing me extreme pain'. Her husband was at that stage being treated in Mndantsane's hospital after being shot in the buttocks by the Ciskeian police. Mr Sunande had his ear stitched back after police struck him with a rifle to force him onto a bus. 'I showed them my monthly train ticket they grabbed it from me'. Factory worker Shepard Kalimashe had his jaw broken with an iron rod after he asked for change when being forced aboard a bus. Miss Mulana Mooi had her leg broken by three Ciskeian policemen who hit her with batons. Esther Mkiva was attacked by six policemen with batons while crossing the road. Boniwe Bonkolo was hit on the knee by policemen when she refused to board a bus. Zandisile Patolini a factory worker from East London was robbed and stabbed by a vigilante squad. Badly bruised and bleeding he was bundled onto a bus. Ellis Monthlolo was attacked from behind by men wielding sticks while he was walking to the Mount Ruth railway stations. Tom Kiko was beaten on his neck while on his way to the Mount Ruth station. (Golden City Press 14.8.1983).

Amongst the affidavits that were placed before the Ciskeian Supreme Court in the action by the six commuters to restrain the police and vigilantes from assaulting,

molesting, harrassing or intimidating workmen, a Miss Dlutu stated that on 4 August she saw policemen, soldiers and vigilantes preventing people going into the station. She alleged that at one stage police advanced on commuters but that the commuters shouted that they were not at war and wanted to go to work. Police drew their firearms and without warning fired at the commuters who were standing still, she claimed. Mr Michael T was assaulted on the fateful day of 4th August by a kierrie wielding vigilante who was attempting to force him towards a bus. He managed surreptitiously to board a train . He saw bodies lying on the platform. Exactly one month later he was arrested on his way to the station for not being in possession of a pass. He was kept there with a number of others for three hours - until the train he needed to catch to get to work on time had left.

Mr Wasa, a factory worker, described one morning in the following terms: "at about 4.30 am the workers again met the police and vigilantes, who tried to force us onto buses, chasing us with batons and beating with sjamboks. They would tear up train tickets and take people's money even if it was R5. One old man was saying he always rode the trains since 1965 and he was'nt going to ride the buses now. They started to beat him. A lot of workers arrived and managed to rescue the old man".
The police and soldiers adopted the practice of positioning themselves outside the five

railway stations in Mndantsane to prevent commuters from reaching the trains. Many workers avoided the normal routes, took circuitous routes, and crossed fences to get onto railway property. The railway bordered on South African property, and generally the Ciskeian police would not pursue people onto such property.. Trains themselves were prepared to stop in between stations to pick up passengers.

Minister of Justice Mr D.M. Takane denied that his police had been involved in any assaults. He stated 'as far as I am aware no detainee has been assaulted. Nobody has come to me to say I have assaulted such and such a detainee'. Throughout the boycott Mr Tekane was to persist in outright denials of the assaults, and excesses perpetrated by the police and the vigilantes. For example, despite the overwhelming evidence on the use of the Mndantsane sports stadium as a venue for the assault and torture of captives of the vigilantes, Mr Takane has denied all knowledge of such facts.

3.2.2 The Shooting of commuters

Given the extremes to which the police and the vigilantes were prepared to go to force commuters to use the buses and given the apparent limitlessness of their powers, it was perhaps inevitable that they should start to use guns to keep commuters out of the stations. The first recorded incident in which the Ciskeian police indicated that they were prepared to fire on commuters

occurred on the 25 July at Fort Jackson station in Mndantsane. In this incident five persons were shot. One of those persons was Mrs Virginia Ganto. She was proceeding on her way home from the Fort Jackson railway station at about 6.30 p.m.. She and persons exiting from the station were confronted by the Ciskeian police who demanded that these persons present their reference books and demonstrate proof that the Ciskeian Devlopment Tax had been paid by them. In the course of this confrontation the police opened fire and a number of people were shot down. Mr Ganto was shot in the left leg. Mr N Wasa states that on that morning "the people were told top lie down, and when some refused people were shot. I ran back to the Fort Jackson station. The workers asked the railway police to help us but they said they couldn't as they would get shot too. Many people have decided to sleep at the station rather than be killed on their way home. Some take the train back to town or to Duncan Village".

On the same day South African Railway Police at the Mount Ruth station ordered Ciskeian police out of the station. Ciskeian police were assaulting passengers as they alighted from the trains although the station itself is not Ciskeian territory.

On the 2 August 1983 the police reported having shot a 16 year old 'bus boycotter'. Ciskei's police liasion stated that they had been forced to shoot Tamsanqu Biyana when he broke loose after he had been arrested for intimidation

But it was on the 4 August that the police made a concerted attempt to stop commuters from reaching the station. At Mount Ruth and Edgeton stations the police formed a blockade to prevent commuters from reaching the station. The commuters attempted to go round the police in order to reach the station. Exactly what happened is a matter of dispute. In a sworn affidavit before the Ciskei Supreme Court in the application of 8 August 1983 Miss Lutu stated that the commuters shouted that they were not at war and wanted to get to work. The police drew their firearms and fired without warning at the commuters who were standing still, she claimed. Miss Glutu said that before running away she saw an old man fall to the ground holding his leg which was bleeding. She went past a young man lying motionless on his back on the ground and saw vigilantes approach him and beat him as he lay on the ground. She further stated that she saw a woman who had been shot while in her house.

One commuter stated 'the soldiers, all armed with rifles, were lined up along the railway line. When the people came to get onto the trains they were told to go and use buses. The people refused and moved towards the train and some started throwing stones. A shot was fired and they all ran. The soldiers kept shooting while they were running away,' the man said (Sowetan 5, 8, 83).

The police initially refused to elaborate on the cause of the shootings 'because there is a state of emergency' (Star 4.8.1983). The

official police version was that the police had to use force to defend themselves against 'an unprovoked attack by a rowdy crowd on Wednesday night' (Rand Daily Mail 5.8.1983). It was clear however that the incident took place at approximately 4.30 the following morning. It was admitted by the authorities that not a single policeman was injured. The most revealing fact however, hardly noticed by the press, was the subsequent trial of 59 persons charged with assaulting police on the morning of the shooting. The magistrate stopped the hearing as the prosecution was about to lead its third witness and asked the prosecutor if he was not sporting enough to admit defeat. "They are obviously not guilty" he said.

A Cecilia Makiwane hospital official admitted that of the persons brought to his hospital five were already dead on arrival (Star 4.8.83). A further 22 were brought to the hospital suffering from gun shot wounds. It is not known how many persons were taken to other hospitals or directly to the various mortuarys. One eye witness commuter stated that at least 15 people were killed and many more wounded. The commuter stated that amulances were crossing over the veld to pick up the dead and wounded. Other commuters claimed that 19 persons were killed. The Sowetan newspaper released figures that at least 15 people were believed to have been killed and another 35 injured in the above incident.

Within the next week the police confirmed having shot dead two more persons. One, a 16 year old boy, whom the police claimed attacked a policeman with a knife. Witnesses however claim that he was shot after police came across a group of youngsters playing football in the street during the daytime. Under the emergency regulations gatherings of more than four are prohibited. His friends claim he was shot from close range and that the policeman took a knife out of his pocket, dipped it in his blood and left it there.

Some Residents in Mndantsane that I spoke to claim that this has not been the extent of the shooting by the police . The army, particularly in the enforcement of the curfew regulations, have been labelled 'trigger happy' by Mndantsane community leaders. Furthermore residents claim that any resistance to the demands made on residents by vigilantes or police can result in the protester being shot out of hand. A typical example is in the shooting of a young man who protested against the demand of a vigilante that he produce his reference book. He was shot dead and his girlfriend was informed that the official reason would be that the man was attempting to rape her. She was warned that if she denied this fact or if she informed the authorities that the man was her boyfriend she would be killed. She duly complied with this threat.

These residents of Mndantsane put the total death figure at over 90. They claim that in

tne first instance tne Cecilia Makiwane Hospital is subjected to pressure from the Ciskeian government . They claim further that the official death figures released by that hospital are officially sanctioned figures. They claim further that the hospital is only capable of reporting the number of fatalities when the bodies of such persons are brought to the hospital. They claim that it is possible that bodies taken directly to private mortuaries will not appear on official death statistics. This is the case particularly where the mortuary releases the bodies or disposes of them before an official death certificate has been obtained. Both of the private mortuaries in Mndantsane were full during tne second week of August. A private mortuary proprieter has informed SAAWU that his mortuary alone was holding 7 persons killed, 5 of whom had not yet been identitifed. He informed them further that tne Ciskeian government had told him to start burying the bodies although such bodies had not yet been identified. These community leaders report that there is a persistent rumour that some bodies have been disposed of by night in a nearby village of Snapo . Another current rumour is that an eyewitness is claimed to have seen graves containing more than one body. During my visit to East London I was unable to confirm tnese rumours and, accordingly I believe that the significance of these rumours is that they are believed by the residents of the township. Certainly the use of the police and army to restrict entry to the casualty ward of the hospital has done nothing to allay tne resident's fears.

3.3 The General Harrassment of commuters

The daily demand for every kind of official and non official document constituted one of the most pervasive and effective forms of harrassment of the bus boycotters. These demands on commuters to produce documents were made by police, soldiers and vigilantes. These was often no legal basis behind these demands and they constituted simple intimidation and obstruction. Thus it has been reported that commuters at various times were asked to produce:

(i) Their South African issued reference books. In law they were no longer obliged to carry such reference books within the borders of the Ciskei. It was only when the first cases came to light that this demand ceased.

