

## Indaba pact on equal sharing — Nat

Bruce Cameron, Political Correspondent

AFRIKANERS and Zulu politicians agreed to divide power in Natal on a 50:50 basis at one stage of the KwaZulu/Natal Indaba, Dr Johan Steenkamp MP (Nat Umhlathuzana), has claimed.

The claim was made in an article in a special edition of the University of Natal's Indicator Project magazine.

Dr Steenkamp, who was the representative

of the Federasie of Afrikaanse Kultuurverenigings (FAK), said the the Zulus' perception of their status was similar to the Afrikaner sentiments on self-determination.

Consequently "bilateral negotiations" took place between top Zulu politicians and Afrikaners at the Indaba.

"The end product was

a power sharing based on consensus between voluntary groups, without group domination."

In an interview, Dr Steenkamp said the agreement reached was a division of control on a 50:50 basis.

In the article, Dr Steenkamp said the agreement was later re-

jected by the Indaba in favour of "a majoritarian winner-takes-all system".

Although finally rejected, he said "these bilateral negotiations illustrated that the option of power sharing, as equals, can be realised between intelligent reasonable people".

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## 'Blacks tired of dictates'

ULUNDI — Black people in SA were sick and tired of the Western world telling them what was good for them, Mangosuthu Buthelezi told politicians and businessmen in Munich yesterday. His speech was later released from Ulundi.

In three functions in the Bavarian capital, he stressed that workers had rejected sanctions as an anti-apartheid tactic, and that the masses also rejected violence.

The KwaZulu Chief Minister and Inkatha president made these points in separate meetings with Bavarian State Minister E Stoiber and Siemens senior vice president P von Siemens, and in an address to the Bavarian Export Club. — Sapa.



The quest by kwaNdebele's rulers for independence has survived one major legal challenge, but another substantial court contest is pending.

At the same time kwaNdebele's Chief Minister, Mr Majozi Mahlangu, and the Ministers of Justice and Finance, face charges of assault.

Last week the Appeal Court rejected an application by the Lebowa government for the excision of Moutse from Lebowa to be declared unlawful.

Moutse was ceded to kwaNdebele in December 1985, having been excised from Lebowa in 1980. It constitutes a third of kwaNdebele and about two-fifths of its population.

If Lebowa's application against the 1980 excision had succeeded, only a truncated kwaNdebele would have been eligible for independence.

A second challenge, however, is looming before five judges of the Appeal Court. The appellant is Chief Gibson Tlokwe Mathebe, chairman of the Moutse Regional Authority. He is representing tribal leaders and popular organisations in Moutse.

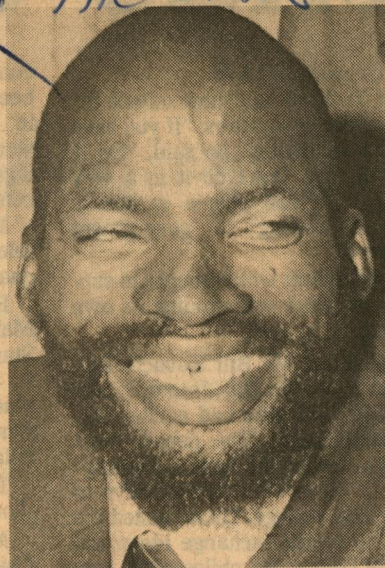
The kernel of the pending appeal is that Proclamation 227 of

# New court battle looms for the kwaNdebele

THE STAR

10/10/87

**Chief Minister of kwaNdebele, Mr Majozi Mahlangu (right) does not seem to have much to smile about at the moment. He and two of his ministers face assault charges, and another a major legal battle over Moutse before five judges of the Appeal Court. This report from PATRICK LAURENCE.**



31 December 1985, under which Moutse was transferred to kwaNdebele, is invalid because it disregards considerations of ethnicity.

Moutse's 120 000 residents are largely North Sotho, who comprise about 50 percent of the population. The South Ndebele, for

whom kwaNdebele was established as a "homeland", constitute only 12 percent.

Chief Mathebe, represented by Professor John Dugard and Mr Edwin Cameron, of the Centre for Applied Legal Studies, contends that the transfer of Moutse to kwaNdebele is contrary to the

"apartheid statutes", particularly the Promotion of Black Self-Government Act of 1958 and the National States Constitution Act of 1971.

