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## The shame of South Africa's Black political prisoners

Dr. Motsoko Pheko

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More than twenty years after the end of formal apartheid, several African nationalists who resisted the inhuman system are still languishing in prison. Yet many apartheid agents who committed atrocious crimes against the African people were pardoned, some without even expressing any remorse. This is unacceptable. The ANC Government must release all political prisoners now.

“Reviewing the story of the ANC, it would seem that all times they were more concerned with non-violence against whites than against their own people.” Prof. Edward Feit (The Journal of African Modern Studies Volume 8 Number One 1970)

Kenny Motsamai, a South Africa political prisoner, was returned to his prison cell in Boksburg near Johannesburg after he was due to be released on parole on 18 January 2016. He was a member of the Azanian Peoples' Liberation Army, the former military wing of the Pan Africanist Congress of Azania (PAC). He has been imprisoned for 26 years.

This is in contrast to the 12 June 2015 report that the South African Minister of Correctional Services Micheal Masutha was considering to release Clive Derby-Lewis, the white killer of anti-apartheid stalwart Chris Hani. This apartheid agent murderer was upholder of the superstition of “white supremacy.” Mrs Limpho Hani complained bitterly about the pending prison release.

The ANC policy of seemingly protecting whites more than the African people manifested itself largely during the “negotiations” with the apartheid colonialist regime. This is where the fundamental interests of the Africans including land were sacrificed on the polluted altar of appeasement called “reconciliation.”

Prior to this the United Nations through its 1973 International Convention on the Suppression and Punishment of the Crime of Apartheid had declared apartheid a crime against humanity. This Convention is at par with the 1948 Convention on the Prevention and Punishment of the Crime of Genocide.

There are many international instruments upholding the right of all colonised and oppressed people to their self-determination. Article 1 of the United Nations Charter declares, “The subjection of a people to a life of subjugation, domination and exploitation constitutes a denial of fundamental human rights, contrary to the promotion of world peace and security.”

The 1960 Declaration on the Granting of Independence to Colonial Territories was adopted by the United Nations General Resolution 1514. It reads: “There is a need for the creation of conditions and well-being and peaceful and friendly relations and self-determination of all peoples, and a universal respect for observance of human rights and fundamental freedoms for all without distinction as to race, sex, language or religion....”

These are principles of international law under which the Azanian Peoples’ Liberation Army under the PAC leadership waged the liberation struggle against apartheid colonialism. This was a legitimate liberation struggle recognised internationally.

Many religious leaders called apartheid “a theological heresy.” Nevertheless when the “negotiations” were completed, a Truth and Reconciliation Commission (TRC) was established. It unjustly put the victims of apartheid on the same pedestal as perpetrators of apartheid, despite the fact that the United Nations declared apartheid a crime against humanity.

The TRC demanded that the forces of the liberation struggle must prove that they had a “political motive” for their revolutionary actions. It is the fundamental principle of the law of evidence that “the burden of proof” is on him who alleges a wrong has been committed. But this commission shifted the burden of proof to the victims of apartheid.

These victims had no lawyers. The perpetrators of the apartheid crime were former apartheid officers. Their legal expenses were paid by the state now run by the government of national unity – ANC and the apartheid Nationalist Party. The state is reported to have paid over six million Rand for the defence of Eugene de Kock alone.

De Kock was a leading apartheid regime operative with much blood of Africans on his hands. He has been described as “a former South African Police, colonel, torturer and assassin, active under the apartheid government.”

According to the TRC, many members of APLA could not “qualify” for pardon. On 18 January 2016 Kenny Motsamai was to be released on a “parole” requiring him to be free during the day

but sleep in jail at night. He is serving a two life prison sentence plus 19 years. Solomon Malijoana his APLA inmate is serving three life sentences. His other inmate Petrus Tshabalala is serving two life sentences plus 155 years. Other former freedom fighters are in various prisons of South Africa.

## WHAT HAS HAPPENED TO THE WHITE PERPETRATORS OF THE CRIME OF APARTHEID?

They were pardoned. Some of them are Barend Strydom, Craig Williams, Dirk Koetzee and Magnus Malan. Barend Strydom was said to have killed eight Africans at a Pretoria Church Square in 1992. Dirk Coetzee was accused of killing three African bus passengers at Mamelodi in 2000. Three AWB members were claimed to have planted the Worcester Christmas eve bomb in January 1996. The bomb killed five Africans. Their names were: Juanite April, Sydney Javile, Xolani Matshoba, Andile Matshoba and Sweetness Busakwe. Their killers were in 2012 listed as among those pardoned presidentially.