(ii) Identity document. This is an identity document issued by the Ciskei government after their independence.

(iii) Book of Life. This is a document intended to replace the reference books but which the Ciskei government has not issued comprehensively as yet. Many persons had not had the opportunity for applying for such a book.

(iv) Their record of voting. It is not known what authority an official has for demanding such a record.

(v) A certificate of occupation. This is a document which certifies that the holder occupies a particular residence in the township. There is no obligation to carry such a document.

(vi) Ciskei National Independence Party membership cards. Quite evidently there is no obligation on an individual to belong to such a party. To demand such a document has not only constituted a general harrassment but also an inducement to subscribe to party membership.

(vii) Contribution to the monument of Ntaba Ka Ndoda . The resident was expected to produce a receipt indicating that he had contributed to a cost of erecting this particular national monument. The residents of Mndantsane understand that this contribution is towards an erection of a statue of the Life President of the Ciskei, Lennox Sebe . There is no legal obligation to have made such a donation.

(viii) A receipt indicating payment of the Ciskei Development Tax. This tax was introduced in 1980. Few if any Ciskeians have paid it since that date. Civil servants have tne amount (R2.50) deducted automatically from their salary. Thus even if tnese persons were asked to produce proof of payment they are unable to do so. Accordingly Civil Servants do not have the receipt of payment of tax reflected in their reference books. Few citizens have paid the tax voluntarily, although it is alleged that many of tne headmen and chiefs compel some of their tribal subjects to make such payments. It was not known whether they were issued official receipts if they had paid in this way. Accordingly almost no Ciskeians in Mndantsane had such receipts in their passbooks. Had they wanted to have paid the tax they would have had to have gone to the local magistrates office and paid the necessary amount. This tax had hardly been enforced before.

Initially failure to have any one of these documents resulted in the passenger, commuter, resident either being sent back to obtain such document, or alternatively resulting in his prompt detention by the vigilantes. The effect of this harrassment was obvious. Employees were delayed in proceeding to work or missed their trains and were thus induced to catch buses. Generally residents were inconvenienced. This strategy provided an excuse to stop anybody at anytime. Despite the fact that many of these demands were flagrantly without legal basis hundreds of people were turned over to tne police by the vigilantes and subsequently charged. Having been arrested any person so detained could be held in cells days or weeks before being brought to trial. The extent of this harrassment cannot be minimized. It is estimated that well over a thousand people were held in Ciskei jails over this period (newspapers reported over a thousand persons detained by the end of August, 700 within tne first week of the state of emergency). Although many of them were held under the curfew regulations wnich were imposed on the 4 August many hundreds were detained particularly for failure to pay the Ciskei Development Tax. By September it was reported in the Press that 832 people had been detained in tne previous two weeks. Of which 288 people had been held for not paying Devlopment Tax. 372 people had been charged for curfew offences of whom 208 were acquitted. Many of tne remainder languisned in jail because their relatives were unable to pay the R400.00 bail set by Ciskeian magistrates.

Commuters stated that if you produced one document they asked you for the next. "It is an absolutely 'no-win' situation" said one resident. "It's impossible to have all these documents at the same time" (Sunday Tribune 18.9.83).

It is perhaps natural that, given the powers of the vigilantes and the police to cause such inconvenience through the exercise of such dubious executive powers, that they should use some of those powers for personal gain. Apart from the molestation and harrassment of women, the most common abuse of power occurred through tne acceptance of 'admission of guilt' payments. The penalty for failure to pay the Ciskeian Development Tax ammounted to an admission of guilt of R10.00. Policemen and apparently vigilantes were prepared to accept the payments of R10,00 as admissions of guilt from the commuters that they stopped who had failed to pay such tax. No receipts were offered. Community leaders have reported that some citizens have paid such admission of guilts on numerous occassions. In one alleged case an old man, a civil servant who had in fact had the tax deducted from his salary and accordingly had no reciept to show for it , was forced to pay an admission of guilt on two occasions on the same day. More drastic however, are the allegations that the vigilante and police roadblocks established on Friday nights have used their powers of seizure and search to rob commuters of their weekly pay packets. Indeed, it was reported in the media, that vigilantes have accepted sums of money (R150.00 in the reported case) to release children from the now notorious sports stadium to their parents.

4. Vigilantes and Torture at the Siza Dukashe Sports Stadium

The vigilantes are primarily an unoficcial police reserve composed of members of the CNIP. Most of the vigilantes are brought in from the rural areas where President Sebe has support from tribal authorities. The chiefs and head men in the rural areas play a vital role in allowing agents of the CNIP to recruit the vigilantes from the rural areas.

The vigilantes first made their appearance in the Ciskei under the title of the'green berets' in 1974 when they were brought in by President Sebe to crush the bus boycott then in existence. They were used again in 1977 in the disturbances in the Ciskei which followed the death of Steve Biko - particularly following the stoning of a Sebe brother, then a Cabinet Minister now in detention, and a Sebe body guard. The breen berets used strong arm tactics to thrash students at the Malabantu high school with sticks and sjamboks. (After this incident the Tembalabantu High School was renamed the Namba Sebe Senior Secondary School. More recently the detention of Minister Namba Sebe (brother of Lennox Sebe), has resulted in the school's name reverting to Tembalabantu. Similarly the General C. Sebe school has reverted to the Non-ceba Secondary School).

The vigilantes are mostly Sebe loyalists. They are dressed mostly in overcoats and armed with sjamboks and kieries. They seldom wear the green berets that identified them in 1974 or use the red sjamboks which gave them notoriety in 1977. They are brought in from the rural areas and Zwelitsha in government white combis and mini buses. Although some of the vigilantes come from Mndantsane, many CNIP members in Mndantsane refuse to join the vigilantes inter alia because of their distaste for the function played by the vigilantes and their fear that they would be victimized by their fellow residents .

It is reported that CNIP agents attempting to recruit vigilantes are having less success. More recently in two areas, Newlands and Mooi Plaas, a CNIP agent failed to recruit any vigilantes. In the one area he was told that he should be recruiting uncircumsized boys for this work and not men. In the other area the chief informed his subjects that persons who volunteered to join the vigilantes may get their houses burnt down.

The vigilantes were brought into Mndantsane only after the boycott had been in progress for two weeks. They were put up at the Siza Dukashe stadium. Most of the vigilantes are middle aged men. The vigilante leaders recruited from Mndantsane are often traders and businessmen. It is alleged that some of the vigilantes recruited from the rural areas, believe that they are being recruited for employment. When they find out the nature of the work some of them have returned to tneir rural areas. The vigilantes worked mostly under the supervision or in the presence of the police in manning a roadblock and checking passes in the presence of the police. For example on 3 August when the vigilantes were introduced the police and Ciskeian soldiers sat on top of trucks and watched the vigilantes attack people with sabres and knobkerries. However the vigilantes have also operated independently in detaining people and taking them to the stadium. Tne vigilantes roam the streets, at night enforcing the curfew regulations, or in the daytime attempting to prevent the commuters from reaching the station, or forcing scholars to attend school. They assault indiscriminately wnen performing their policing function. The wearing of a SAAWU t-shirt can cost a thrashing. The failure to have a document can also mean a thrashing, as can riding in a taxi or not being at school. The vigilantes are supported by the green grocer nawkers (women) who used to ply their trade at the Mndantsane bus stop. They blame the bus boycott for a loss of income. In this sense they share a similarity with other Sebe supporters. They are part of the few Ciskeians who have in interest in Sebe's policies. Their support has consisted mainly of staying at the stadium supplying various domestic services to the vigilantes. They cook and keep house for the vigilantes. The scale of the violence perpetrated by the vigilantes was at its most intense in August and early September. After numerous press criticisms, particularly from the Daily Dispatch and East London employers relating to the indiscriminate violence

meted out by the vigilantes, and the negative publicity associated with the use of the Sisa Dukashe stadium as a venue for torture, a few of the vigilantes have returned to the rural areas and some have been accomodated in the township itself or have been put up in a local in-training centre. They do continue however to perpetrate assaults on car passengers and train commuters, Sebe opponents and boycotting school children. More recently one of the leading CNIP members and top vigilante, Steve Nene, who has been prominent in a number of assaults in Zone 5, has been detained.

The vigilantes are provided with free food at the stadium but it is unclear what their financial remuneration is. Many of the vigilantes are equipped with sjamboks, sticks, sabres and pellet guns. A few of the leading members possess firearms.

In general the vigilantes would deliver the persons that they had arrested, assaulted or detained in the Sisa Dukashe stadium over to the police. There was at least one reported incident of the vigilantes accepting a ransom of R150.00 from the parents of two children detained at the stadium for two weeks. They are also reported to have taken money from persons they were searching and to have accepted money from commuters who wish to avoid harrassment or arrest.

But it is the systematic torture perpetrated in the Sisa Dukashe stadium which is perhaps the most horrific chapter in the story of the recent Ciskeian excesses.
The Sisa Dukashe stadium has banked concrete seats around three sides of the soccer field. On the fourth side is a grandstand. Around the stadium is a high brick wall. The wall was manned by vigilantes with shotguns and pellet guns. Underneath the grand stand there are numerous change rooms estimated to be approximately 7-8 metres square. The

vigilantes took up accomodation in all but two of these change rooms. In the remaining two, captives (people taken off the street or arrested at their homes or arrested at checkpoints manned by vigilantes) would be kept. There was often no sexual division, neither food nor water was provided to those detained. At times there were to be up to 80 persons locked into one change room. There is no running water. Accordingly the detainees were forced to defecate on the floor. The floor was at some stages littered with piles of faeces.