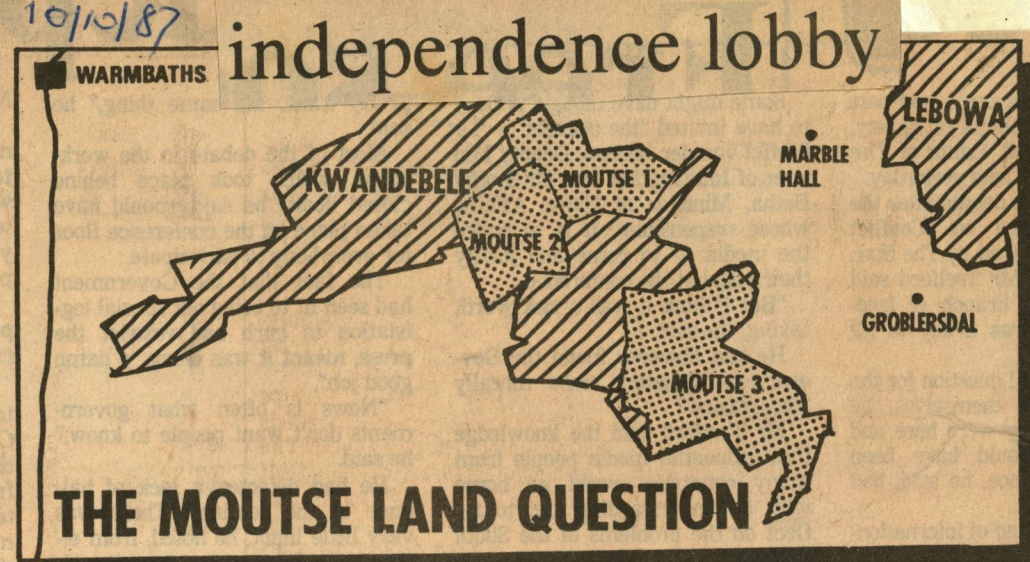
These laws were designed to give practical expression to the apartheid or separate development policy of giving each black

"national unit" or "volksseenheid" its own self-governing territory or "homeland".

There are nine recognised black national-units. The North Sotho make up one: the Ndebele another. Each has its own "homeland", except the Xhosa, who for historical but not necessarily logi-

cally consistent reasons, have two.

Against that background, Chief Mathebe contends: "The National States Constitution Act does not authorise the incorporation of a substantially-sized territory predominantly occupied by members of one statutorily recognised national unit into the territory of





another statutorily recognised national unit."

The application further argues that the incorporation of Moutse into kwaNdebele unreasonably, and therefore unlawfully, invades the fundamental rights of Moutse residents. These allegedly violated rights include:

- **LANGUAGE:** North Sotho, which is recognised officially in Lebowa, is not an officially recognised language in kwaNdebele.

- **FRANCHISE:** Women do not have the right to vote in kwaNdebele. They do in Lebowa.

- **CITIZENSHIP:** kwaNdebele's rulers are committed to independence — a move which Moutse residents fear may jeopardise or compromise their rights as South African citizens.

The pending charges of assault against Chief Minister Mahlangu, his Minister of Justice, Mr M F Mahlangu, and his Minister of Finance, Mr Z D Mnguni, arise from allegations that they were involved in the abduction and torture of anti-independence youths during last year's conflict in the territory.

Instructions were sent more than a month ago from the Transvaal Attorney-General, Mr Don Brunette, to the prosecutor in kwaNdebele to issue summons against Mr Mahlangu and his colleagues, giving them the option of paying a R50 admission of guilt or of defending the charges.

But the prosecutor's office in kwaNdebele, sent the instructions back to Pretoria with a "minor query".

Mr Brunette told The Saturday Star that the query was whether the Ministers could contest the charge or pay the admission of guilt in Pretoria instead of kwaNdebele.

The trio of kwaNdebele leaders apparently did not want to be seen in court or paying the admission of guilt in kwaNdebele.

The request, however, was turned down by Mr Brunette because the alleged offence took place in kwaNdebele, not Pretoria. Mr Brunette said: "As far as I am concerned, either they pay or they go to court (in kwaNdebele)."

The senior prosecutor in kwaNdebele, Mr C Stander, confirmed that the instructions were enroute back to kwaNdebele. He expected them to arrive this week.



# Why black is fashionable in townships

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JOHN KANI talks to GARALT MacLIAM at The Star's centennial conference on "Conflict and the Press" in Johannesburg this week.

**T**HE fashion of the women in the township is black. That doesn't mean they like the colour, but rather that they have lost someone dear in their lives: those brothers that mothers have buried. It would be no different for me for another one — and me — to die.

We are aware that we live under a perpetual state of emergency. It is there all the time. The townships are circled by barbed wire in our minds and in our lives.

A soldier is supposedly a patriot. He's ready to die for his country if it is attacked by the enemy. And yet in my country, the army is deployed in my townships and when the army is deployed, the country is at war. And I know who's standing at the other side of the muzzle of the gun. It's me. Therefore the country has declared me the enemy. In that context, I also have the right to declare the Government the enemy.

We're sick and tired of being tear-gassed, charged with dogs, baton-charged, shot at and detained.