What about Craig Williamson? What crimes did he commit to defend the apartheid colonialist regime? Craig Williamson was a Police Major in the South African apartheid regime. After the regime posted him outside South Africa for vile apartheid activities overseas, he infiltrated the ANC. Unbeknown to them he was already involved in a series of kidnappings, assassinations and burglaries. After he was discovered to be a spy by the Swedish Government he was expelled from Sweden, but he had already a chain of well established connections. These are some of the crimes Craig Williams committed on behalf of the South African regime:

1. He was implicated in a burglary of PAC Office in London.
2. He ordered the assassination of Ruth First in Mozambique.
3. In 1984, the State Security Council of South Africa met. It was chaired by P.W. Botha, the apartheid colonial president. This meeting recorded that Craig Williamson was plotting to overthrow the Mozambican Government.
4. The same year Craig Williamson mailed a letter to a woman by the name of Jeanette Schoon in Angola. It killed her and her six year-old daughter.
5. He recruited women for the South African Intelligence. One of these women is said to have become apartheid South Africa's best known spy. Her name was Olivia Forsyth. Craig Williamson's motto was, "I respect a person who is willing to die for his country. But I admire a person who is prepared to kill for his country."

Craig Williamson went to the TRC in 2000. He confessed his role in the killings, but claimed they were "legitimate acts of war."

As Eric Abraham puts it, "Craig Williams offered no remorse. He offered no information that could ease pain of those whose loved ones he had killed. He received full amnesty and resumed normal life in South Africa as a security consultant."(World 13 June 2014).

## REPOSSESSION CLAIM BY THE FREEDOM FIGHTERS REJECTED

African Kings led wars of national resistance against colonialism. They had a policy of

repossession including land and any property stolen by colonialists from Africans. APLA, the military wing of the PAC, retained and continued this traditional policy of African Kings. For instance, King Moshoeshoe who was later colonially robbed of over 50% of his country through armed terrorist colonial invasion from Europe articulated the policy of repossession crystal clear:

“When we drive their cattle, sheep and horses in war stolen from us through colonial aggression and dispossession, colonialists call it ‘stealing’. When they drive ours, they call it by soft names. They say they are replacing their stolen property even though they arrived here from Europe with no property in their hands, except their guns.”

The African King elaborated: “To us capturing the enemies’ property in war is one way of self-protection. More than that, by our laws, all property reared and nurtured on land stolen from us remains our property.”

APLA fighters understood the PAC policy on repossession very clearly. Breaking into a bank in order to execute the struggle of liberation to repossess their stolen land was not “stealing” or “bank robbery.” They were taking from the enemy what had been theirs in the first place.

#### ANC TURNED A BLIND EYE TO POLITICAL PRISONERS

The ANC called for release of political prisoners in Zambia and in Indonesia. It appealed to President Frederick Chiluba to pardon former President Kenneth Kaunda. It persuaded Indonesia’s President Kemusu Argamulja Suharto to release the Indonesian rebel Xanana Gusman. The ANC requested also President Robert Mugabe of Zimbabwe to free white agents of the “dirty tricks” of the previous apartheid regime. The ANC government took a great deal of interest in crimes against humanity in Yugoslavia, Burundi, Bosnia, etc. It sent South African judges such as Judge Richard Goldstone to take part in international tribunals in these countries.

In recent years the ANC government has sent out envoys to preach reconciliation and peaceful resolution of conflicts to countries such as Ireland, Lesotho, Palestine, Burundi, Srilanka and South Sudan. This is very commendable.

But meanwhile Kenny Motsamai, one of the many young men who fought apartheid, a crime against humanity, has been a political prisoner for 26 years in “New South Africa.” How many perpetrators of countless massacres of Africans are serving prison sentences for these crimes? Colonialists have committed these atrocities on African soil as terrorists.

Whatever crimes Kenny Motsamai and his fellow political prisoners may have committed, they are a drop in the ocean compared with crimes colonialists have committed in this African country since 1652. The ANC Government must release all political prisoners in South Africa. They fought against apartheid, a brother of genocide.

The ANC Government has claimed to recognise and observe principles of international law. This must include The International Convention on The Suppression and Punishment of The Crime of Apartheid.