Those persons detained were held for periods ranging from a few hours to several days. Generally they were then removed to a police station to face charges. It was general practice to sjambok persons who were brought there. No blankets were provided. A number of victims have reported that they were handcuffed and hung up on a water pipe, and thrashed whilst suspended by their wrists. Many of the people who passed through the stadium still bear the marks, weals and cuts from their sjambok whipping. People who were kept at the stadium have also reported the rape of a woman taken by vigilantes.

Persons taken to the stadium were often confronted with allegations which were false. It is not known which informers provided information to the vigilantes. In one case a person was taken there as a result of a dispute with her neighbour.
No medical attention was given to persons injured there and there was no guarantee that medical attention would be provided to a former inmate once he was handed over to the police. An inmate reported that when he was there an 11 year old girl and a 14 year old boy were being held captive.

Ciskeian police consistently denied that assaults were taking place in the stadium. And stated that any incidents would be investigated by the police if they were reported. However various victims said that indeed they requested the police to raid the stadium. Furthermore people living near the stadium were exposed to the screams coming from the dressing rooms and asked the police to investigate what was going on at the stadium. Mndantsane residents have attempted to lay charges against vigilantes only to be fobbed off by the police or to find that the file has been closed.

Perhaps one of the most startling aspects of this frightening use of the stadium, was the failure of the South African public and press to make an issue of it. The use of the stadium as a torture centre was in fact reported (Sunday Tribune 18.9.83 ; The Golden City Press). However, there was no follow up to these individual reports and many newspapers did not report them at all.

Mr and Mrs Mbolo's story indicates the unchecked power vigilantes possess in Mndantsane. Mr and Mrs Mbolo's child (15 years of age) was returning from work one evening when he was apprehended and thrashed by a leading vigilante who lives in the area. Three days later Mr Mbolo confonted the vigilante Mr Mfaxa and questioned him as to why he hit children instead of approaching adults. Later that night their house was surrounded by vigilantes who were banging on their doors and windows. Mr Mbolo opened the door and immediately without any words spoken vigilantes rushed into the room and began to strike Mr Mbolo and his wife with sticks and sjamboks. They thrashed the two of them through the house and into the official van outside. Amongst the vigilantes there were two policemen. Mrs Mbolo was covered in blood and she found her husband unconscious in the back of the van. They were taken to the police station at Unit 1 together with the approximately 31 other people who had

been arrested by the vigilantes that night. At approximately 8.30 he next morning they were taken back home. Mr Mbolo still has bruises all over his body. They were never told of any official reason for this action.

Some two weeks later, on the 23 August the vigilantes returned to their house. The vigilantes approached Mr Mbolo and stated 'we didn't hit you properly last time'. He was then hit by one of three vigilantes and thrown into the boot of a car bearing a government registration. The following day Mrs Mbolo went to the police station to find out where her husband was and to report his abduction. His friends then told her to investigate the stadium because it was said that people were being kept and assaulted there. She went to the stadium and was told that they would not release him because they were still ' investigating his case' when he came home on Monday 28 August he was badly injured and cried tears when he saw her. He reported that he was handcuffed and suspended from the ceiling and was beaten for an hour. When they had finished beating him he could not walk. 'They held me captive in the dressing room for five days without medical attention and then they let me go'. He still bears the injuries of his wrists and buttocks and back. Last week he was admitted to hospital for an urgent operation on his spine which had been injured in the assault. Mr Mbolo's story is confirmed by a carpenter Mr J. Dlevu who had also been assaulted in the stadium. He told a reporter from the Golden City Press that he had seen Mr Mbolo lying on his stomach in a toilet bleeding so profusely that the blood flowed out of his shoes.

It was further reported that a Mr Ntuli had been dumped into the back of a van and whipped with an electric cable before being taken to the stadium. He was beaten again at the stadium and released the next morning without being charged.

Rev Ngidi tells much the same story. Rev. Ngidi refused to allow himself to be handcuffed from the ceiling and was sjamboked where he stood. He was wearing pjamas. After a few hours he was taken to a police station. The Rev Ngidi estimated that there were a hundred people in the stadium at that time, many of whom were school children. While he was there he witnessed some of them being beaten. It is reported that some of the children were forced to run around the stadium singing praise songs to Sebe. Mr M.M. whose statement is summarized at the beginning of this report, and who was also suspended and sjamboked, reported that during the three days that he was present in the stadium he witnessed many similar beatings.

Some of the methods used appear to have been borrowed from the Security Police. Thus Mr T.M. was taken to the stadium handcuffed hands to his feet and made to swing for two hours from a rod suspended between two tables. This is commonly referred to by Ciskei Security Police as the 'boeing' or 'helicopter'.

Although most of the persons taken to the stadium were taken for purportedly violating the curfew regulations, Mndantsane residents complained that firstly the curfew regulations were difficult to adhere to because of the delays caused by the vigilantes and the police in allowing people to get to and from work. Secondly the residents complained that the vigilantes were detaining people for curfew violations whether the curfew had come into operation or not. However, as described above, some of the persons held in the stadium were picked up from their houses by vigilantes, presumably acting on the information supplied to them by police informers. In the case of Felicity Dwesini a first year student at the East London branch of Rhodes University, vigilantes arrived at her house at approximately 9 p.m.. The vigilantes demanded that she tell them where her sister was whom they accused

of being a SAAWU member. They told her to get dressed because they were taking her to jail. As she was taking off her nightdress one of the men came into her bedroom and began to beat her. Simultaneously one of the men began to thrash her brother. She was attacked as she was going out of the house and she fell on her face. They were intermittently assaulted on their way to a neighbours house and thereafter to the stadium. The neighbours were unable to interfere. 'We found many other victims there. My brother whose body was blue with sjamboking, was made to lie down on the floor'. They were assaulted by older men who accused them of being liars. Felicity insisted to the vigilantes that the cause of her detention was as a result of a dispute with her neighbour. She and her brother were taken home some fifteen hours later and were never charged. On 27 August she laid charges against her assailants at the Unit 1 Police station. The policeman taking the statement excluded the section dealing with the Sisa Dukashe stadium on the basis that he 'always summarized statements'. On the 22 September Miss Dwesini went to the police station to ascertain what progress had been made in the case. She was told that the case had been closed. She insisted that the case be re-opened. It has also been alleged that vigilantes would offer walking commuters a lift. Once the commuter was in the combi believing to be in a taxi, he or she would be taken to the stadium.

5. DETENTIONS AND INCARCERATIONS

The Ciskeian government has not been known for its restraint in exercising its powers of detention. Thus by September at least 67 people, most of them trade unionists, had been detained under Ciskei's Internal Security Act. This figure excludes over a 1000 commuters detained for various technical offenses.

Amongst those detained were 8 members of the committee of 10 elected by various community and trade union organizations to negotiate with the bus company on the issue of the bus fare increases. This detention has been a major factor obstructing negotiations between community of Mndantsane and the bus company. The meeting organized during the boycott between the bus company and the committee was called off because only 4 members of the committee were available to attend. These four claimed that they were not representative of the entire committee and were unable to continue negotiations. Subsequently offers to settle the boycott by trade union leaders have been premised on the release of the original committee elected by the community and other organizations representing the residents of Mndantsane.

The Ciskei authorities have labelled both SAAWU and the boycott as 'evil'. They have also stated that they believe that SAAWU is behind the boycott. It is not surprising then that many of the people detained under the National Security Act have been SAAWU officials and members. Amongst those detained are Siza Njikelana (vice president of SAAWU) Lima Tomila Ntonga, Godfrey Sheba, Gardner Mambushe, Boyce Melitafa, Yure Mdyogolo, Shepard Mayekiso, Derick Smoko, Cameron Mzimane, Lulamile Kumane, Bagumzi Sifingo, all senior officials or members of SAAWU. The SAAWU offices based in East London are regularly raided by the South African Security Police. The President of SAAWU Thozamila Gqwetu has gone into hiding. SAAWU officials state that they have good reason to believe that Sebe has given unofficial persmission for Gqweta to be dealt with. The detention of SAAWU officials commenced on the 21 July, two days after the boycott began in earnest. Since then it has continued unabated, and from recent reports it appears it will continue into the future.

Despite international and even local repercussions the Sebe regime decided in early September to outlaw SAAWU within the Ciskei. Althougn the union believes that the interests of workers cannot be separated from their interests in the community (hence the union's support for community struggles) the union has consistently stated that it is a trade union and not a political movement. Shortly after the prohibition eleven independent trade unions and union federations representing 250 000 workers condemned the banning.

Besides the above mentioned more senior officials, many members of the union have been detained for periods of varying lengths simply on the basis that they have possessed SAAWU T-shirts or SAAWU membership cards. One of the practices of the Ciskeian police is to tell commuters who are being harrassed that they should blame SAAWU.

While it is clear that SAAWU has borne the brunt of the Ciskei government's repressive policies, many independent unions have suffered extensive repression and detention as well. The GWU and the AFCWU officials have been regularly detained in the past. During this boycott they detained the leading official from the GWU, David Thandani and the following officials from the AFCWU: Bonisile Norushe, Dlaki Vani. It appears that the officials were arrested in their office in East London (South Africa) and transferred to the Ciskeian Security Police for further detention. Two members of the Transport and Allied Workers Union (TAWU) who were recruiting workers at the CTC were also detained under security legislation. (Being detained under South African Security Legislation does not imply that the detainee is necessarily connected with any 'offence' as normally defined.)