Black people have made it clear, their objection to apartheid and the system of Government has been made clear to everybody. There are people dead and in exile, in prison, and still dying. White people have not, at least not enough for me, shown, practically, their objection to the present system of Government, their objection to apartheid.

It's not enough for whites simply to say: we abhor apartheid. They must vote it, too. But everything is happening so late that it all appears to be token.

It's supposed to press us down, but it has made me stronger and angry, and bitter, but I'm above it now and it can no longer hurt me. But if it does and it kills my brother and I bury him, I will continue the fight. The bottom line is a free South Africa.

Give me my freedom and there are many questions that would not arise. Also be aware that there are two forces operating here — the liberated forces and the forces of oppression. They counter each other on everything they do, they work against each other all the time. We are the people in the centre that suffer pressure from both sides.

We have to be free first, then all the other tricky questions will not matter if we solve the beginning of the problem.



JOHN KANI: Strong, angry and bitter.

Until people get citizenship and their birthright to their country, these problems will present themselves.

There are two options. That we stop working totally, stop going to school, stop going to church, stop doing plays and pick up arms and go to war — declaring the white people the enemy and fight with stones, with spades, with spears with guns, with anything we have and stage a total onslaught.

But we are sensible enough, we have a deep reverence for life and we have great faith in humanity and in ourselves that we can come together and solve our problems. We also want to be part of a free South Africa, all of us. When we go to school and we have to drink of that terrible Bantu Education, which creates nothing but learned servants out of us, we are aware of it. We try and de-educate ourselves. We know the war is on, but that does not mean that life stops.

Whatever happens in the townships is left to the discretion of whites whose sole duty seems to be to suppress any kind of activity, there is a network of security people, trying to kill any would-be plant that might make people aware.

There are certain issues that are important: people must stay alive, work must be done. Even in the arts, we know there isn't a single theatre in any South African townships. It's a sin, it's a disgrace.

The press should display, in a more positive way, a greater awareness that we are going to have to live together in this country, sometime or another, when is not the issue, but it is going to happen. There's going to be a hell of a confrontation between black and white if something is not done now.

The minor changes mean very little. It's strange how little this country has changed. I'm sick and tired of the little changes. Is it solving the problem? Until we are given the right to feel proud and be part of this country's everything, we will have nothing.

I have begun to realise that every white man in a suit is not an army soldier off duty.

I say to those white racists who still perpetuate the policies of racism, who still perpetuate apartheid — because it is in the centre of their beliefs that I am inferior — I need to overcome you all before I can go on.



## 'More ANC cells smashed'

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said to have participated in this attack.

● August 29 1987 — Municipal policeman Constable Mosambuka shot dead with an AK-47 rifle.

Three foreign-trained ANC members were yesterday sentenced in the Rustenburg Magistrate's Court to eight years' jail on terrorism charges.

James Maseko (23), Benjamin Mokgosi (28) and Samuel Mohope (25) were found guilty of entering South Africa illegally from Botswana with Soviet rifles, ammunition and hand grenades on November 27.

The court heard that their mission was to commit acts of terror on the Witwatersrand and in Pretoria, but that they were arrested before they could carry out their orders.

The three had originally pleaded not guilty, but later changed their pleas to guilty.



## Police claim to have struck again against the African National Congress.

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Still reeling from recent setbacks in the Western Cape, the organisation has had cells smashed in Pretoria and Soweto, its activities uncovered, and 16 of its members arrested, police said.

The latest arrests bring the number of alleged ANC insurgents arrested in the Cape and Transvaal recently to 49 — including Miss Jenny Schreiner (30), daughter of University of Natal vice-principal Professor Denyse Schreiner.

Police have also said that they have killed 37 suspected ANC insurgents since January 1.

Some of the alleged Transvaal insurgents were trained in the Pango camp in Angola before being infiltrated into South Africa, police said.

ANC members were linked to a series of terror attacks in Pretoria townships and the Sandton area and had been sought since December 1985.

Police have also revealed that their alleged leader was shot dead in a hand grenade attack at an SAP roadblock in Buccleuch, Sandton, on September 2.

Large quantities of arms and ammunition, including limpet mines, hand grenades, dynamite and anti-personnel mines, were seized during the operation, said Commissioner of Police General Hennie de Witt.

He said the arrests were made over the past three weeks and included 12 trained insurgents, two trainee insurgents and two collaborators.

The arrests were made after police uncovered the underground activities of an insurgent unit in Soweto and Mamelodi and Soshanguve near Pretoria.

General de Witt said the group was allegedly involved in these attacks:

● **December 14 1985** — Hand grenade attack on the home of Detective Sergeant Sithole in which Mr Peter Mabena was wounded.

● **August 7 1987** — Hand grenade and AK-47 attack on the home of Detective Warrant-Officer Hlongwane in which he was injured. The alleged leader of the group was

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