It is not only trade unions and trade unionists that have been subjected to the awesome powers of the Ciskeian Security Legislation. Thus members of the non racial border council of sport Dr Lawrence Msauli and boxing promoter Hubert Jekwa were detained. Many members of COSAS (the Congress of South African Students) have been detained. Various journalists, political figures and community leaders have been detained. The most well known amongst these are Mr Moses Twede, a former Robben Island detainee, Mr Charles Ngakula, former acting president of the Media Workers Association of South Africa and Mr Monoye a well known actor, composer and playwright. Several Mndantsane town councillers, including Mr Lubisi, chairman of the council have also been detained. These and numerous other members of the Mndantsane community are currently sharing their detainee status with 14 former Ciskei Security Policemen detained early on in the boycott and four members of the ruling Ciskei National Independence Party including Mr Sipho Tanana ex secretary of the CNIP, former Ciskei cabinet minister Fikile Siyo, Mr Steve Nene a vigilante leader, and the sons of various senior cabinet ministers. The number of people detained explicitly under the National Security Act is over 70. These people detained under the National Security Act are not entitled to communicate with their lawyers, relatives, or anyone other than officials of the Ciskei government.

Amongst the more recently detained is Hintsa Siwisa, the lawyer who had launched the application to restrain the police from assaulting commuters and the senior partner in the law firm which had undertaken much of the work on behalf of political opponents of Sebe. His detention meant that many of the victims of the assaults and the organizations bearing the brunt of the repressive measures of the Ciskeian government felt that they had no legal firm to turn to.

As an alternative to Siwisa, while he was detained, SAAWU engaged Johannesburg based attorney Priscilla Jana and advocate Clifford Mailer. However the Ciskei authorities banned them from the Ciskei. SAAWU's Gqweta claimed that this was an attempt to " deprive workers of legal representation against his (Sebe's) atrocities"..

Dr Msauli, also detained, was the doctor who had taken a lead in recording evidence of assaults by Ciskeian Security Policemen and vigilantes on Cisleian citizens. His detention hindered the recording of such complaints for the purpose of civil actions and has made subsequent civil claims difficult.

6. THE STATE OF EMERGENCY AND THE CURFEW

On 4 August the Minister of Justice declared a state of emergency in the township of Mndantsane. He stated that he was forced to take this measure to protect the township residents. He stated the 'no mercy will be shown on people who contravene the regulations' among the provisions of the curfew were that no one should be on the streets between 10.30 p.m. and 4 a.m., except with written permission from the station commander of Mndantsane police station. The regulations also stated that not more than 4 people should walk together on the street or be in anyone's house during the day. All businesses had to be closed between 7.p.m. and 6 a.m.. Owing to the fact that many Mndantsane residents were not aware of the times, that they had difficulty in getting to work and back in time to meet the curfew deadlines, and the fact that the vigilantes and the police imposed the curfew illegally from times varying from 9.p.m., several nundred people have been detained or arrested under the curfew regulations. On 13 August the Eastern Province Herald reported that 700 people had been arrested for alleged curfew violations during the first week of the state of emergency in Mndantsane. The report

stated that only 32 of those arrested had been convicted. On the 13 September 8 people appeared on charges of curfew violations but the cases had been withdrawn because police witnesses were not available. Those found guilty were fined R100.00 or 50 days imprisonment.

It has also been alleged by the residents of Mndantsane that the army and police personnel have shown a willingness to shoot residents who are not in their houses during the curfew. The streets of Mndantsane are patrolled at night by police vans looking for curfew breakers. Vigilantes have enforced the curfew from 10.p.m. to 4.30 p.m. owing to an incorrect publication of the curfew times. It was reported on the 16 September 1983 that 832 people had been detained in the past two weeks in the Ciskei of which 372 people had been charged for curfew offences. Of these 208 were acquitted. Many of the remainder were still in jail because their relatives were unable to pay the R400.00 bail.

Despite the technical nature of the offence many persons are detained for long periods of time both at the sports stadium by the vigilantes and subsequently at the police station before being brought to court. Such detention is clearly in contravention of the Criminal Procedure Act which requires that persons arrested be brought before the court within 48 hours. When such persons are brought to court, believing that they are being held under Security Legislation, they are merely charged with one of the technical offences viz breaking the curfew regulations or failing to pay Development Tax. Besides the general emergency regulations, the authorities have ordered that funerals be held during the week and have limited the number of people who may attend.

7. General Treatment of Prisoners in the Ciskeian Prisons

Given the tremendous increase in the prison population, and given the lengthy delays before prisoners are brought to court, it is not surprising that the prisons are extremely overcrowded. Indeed with the detention of several senior personnel associated with the administration of the Ciskeian National Forces (police, prisons and army) and the pressure on the Department of Justice, former prisoners allege that the administration of criminal justice and prisons is chaotic. The prison authorities are unaware of the different status between National Security Act detainees and normal prisoners. They are accordingly unaware of the dietary arrangements for security detainees. The cells are excessively overcrowded. One former prisoner claimed that a cell approximately 3 - 4 metres square, probably designed for one or two prisoners, have been holding up to 11 prisoners. This occurs notwithstanding the use of the Siza Dukashe stadium by the vigilantes as a de facto reception centre. The food provided to prisoners has been reported as sub-standard and inedible. Mr M.W. detained on the 4 August was taken to the Mdantsane prison where he was placed in a cell with 57 people. There they were given breakfast of a plate of porridge with one teaspoon of sugar. At lunch they were given porridge and cauliflower. Mr M.W. together with several other prisoners went on a hunger strike in outright rejection of the food they were being fed. He claimed the food 'was not fit for a dog'. Their hunger strike continued for 15 days. Despite an attempt by the prison authorities to persuade the prisoners to eat and some cursory medical examinations of them, the prisoners stated that they would not eat unless the food improved. On the 16th day Mr M.W. was taken to hospital and approximately 2 weeks later he was discharged from hospital. This was the fifth time that he had been detained by the Ciskei Central Intellegence Service and the third time that he had been released after

going on a hunger strike. Despite the fact that on at least one occasion he has been tortured he has never been charged with an offence under the Ciskei Security Legislation.

Mr T.G. also detained on 4 August and released on 15 September underwent two hunger strikes while in detention. The first hunger strike was to secure information as to the reason for his detention. When his cell mates began to collapse the hunger strike was called off. Some days later a second hunger strike commenced demanding an improvement in the diet. The only noticeable improvement after the second hunger strike of 6 days was that they were given porridge without sugar for supper in the place of samp. Mr M.M. reports that during his period of detention from the 19 July to the 15 August 1983 he was not given blankets. All three of the above detained complained about the attitude and incompetence of the medical practitioners who examined them in the course of their duties. Mr Mtonga also complained that the only change in the quality of the food during this period of detention was that it went from bad to worse. The food was just porridge or mealie rice three times a day. Distribution of coffee or tea ceased.

8. Administration of Justice

Apart from the conditions in prison the administration of justice appeared and appears to be just as chaotic. Thus a number of members in a cell would be approached by a Ciskeian policeman and would be asked where they had been arrested. Those that declared that they had been arrested at one railway station would be entered on a list. Those that decided to state that they had been arrested at another station would be placed on a separate list. Subsequently charges would be brought against the respective lists on charges which the accused had no knowledge of. As reported above an overwhelming majority

of people arrested and detained also for lengthy periods of time would be merely acquitted when they got to court because of the absence of dockets and or police witnesses. As many of the people had been arrested by vigilantes there is often no evidence or record of the alleged offence which had prompted the arrest (if any). Mrs F.G. reports that her son was taken by Ciskeian police. Despite concerted attempts by her employer and herself she has been unable to get confirmation where or why or in terms of what section her son is being held. She has heard a rumour that her son was assaulted on the day of his 'arrest' and she believes that the police will not release him for this reason until he has recovered. There are numerous such cases where parents are left desperately trying to trace their children..

9. Assaults on Detainees held in Custody by the Police

It is known that a number of detainees detained under Security Legislation have been admitted to hospital. It is unclear how many have been admitted to hospital as a result of their treatment at the hands of their custodians. Thus Messrs Theo, Nzimane, Pehla, Tabata, Wazo, Moyani, Msauli and Jecqa were admitted to hospital at various stages of their current detention.

Mr Twede, a former Robben Island prisoner, was admitted to the Mount Cook Hospital two weeks after his detention, reportedly by both white and black security policeman. Mr Twede was seen in the waiting rooms of the District Surgeon with a bruised face, swollen eyes and a cut on his upper lip. Shortly afterwards his wife brought a interdict restraining the police from assaulting him. The interdict was granted.

Another detainee, Sabata , suffering from fits as a result of an assault he was subjected to when he was detained earlier in the year, was recently hospitalized. However it is reported that the hospital does not have the facilities to treat this particular problem.

As disturbing as the number of persons who have been hospitalized and the circumstances of their hospitalization are the reports of the failure to hospitalize some of the detainees who have been assaulted. Thus M.B., seriously assaulted by vigilantes before being handed over to the police, was consistently refused proper medical treatment by the prison authorities. Certain parents have stated that they believe the failure of the police to release their children from detention is solely because the children still bear the marks of assaults perpetrated on them when they were arrested.

An indication of one of the abuses of the Ciskei National Security Act is evident from the failure to interrogate many of the people detained. The alleged purpose of the detention is to investigate the commission of an offence. At least three of the detainees who have been released after long periods in detention under the Ciskei Security Legislation confirm that they were at no stage interrogated during the course of their detention. Accordingly we can presume that the powers conferred on the police by the National Security Act have been used simply to take people out of circulation. This fact, together with the apparent load of work which the CIS have been burdened with during the course of the boycott, has probably reduced the scale of physical coercion being applied to the detainees at the hands of the Ciskeian Security Police. This however does not mean that many persons have not been assaulted by the police at the time of their arrest and afterwards.

Residents have experienced difficulties in getting information from the hospital as many of the nurses who residents have approached for information on numbers of persons and identities of persons brought to the hospital are forbidden to give information. It has also been reported that some of the injured have been taken to outlying hospitals at Mount Coke and the St. Mathews hospital near Keiskamma Hoek.

A typical example of the ad hoc assaults taking place is the assault perpetrated on Sandile Mgogi. Visited by the police at approximately 10. a.m. at his home he was taken to the police station at Zone 1 Mndantsane. He was asked whether he was a member of SAAWU or ANC and when he denied that he was called a liar. They commenced assaulting him with an iron rod. They beat him on his arms. They choked him until he fainted by means of the hooding technique (a rubber bag drawn over the head). A friend of his Totosi Rabochi was being similarly assaulted in a nearby office. This assault took place on the 13 September and they were released three days later on the 16 September without charges.

The Rev. Simon Ngedi was detained during June 1983 a disabled Zionist priest he was taken to the offices of the CCIS at Zwelitsha (King Williams Town) and hooded, kicked and beaten. He was taken to hospital after this assault with a fractured sternum. He is now asthmatic as a result of this assault. He was detained again on the 19 August and this time assaulted by vigilantes. After being assaulted by the vigilantes he was taken to a police station where he was held for three weeks. Throughout this period he was dressed only in his pyjamas. The disability grant he was getting from the Ciskeian government has now been stopped. His wife was told by government officials that the reason for their grant being stopped is because her husband 'wouldn't leave this thing'. Rev Ngedi frequently speaks at the funerals of political figures.

10. Assaults in the course of general harrassment

Until the bus boycott the police had tolerated shebeens (informal drinking houses). Over the last month, however, they have developed the practice of raiding the township shebeens and confiscating all the liquor. The shebeen king or shebeen queen is allegedly told to pay R100.00 admission of guilt and released. All the persons inside the shebeen are asked to pay R30.00. However on some of the occasions it has been reported that the occupants of the shebeen have been thoroughly assaulted. One such person was Miss Philidelphia Maknubalo, who showed a press reporter weals all over her body and a gash on her head. 'The curfew starts at 10.30 p.m. and it was only 9.00 p.m. when these men with sticks, sjamboks and iron rods entered the shebeen and started hitting us. I didn't go to report the matter to the police as they don't take these cases seriously. In any case they were all friends'.

Recently it was reported as late as 19 September that the police in the course of stopping people and asking for their reference books and various other documents at Mount Ruth station separated the men and forced those that were not able to produce the necessary documents to do push ups (exercises).

Another man was made to eat an entire packet of boxer tobacco.

Many of the complainants are too frightened of the retribution which may be visited on them by the official authorities or the vigilantes to press charges or commence civil actions.

11. House Searches

It appears that the major objective of the various forms of harrassment and abuse of the residents of Mndantsane since the inception of the bus boycott, has been to simply make life for those residents as inconvenient and oppressive as possible. In this way it was hoped the residents would turn against the boycott, and the people and organizations who supported it. It may be surmised that a secondary objective would be to demonstrate visibly that the authorities had power and weapons and their oppenents did not.

By September the conflict had gone beyond the issue of the bus boycott, and had become a test of will between the people of Mndantsane and the Sebe regime. The children had supported their parents by declaring a schools boycott. The authorities had responded by outlawing the major trade union to whom many if not most of the Mndantsane residents were affiliated. Towards the later part of September the police stepped beyond patrolling the public space and invaded the homes of Mndantsane residents.

Thus on the week-end of 17 and 18 September the police conducted house to house searches at Zone 9 (Zone is a township equivalent to white South Africa's 'suburb'). The police searched for any publications which they deemed to be hostile to the principles and policies of the Sebe regime. Whether these publications were prohibited or not was irrelevant. A publication which contained a photograph of workers wearing a union t-shirt or a person with his fist in the air was automatically seized. Union (particularly SAAWU) t-shirts and membership cards were either seized or could result in the further detention of the occupant of the house. The police questioned the children of the occupants to determine whether the children

were going to school. If the children were found not to be attending school they could be detained. Indeed in this suburban sweep a number of secondary school pupils were detained.

In some cases the occupants or the police dug up the gardens at the back of the houses, as happened to Joe Mati. He reported that houses were left in a shambles after the search. Presumably this was a concrete lesson to the residents that the police could enter and control their living spaces. Further house searches were undertaken in Units 8 and Unit 11 on the 23 September. It was reported that another such search had taken place on the 28th September, this time in zone 8. On this occasion many of the young men and boys were taken off by the police (Daily Dispatch 28.9.83). In some of the houses the police immediately commenced hitting the boys. This happened in the houses of Mr Sidayiya and Mrs Gaxa.

12 Local Authorities

The local authorities control a particularly important aspect of the lives of Mndantsane residents. They control the allocation and provision of housing. An informant claimed that during the reign of Charles Sebe as Commander General there was a particularly close relation between the authorities in charge of housing and the CCIS. (The President is apparently not so enthusiastic about the idea since falling out with his brother).

It was alleged that members of SAAWU or opponents of Sebe were not allowed the same latitude of rental arrears due to the township authorities as CNIP supporters. Moreover faithful CNIP supporters would be allocated houses over and above non CNIP members. Thus Mrs M.A.M. of Mndantsane was informed in 1981 that the superintendent of Zone 6 had

informed Mr Liebenberg, apparently the township superintendent, that she could not obtain a house as she had not paid membership dues to the CNIP and that she had not paid money to the Ntaba Ka Ndoda memorial ('statue of Lennox Sebe'). Mrs M.A.M. claims that she was paying the money but was not attending the party meetings.

Given the absolute housing shortage in the urban area, power to provide houses and to take them away cannot be overestimated. SAAWU officials state that if their members are detained one of their main concerns is to see that the rentals are paid. In times like the current situation the union must out lay substantial sums to ensure incarcerated members are not evicted..

On a different level the central authority's power to witndraw disability and pension grants in the extremely impoverished Ciskei, is a significant disciplinary weapon. It is factors like these which explain why some Ciskeian citizens feel that CNIP membership is a form of insurance.

13. Hospitals and Medical Treatment

A number of medical doctors (General Practitioners) were consulted on the week end of 23-24 September by a Johannesburg doctor who had been requested to visit the area by the Detainees Parent Support Committee. They reported that they had all seen cases of assault in their practice. Some had seen up to three cases a day, others a total of ten to fifteen cases. Most were cases of beating by sjambok and knobkerrie. Private practitioners practising in Mndantsane and in the Cecilia Makiwane hospital reported that some residents were reticent to go to the hospital for treatment because -

(i) The police raided the hospital for persons reporting cases of assault by vigilantes or police. There is evidence to suggest that persons who had reported to the hospital had been subsequently arrested by the police.

(ii) Many of the employees at the hospital were UNIP members. In at least one case it was reported that a senior hospital personnel member, Lungelo Dwaba, who expressed the belief that those who had to work at the hospital, should walk to the hospital was detained shortly afterwards. It is believed that there are a number of informers in the Cecilia Makiwane hospital. This is not so incredible given the nature of recruitment to the civil service.

Personnel at the hospital have been forbidden to release details and statistics of injuries. During the shooting on 4 August the police completely cordoned off the hospital. Approximately 100 police refused people entry. At the entrance to the casualty ward police in camoflage uniforms with machine guns were posted. A hospital employee reported that on this day she estimated that there were 30 patients in the 'disaster ward' especially opened to cope with the injured. Over and above this she estimated 15 people in intensive care as a result of the shooting. She also reported some of the casualties as two school children shot when they were at home. The hospital worker is adamant that more than 5 people were killed, the official figure released by the hospital. She also stated that persons brought to hospital from detention are not usually the persons who have been beaten up but usually the persons suffering from hunger strikes or ailments. She further reported that some people are being taken to Frere hospital in East London. The hospital required permission from the Minister of Justice to release information. The hospital workers also reported that medical files marked as police files had dissapeared.

As a result of the above considerations many of the people preferred to go to the Mount Frere hospital in East London. The people are too frightened to volunteer that they have been assaulted at the Cecelia Makiwane Hospital under these conditions.

The one Doctor that people did have faith in, and who treated and recorded a substantial number of the injuries recieved by victims was Dr Msauli. In due course he too was detained under security laws.

At the prison the officially appointed doctor gave instructions to the prison authorities not to refer hunger strikers to the hospital. At the prison detainees also complain that the prescribed pills are not given to them.

Given the fact that the hospital is a government institution and that civil servants are pressurized to become CNIP members before gaining employment it is not surprising that Mndantsane residents do not trust the hospital. One employee who ordered a senior CNIP member and patient to conform to hospital regulations was detained for over a month. When he was released he was discharged from the hospital without notice pay.

14. Collaboration from the South African Authorities

The South African police have long collaborated with the Ciskeian security police. In particular trade unionists have been detained alternatively by the Ciskei security police then by the South African security police. More revealing, in view of the effort which has gone into establishing the facade of independence of the Ciskei, is the manner in which South African security police and Ciskeian Security police swop detainees without proceeding through the formal extradition procedures. While the

Ciskeian government denies such practices there is more than enough evidence from the subjects of such 'detainee dealing', and from the records of court trials held in South African and Ciskei to accept that this practice occurs as a matter of course. During the recent detentions one such person Bangumzi Sifingo, a senior SAAWU leader, was detained at his place of work in South Africa and handed over to the Ciskeian authorities who neld him in detention. Moreover Mndantsane residents report the presence of white South African security policeman in the Ciskei cooperating and collaborating with the Ciskeian Security police. Similarly Captain Genda of the Ciskeian security police has been seen performing his duties in East London, in 'white South Africa'.

Only two years ago the South African security police distributed to various companies a memorandum setting out a strategy for dealing with and obstructing the South African Allied Workers Union. During the boycott itself the Ciskei was the recipient of an official state visit from the Minister of Foreign Affairs of South Africa Mr R.F. Botha on 15 August to 'emphasize the working relationship between the two countries'. Foreign Minister Pik Botha nad earlier stated that while he had no desire to interfere with Ciskei affairs South Africa would naturally be willing to intervene if asked to. For their part the Ciskeian Central Intelligence Service harrassed Ciskeian delegates to the launching of the United Democaratic Front held in Cape Town in late August. President Sebe has also volunteered Ciskeian troops to fight alongside South African troops on tne border ,presumably including Namibia .
During the initial stages of the boycott, South Africa's two top policemen, Gen. Coetzee and Brigadier Steenkamp, visited the Ciskei. Both these men are closely associated with the South African security police.

Strangely, however, the South African transport services assisted many of the commuters to catch trains and protected them from the vigilantes and the Ciskeian

police. The East London traffic police has not proved so helpful. On one occasion they stopped all cars coming from the townsnip and, claiming that some of them were overloaded, made some of the passengers walk. They duly denied that this was done in concert witn the Ciskeian authorities.

15. South African Firms

It is reported that many individual employers have been sympathetic to workers that have arrived late or have been subjected to some or other form of violence and it appears that the chamber of industries as a whole has not attempted to intervene on behalf of the CTC or the Ciskeian authorities. But in the circumstances their performance does not warrant much praise .Many of the firms in the East London area nave responded to the brutalities taking place in nearby Mndantsane and to the bus boycott itself with relative indifference. They have certainly failed to make any concerted attempt to reduce the scale of the assaults taking place on their employees. For example employers generally have not:

(i) provided transport to and from work in spite of tne dangers faced by their workers in getting to their place of work.

(ii) made funds available to help workers over these times.

(iii) protested at events taking place at the Sisa Dukashe stadium.

On the other hand, so far, very few employers have dismissed workers for arriving late. However some of those detained have lost their jobs.

It appears that, despite the reports in the press, many workers had to provide concrete evidence of what was taking place in Mndantsane before their employers were prepared to accept the degree of harrassment that their workers were confronted with. Exceptions to this general policy of indifference will be mentioned in more detail. But for most of the East London companies it is business as usual. Their complaint against the official harrassment of their employees causing absenteeism and tne late arrival although published in the Daily Dispatch can be considered mute in tne circumstances. At the height of the harrassment of commuters some factories had to operate with 50% of their staff. Within one or two days absenteeism had returned to 5-10%. Accordingly one would have expected a stronger response from the East London Chamber of Commerce's Mr George Osmond. In fact Mr George Osmond issued a statement on 10 August tnreatening that workers could lose 30% of their earnings the following week because factories would be forced to go on short time.

The 'business as usual' approach is evidenced by the way in which companies continued to push on with negotiations for recognition and procedural agreements despite the fact most of the senior experinced union negotiators are or were either in detention or in hiding.

But it is the following companies whose response to the situation has opened them up to criticism.

Johnson and Johnson were approached at the initial stages of the boycott by union officials to inform them of the situation in Mndantsane and were requested that latitute be allowed to workers who arrived late through no fault of their own. Recently management at this firm as well as that at Wilson Rowntree and Kaffrarian City Mills (Pty) Ltd, has has begun to issue warnings in terms of their respective

dismissal procedures. Each warning (as in this case for arriving late) is valid for one year at J&J. As there is no end in sight to the boycott at this stage it is estimated that some workers could soon lose their jobs by having exhausted the requisite number of warnings. J and J are however keeping the jobs of detained workers open. This is not the case, however, with Frametex Consolidated Textile Mill.

This factory is regarded by workers as a particularly heavy-handed company. Its labour policies are considered amongst the most repressive in the region. Thus the management has refused to recognize the SAAWU union although tne union has a majority membership (2,600 members). The management prefers to negotiate with its sweetheart union, tne Textile and Allied Workers union, a TUCSA affiliate. Workers who wish to leave the Textile and Allied Workers Union for SAAWU are dismissed from the company. The company refuses to employ former SAAWU members. Appropriately the personnel manager at the factory is a former policeman.

The workers allege that the personnel manager collaborates closely with the security police. The security police, during raids on the SAAWU offices, informed union officials that they had been told "to get Boysi Melitafa", the organiser at CTM. Mr Melitfa was duly detained on 17th August and is still in detention. The company pursues the practice of dismissing workers who have complaints. Complaints have also been handled by lawyers where workers have been dismissed without receiving accrued leave pay or notice pay, only to be hired a few days later in another department. Should the workers raise the complaint that they had not received the remuneration due to them they face dismissal. KTM's attitude to the boycott is similarly a harsh one. Workers who arrive late are dismissed and

allegedly told to "see Gqweta". Union members who are detained are dismissed on their return to work. Union members claim their homes are often raided by security police. They claim that during these raids they have seen lists of union members employed at CTM. Workers presume, whether correctly or not, that CTM has furnished the Ciskei police with a list of suspected SAAWU members.

Consequences of dismissal for workers in the Border area is particularly harsh. Given the high unemployment it may be difficult for them to gain reemployment. Furthermore if they are prominent union members the Ciskei authorities show no understanding if their rent is late. Furthermore there are almost impossible difficulties in obtaining unemployment insurance.

16. Other Organisations

Apart from the Roman Catholic Church ,few other organizations in the East London area have provided any assistance for the victims of the Ciskei Government's policy.

Many of the victims cannot afford legal fees to pursue actions against their assailants. White attorneys are reluctant to take up these matters. One lawyer who has been particularly prominent in assisting victims of the Ciskeian police and the vigilantes is Hintsa Siwisa. As mentioned above, he was detained not long after bringing an urgent interdict to restrain the Ciskei police from molesting, harrassing or assaulting commuters. He was released only on 22nd September. An Mndantsane based lawyer stated that the Cape of Good Hope Law Society's was requested to intercede on behalf of Mr Siwisa to secure his release via approaches to the Ciskei Minister of Justice. But it appears that they were tardy in making such approaches.

In general it can be said that legal associations, and leading lawyers have done little to condemn the violation of human rights in the Ciskei. There has been little action or concerted campaigning by lawyers who, by virtue of their profession, should be concerned about the events in the Ciskei.

The commercial press has played an ambiguous role. Many of the abuses have been reported, but the publicity has been erratic and one-off. Thus while the Transvaal Press gave extensive and consistent coverage over a number of weeks to the trial of 8 South African prison warders charged with thrashing over 30 prisoners with truncheons in the Barberton prison, the same newspapers gave scant coverage to the thrashing of hundreds of commuters on a regular basis, not to mention the numerous other abuses taking place at the Sisa Dukashe stadium.

Yet it was clear that when issues where raised forcefully in the newspapers, particularly the Daily Dispatch, it appeared to have some impact on the Ciskeian government. Thus after there was coverage of the fact that vigilantes were demanding 'passes' the vigilantes were instructed not to ask for passes but for identity documents. (They still persist in asking for CNIP membership cards however). When the Daily Dispatch challenged the Sebe regime to explain their encourgagment and backing of the vigilante army and its brutal activities, many of the vigilantes were sent back to the rural areas. The police and army however increased its presence.
Incidentally the Ciskeian authorities failed to reply to the Dispatch's challenge to justify their methods..

17. The Role of the Ciskeian Army

The Ciskeian army appears to be a junior partner to the Ciskiean police. The Ciskeian army is relatively new and

small. It was trained by South African instructors. President Sebe has offered to send the Ciskeian army to fight alongside the white South African army on the border. Throughout the boycott the army has accompanied the police at confrontations with Ciskiean commuters. More recently the army has been allocated the chore of patrolling the schools.

Mndantsane residents claim that the army is even less disciplined than the Ciskeian police, if that is possible. The soldiers, dressed in brown as opposed to the blue or the camouflage of the police, are brougnt in trucks from Zwelitsha.

The soldiers have been acussed of sexual harrassment. Ciskeian soldiers have molested school girls at the schools they patrol. Mndantsane residents claim that many of the soldiers are recruited from the Sigololutsha reformatory.

It is rumoured in Mndantsane that a unit of the Venda (another independant state) army has been sent to reinforce the Ciskeian army. This rumour has not been verified. However a nearby teachers in-training centre was vacated three weeks ago. Teachers were told to leave so that they could make way for soldiers in fact vigilantes are being accomodated there at the time that this report was written. It is understood that the Ciskeian authorities would be loathe to admit to having 'foreign' troops in their territory. It would seem however to be more damaging than the widely publicized press reports that Sebe, barely life president for a month, had moved into a South African hotel in East London. It is claimed that he did not want to have his food cooked by blacks.

In the one incident when two soldiers were attempting to molest school girls they were apparently stopped by a

Ciskeian Police Lieutenant. When the Lt. upbraided them, one of the soldiers was alleged to have reported to have replied 'you didn't tell us to stop'.

18. The School Boycott

There has been a history of conflict between the Sebe regime and students. This is evidenced by the beating of scholars in 1977 by the green berets, the assault and arrest of students at Fort Hare more recently, and the consistent state repression of the student organization, the Congress Of South African Students (COSAS). In the last two years COSAS nas been singled out by the CCIS. COSAS constitutions, membership lists, and publications have been seized in house to house raids on COSAS members. COSAS members have been threatened and COSAS officials detained. COSAS officials have been threatened with expulsion from schools.

Soon after the boycott started some of the student leaders were detained. Luyanda Matupala was detained on 19 July by members of the CCIS when he went to the cafe during his school break. His parents have spent a number of weeks trying to ascertain the reason for his arrest, the facts of his arrest and his whereabouts. They understand that he is being held at Fort Jackson Prison. They do not know what to do. A list of names of detainees appeared in the newspaper on 3 September but his name was not amongst them. His parents do not have the correct citizenship papers and are afraid to go to Fort Jackson to see him.

It was inevitable that the conflict between the commuters and the Ciskei government would spread to the children. Numerous children were affected by the events in late July and August. Some children were shot on 4 August and others were subjected to the intimidation of vigilantes and the police. As COSAS officials stated ' it is impossible to

stay out of the problems of the community. We are part and parcel of the community and the treatment of our parents including the bus fare increase hits us directly'. Given the indignities that were inflicted daily on the parents it was inevitable that the students would act in 'solidarity'. On 4 August, the day the Ciskeian police shot and killed commuters at Fort Jackson Police station, the students of Bongiletu High School called a meeting to discuss the situation. They decided to call a school boycott in sympathy with their parents, in support of the bus boycott, in solidarity with their fellow students who had been detained. Although Mndantsane scholars joined the boycott they stated that they would return to school once the shootings had stopped. During the boycott students convened a meeting and decided that they should return to school, discuss the matter with the principals and request their principals to discuss their demands with President Sebe. The school principals refused to pursue this course of action.

After the students had returned to schools the vigilantes entered the school grounds and beat up students.

At this stage many students who were not at school feared that they would be beaten up by vigilantes should they return. At the same time more students were detained. It was primarily as a result of this vigilante action that the students of Mndantsane and Duncan Village decided to boycott school again. Duncan Village a nearby township decided to join the boycott in solidarity with Mndantsane students and parents although they were not being subjected to the repression of the Mndantsane residents.

On the day that students initiated the second boycott approximately 700 students marched out of the school. The police intervened and shots were fired. A young mother of two, Mrs Guzana Mfazwe, an innocent bystander at a nearby busstop, was killed.

If Mrs Mfazwe was an innocent bystander, so apparently was Thozamile Faleni a student at Ebenezer Majombozi High School. Thozamile Faleni went to look for his cousin (a young boy) when he found that he was not at home when he returned from the demonstration at the school on 13th September. Thozamile was shot twice in the one leg and once in the other leg.

Since these events more students have been detained. Less than half of the East London branch of COSAS remains outside of detention. Those detained include the branch chairman, Meyane and the local organizer, Tabota.

But what has particularly hardened the students attitude towards returning to school is the alteration in the school starting time. The students are now required to be at school at 9. a.m. and not 7 a.m., as was the case previously. The implication of this shift in the starting time is that it enables the vigilantes and the police to coerce the parents onto buses as they leave for employment between 5 and 7 a.m., and thereafter to commence working on the students.

During the period of the two school boycotts the streets were patrolled during the day by vigilantes who took it upon themselves to chase, beat or apprehend children of school going age who were in the streets during the day time. Under these circumstances and in view of the very real apprehension that should students go back to school they will be thrashed by the vigilantes as a punishment, it is unlikely that the school boycott will end. Finally the male pupils claim that they are needed to protect and escort their sisters and mothers to and from the station against the advances of the vigilantes.

Some teachers in schools which are on boycott have apparently been denied their salaries. President Sebe claims they have been encouraging students to boycott. It is also reported that students at four other schools who were given their salaries have returned them in solidarity with teachers who were denied salaries.

Students in surrounding areas have begun to identify with the boycotting Mndantsane students. Students at Zwelitsha (Kingwilliamstown) and Litha have boycotted in solidarity. In Sada and Queenstown students have called for the release of student detainees including their fellow students.

At the funeral of a woman shot in Duncan village over 1000 people attended, many of them students. Although police were waiting nearby in armoured vehicles they did not intervene. Rather than use a bus the coffin was carried from Duncan Village to tne graveyard some distance away.

The majority of schools are 90% empty. There is one school in Mndantsane which has any substantial number of pupils attending. These schools are guarded by soldiers. The soldiers, notwithstanding, it is reported that 10 schools (7 in Mndantsane 3 in Chilamina) have been subjected to damage or arson attempts of one kind or another.

19. The People's Response

What is surprising about the developments in the Ciskei is not so much the extent to which the Sebe regime has gone to impose its will on the Mndantsane community, but the resilience and strength of the community's resistance to him. Given the scale of the harassment, the persistent inconvenience, the extensive violence, the nearness of death, other communities would have buckled before an authority that appears to know no bounds in imposing its

will. However it appears that the conflict has become a clash between the Sebe regime desparate to show that it and it alone calls the shots and a people who have begun to identify every unpalatable aspect of their daily lives with the ruling regime and particularly their Life President, Lennox Sebe.

When the boycott started informants claim that it was only partially successful. Some have claimed that the boycott initiators had to persuade their peers not to catch the buses. Such a need fell away after the events of late July and early August. Today the bus boycott, well into its third month, is more successful than it ever was. The press reports between an 80 and 90% successful boycott. However it is rare to see even one or two people on an otherwise empty bus.

The implications for the bus company have been disastrous. The CTC itself claims that in its financial statement for the past 12 months it will reflect a R6000 000 loss, a loss primarily attributable to the boycott. The monthly loss of revenue as a result of the boycott has been massive. On top of this the bus company has had to contend with extensive damages to its buses as a result of spontaneous stoning of the buses by angry commuters.

A typical example of the effect of the Ciskeian government's strongarm tactics is the response of Mrs Vuyiswa Maqubela. At the outset of the boycott she complained of intimidation by the organizers. She is a member of the CNIP and was relatively indifferent to the fare increase. However fearing recrimination from bus boycotters she decided to walk an extra 24 kms. daily to board the trains. After the August shootings her attitude changed radically. Mrs Maqubela's response was to tear up her CNIP card, to weep and to vow never to board a bus again. When Sebe announced a cut in the fare to attract commuters back to the buses she stated '5 cents will not bring back the dead'.

Another 65 year old Ciskeian said much the same. To catch buses meant to pay for the statue of Sebe. After the beatings he would not catch the buses again. Now or ever.

The CTC has had to retrench 307 employees. These workers too are unhappy with the Ciskeian government. They claimed that they were cheated of their pension contributions. When they entered the company premises to get their pensions, the company called in police with dogs. On 17 August 1983 President Sebe announced that the increases would be reduced. However he denied that the aim was to end the month old Mndantsane bus boycott. He stated revealingly 'Mndantsane is being used as a test of strength. If we had given in to them, we would have been slaughtered like pigeons'. People in Mndantsane however did not change their minds. This announced fare reduction followed shortly after the meeting between Sebe and South Africa's Minister of Foreign Affairs Pik Botha. Botha in turn had been approached by the East London Chamber of Commerce to persuade Sebe to adopt a more conciliatory attitude.

The bus company, CTC, has attempted various means to end the boycott, including dropping pamphlets by air over Mndantsane. It would appear that the demands made by leading trade unionist Thozamila Gqweta continue to be the basis for negotiating an end to the boycott. Firstly, all those detained for reasons pertaining to the boycott should be released. The Ciskei Transport Corporation should negotiate with the committee representing the people of Mndantsane (now in detention). The bus service should be withdrawn during the negotiations " because its presence has become provocative and led to an escalation of violence".

20. The Trains - the rallying point

The major form of transport used as an alternative to the buses has been the trains. Commuters have had to go to great lengths to get there timeously. Thus the walk from the outlying units of Mndantsane to the central station is 16 kilometers (zone 14). In other areas some people are walking up to 30 kilometers a day to get to the station and back. Many of the commuters have to take circuitous routes, or jump fences to get onto South African property (the railway line forms the boundary between the Ciskei and South Africa) in order to avoid harrassment from the Ciskeian authorities. During the boycott people have walked to the station encouraging each other and singing. However walking these distances has constituted a problem for workers. Many have to leave hours before the train departs in order to walk the distance. Prior to the imposition of the curfew some people were leaving home as early as 3.00 am. The curfew was partially an attempt to frustrate these efforts to reach the station in time.

While the vigilantes and the police have controlled the streets the trains have been controlled by the commuters. While the buses have been empty people have packed themselves into the trains. People hang on the sides they stand on the couplings, they lie on the roof.

Because of the imposition of the emergency regulations, the extensive public repression in the townships, and the refusal of the South African authorities to allow the people to meet in East London to discuss the boycott, trains have become the venue of meetings.

The trains carrying an estimated 15 to 17 thousand commuters a day into East London and back again are the natural venue for the people of Mndantsane to discuss developments taking place . People sing freedom songs as

the train leaves the station at Mndantsane. Singing continues until the train reaches its final destination, apart from periods when announcements are made, meetings announced, new developments in the boycott are discussed. Eyewitnesses to events recount to packed carriages what they saw. Thus eyewitnesses to the shooting of Size Faku a 16 year old youth whom the police alleged they shot in self-defence, stand and tell the passengers Siza Faku was shot in cold blood while playing soccer with a group of boys in the street. Union members encourage their fellow passengers to join unions. It is not just their own union whose virtue they extol, said one SAAWU official. He said that it is the cause of unions in general, the benefit of worker organization that is extolled.

Train carriages are the only public space that the commuters control. It is apparently dangerous to be a CNIP supporter in a such a carriage. Persons caught tape recording the singing of freedom songs and the speeches of commuters are thrown out of the moving carriage.

The daily passage to town has been central in maintaining the resilience and cohesion of the bus boycotters. It is significant that when train fares were increased in August there was no protest. The South African transport service itself has behaved inexplicably. The trains stop between stations to allow commuters to climb on board from the railway lines. Commuters are greeted at the stations by loud hailers which announce "passengers can board freely. No-one will point a gun at you".

The school boycott is maintaining its relatively high rate of support. Of the 12 schools in the Mndantsane and Duncan village area only one school is being attended by any substantial amount of students. That one, Nzomhle, is guarded by soldiers. The distinctive feature of this school boycott as opposed to others is that the parents have for

the first time declined or failed to intercede on behalf of the children. Just as the children support the parents, so the parents are supporting the children. Indeed the mothers of the male scholars claim that they need their children to escort them to the station, to protect them from vigilantes.

21. General Resistance

The Mndantsane residents have no forms of legitimately venting their anger. The curfew regulations prohibit inter alia gatherings of more than four people, and have forced the residents into their houses between 10.30 p.m. and 4.00 a.m. The Ciskeian authorities have restricted funerals to week days to prevent persons being able to attend them. They have also limited the number of people who may attend them.

Accordingly resistance has taken many forms. Many of these forms have involved sacrifice on the part of the commuters themselves. One of such forms has the been the boycotting of the industries or trades operated by the vigilantes. Thus an Mndantsane baker, Sakile Sende a CNIP member and former vigilante, has begged SAAWU to encourage the Mndantsane residents to return to his bakery. He says that he faces financial ruin. No-one is buying his bread. The SAAWU officials replied that they have no control either over the boycott or the anger of the commuters.

Since the authorities have chosen to impose their will by whips and guns and have prohibited by decree all forms of freedom of expression and association , it is inevitable that spontaneous and clandestine forms of violent retribution would take place. By 12th August 200 buses had been stoned. A rent office had been burnt down. A number of schools had been subjected to arson attacks (although the Ciskeian police have insisted in some of these cases that the fire was caused by electrical failure). The most common

form of retribution against vigilantes themselves has been the burning of their houses. One vigilante has had his house damaged by fire attack on no less than three occasions and it is not unusual for two or more houses to be attacked in one week. While it can be assumed that not many people have been involved in such attacks on the material possessions of these vigilantes, there has been little sympathy for the vigilantes from the residents of Mndantsane.

22. Union Organization

It is incorrect to believe that SAAWU was the organizing force behind the boycott, although SAAWU members supported the boycott as did its leaders. Initially they supported the initiative to send a committee representing various community and trade union organizations to the CTC. They believed that the bus fare increases outstripped the wage increases of their members. The boycott was not discussed in union meetings not was it seen as an official union project.

The boycott was not undertaken with great confidence and initial success. It was Sebe's decision to crush the boycott at all costs which decisively swung the outcome of the boycott. It brought the community solidly behind the boycott, and because of Sebe's attack on the unions also behind the unions themselves. It is ironic that while Sebe blames SAAWU for the boycott the union has a lot to thank Sebe for. The union reports an unprecedented growth in support of membership. Their status in the community has risen considerably. The political consciousness, the confidence and the cohesion of the workers living in Mndantsane has risen substantially. An example of this is that the union is now making substantive inroads into the factory of Wilson Rowntree, a factory where it had suffered a bitter defeat and whose management had adopted a

hard line approach towards SAAWU. Accordingly workers at the company had until the boycott regarded union organization timidly. At another company SAAWU workers were replaced with new workers recruited in Mndantsane. Twenty two of the thirty one so recruited turned out to be SAAWU supporters, and the remainder joined the union as well.

While there is no doubt that the unions have been effected by the absence and detention of their senior shop stewards and union officials, the unions' organization has been deepened. The ordinary members have been forced to assume greater responsibility for the day to day running of the unions and their branches.

As one journalist has commented, just as Sebe has provided the fuel and the momentum for the boycott, he has ironically also strengthened the unions which he stated were the cause of the boycott.

23. Rural Areas

Just as the schools boycott has spread the resistance to the Sebe regime to towns outside Mndantsane, so the shooting and assault on commuters has spread opposition to Sebe into the rural areas, formerly Sebe's stronghold. Many of the workers in Mndantsane are migrants from the rural areas. Each funeral of a migrant worker politicizes a rural village. Each assaulted migrant worker takes his anger and affront back to his area of origin. There are at least two rural areas, previously CNIP supporting which have declined to volunteer vigilantes.

It is not only in the rural areas that Lennox Sebe is facing problems. In Mndantsane itself, the CNIP has been radically undermined by the actions of the Sebe regime. An estimated one third of Ciskei's population lives in Mndantsane. The infighting within the CNIP and the Ciskei

cabinet appears to be a matter of dog eats dog. Steve Nene, senior vigilante and the man appointed by Sebe to run the affairs of Mndantsane, was detained at the end of September. Sebe has moved his political rallies away from Mndantsane. It is further reported that certain government departments are in a state of confusion. The Department of Education, the Police Department and others have been affected by the ongoing detention of its senior bureaucrats and officials, including the Ministers of the Interior, Transport and the Commander General of State Secuirty. Meanwhile the repression in Mndantsane continues. On 26th September the police abducted and assaulted many of the young men and boys in Zone 8 in the course of a nouse to house raid. On 28th September the police arrested a prominent UDF committee member, Steve Tshwete. On the same day the chairman of the Development Corporation, Mr Adendorf met with SAAWU's Secretary General, Sam Kikine to discuss an end to the boycott. (The Development Corporation owns 50% of CTC.) Mr Kikine reiterated that SAAWU did not control the boycott but that it would be willing to assist in resolving the dispute provided those in detention were released, and families who had suffered losses were compensated. The boycott continues.

24. Conclusion

It is clear that President Sebe is desperate to maintain a sense of control over his subjects. What desperate measures he will use to do this is anybody's guess. An apt and chilling description of what he is capable of is captured by a statement he made describing the "enemy".

> "Terrifying in its objectives and methods. Picking its targets in a war of terror against the innocent, skulking in the dark to murder the defenceless".

Yet it is in these terms that many Ciskeians regard the Sebe regime. The appropriateness of Sebe's comments to his own style of government is not novel. Discussing the cause of the bus boycott, he claimed "the boycott is being used as a cover for atrocities". While Sebe's comments were appropriate in a way unintended by himself, he went right off the top when he told headmen:

> "I thirst to lay down my life for Ciskeians. Especially those who have nothing at all. I am thankful my lot lies with the humble who suffer and bear the burden of power, and hide their faces and stifle their sobs in the dark. "

It was thus indeed ironic then that at the height of the boycott, Lennox Sebe, barely life President for one month, was reported to have booked into a hotel in East London. It was rumoured by the employees that he would not allow his food to be prepared by blacks. He is now apparently back running his country from within its borders.

Ultimately however it is incorrect to personalize the source of Ciskei's political problems. It has been suggested that the homelands play an important policing function in relation to the problems created by the South African social structure as a whole. The outcome of the current contest in the Ciskei will have repercussions for the whole of South Africa. In particular if it is established that there are no limits to the extent to which homeland rulers may go to suppress popular dissent it will have a significant impact on, for example, political and trade union rights in those territories. This means a direct escalation of the scale of repression of persons intimately involved in the South African economy. Mndantsane residents, for example, work in East London. They buy their consumer commodities and their necessaries in East London. It would be wrong to believe that their

welfare and conditions of existence are of no concern to the East London community of which they are an integral part. It should be noted that the Ciskei is not the only homeland whose subjects commute daily to work in South African industries and who regard themselves as part of the South African community. It is thus important that South Africans do not regard the abuse of human rights in the Ciskei as events taking place in some foreign and unconnected country.

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Postcript

This report was released in draft form on 6 October 1983. After this date the Border Chamber of Industries issued a condemnation of the Ciskeian Government. It objected to the violence meted out to its employees and described the Ciskeian Government's actions as 'heavy handed' (Rand Daily Mail 7.10.1983). The Ciskeian Government, however, responded to the report by stating that it was fabricated and that they 'had no knowledge of any assaults perpetrated in the stadium' (Rand Daily Mail 7.10.1983).

Meanwhile the Detainees Parent Support Committee claimed that conditions in the Ciskei were worsening. The DPSC claimed that vigilantes had given an ultimatum to parents to force their children to return to school during the week of 3 October 1983. By 7 October it was claimed that vigilantes had been entering houses to round up and assault children - 'many in their early teens' (Rand Daily Mail 7.10.1983). It has further been reported that the vigilantes are now carrying out their operations from a teachers in-training centre in Mndantsane.

12 October 1983.