

for workplace struggles would not be based on moral conviction and sympathy with a 'separate' struggle, but based on an awareness of the very real preconditions for success in community struggles.

But there is more to community organisation than simply providing support for the more fundamental workplace struggles. Rather than falling away once workplace struggles have been won, organisation of the working class in the community is important in its own right, and with long-term significance.

This is firstly because class relations do not only exist in the workplace, but also exist - and need to be changed - in the community. Secondly, a new state structure cannot simply be a structure based only on mass democratic organisation in the workplace. A state structure based only in the workplace cannot provide for the collective needs of the community like health, housing, public transport and recreational facilities. This is where community organisations form "the embryo of the new society in the womb of the old".

CONCLUSION.

It would seem from all this that establishing a new social order which thoroughly serves the working class would involve not the (limited) use of the capitalist state (which is external to exploitation) - but rather its radical transformation into a new mass democratic organisation which unites workplace and community organisation. It is thus working class struggle which organisationally combines workplace and community issues that provides the germ of a new social order.

In the light of this goal, participation in capitalist state structures cannot be an end in itself. The capitalist state remains outside of relations of exploitation and cannot therefore be used to transform these relations. But a new state structure that unites democratic workplace and community mass organisation cannot be built overnight. Neither can it simply be built next to the capitalist state. It is necessary, then, for working class organisation to make tactical use of the capitalist state in order to advance the cause of building new structures which span workplace and community.

Participation in and winning concessions from the capitalist state can play an important role in building up working class organisation and confidence - and finally in demonstrating the structural limits of the reforms granted by the capitalist state.

Organisation of the working class in the community is, according to this argument, a vital part of social transformation. Much research needs to be done on the role of community organisation in linking community and workplace, state and production relationships.

Categories of Resistance

IN THE past, Work In Progress has featured summaries of political trials, as well as some in depth investigations of specific trials. Other contributions in WIP, such as the "Chronology of Conflict" in number 13, have relied on court records to present material on forms of resistance in current South African society.

This focus has, in general, not concerned itself with the strictly legal or procedural basis of trial proceedings, and there are a number of reasons why political trials have provided material of interest to people not professionally involved in the legal process. Some of these reasons are dealt with below.

The availability of information on the activities and directions taken by the dominated classes in South Africa is severely limited. This lack of information is partly due to the fact that a large number of resistance organisations have been banned, and their publications, statements and debates may not be legally distributed within the country. Where such groups are active in the organisation of popular resistance, as in the case of the ANC, SACP and to some extent the PAC, large gaps in the analysis and understanding of conflict exist within even informed political circles. To some

extent, material presented in the proceedings of political trials provides insights into those organisations involved in resistance activity.

Not only the banned status of certain active organisations, but also increasing state censorship makes important information unavailable to groups within South Africa. Acts covering the fields of publications, police, defence, 'Key Points', 'Internal Security' and many other areas deny members of all social classes information on the various dynamics which are shaping both the present and the future in South Africa. Again, to a limited extent, the study of political trials can provide some of this information.

This situation is made worse, in that even the limited areas available for information gathering are not used to the full. The commercial press, research workers and other groups like universities have not explored to the full the possibilities of making available more information than currently forms political consciousness within South African society. The refusal of, for example, the press and universities to take the long-term struggles of the dominated classes in South Africa seriously, except with the intention of controlling and weakening such struggles, makes the lack of information on conflict and resistance even more acute than the banning of organisations and the censoring of material necessitates.

Apart from providing important information, political trials also give an indication of the level and intensity of popular resentment and organisation which is present within the dominated classes. For example, the relative lull in popular

struggle during the second half of the 1960s is reflected in the fact that few trials of political activists were heard during that period. In the same way, the rebellions of 1976 and 1977 gave rise to a vast number of political trials in the courts, indicating the widespread nature and extent of popular resistance during those years.

The trials brought before court are also an indication of long term trends, both as far as resistance activity is concerned, as well as possible state response to such activity. For example, during the period 1974 to mid-1976, there was a marked increase in the number of political trials taking place. This was an indication that both resistance to the ruling classes, and the strengthening of opposition organisations, was increasing.

Possible state response to resistance is also reflected in trials: for example, the charging of a number of BPC and SASU leaders under the Terrorism Act, despite the fact that their activities had been non-violent and overt, was an indication of the ruling class' attitude towards the black consciousness organisations then active in South Africa. The banning of those organisations in October 1977 confirmed in a very stark way the state attitude which had already been displayed when leaders of SASU and BPC was jailed for between 5 and 6 years at the end of their trial (see S vs Cooper and others for details).

But having suggested certain ways in which the study of political trials can be useful in understanding society, it must be noted that trial material suffers from important limitations: any attempt to study

trials as an indication of popular resistance must be approached with care, because there is no direct relation between conflict in society, and the political trials which that conflict gives rise to.

Trial records are inadequate as source material for the following reasons:

- * they tend to be incident, rather than process oriented. It is only the events and activities around specific incidents which are probed in trials, rather than the total contextualisation of those incidents within the history of struggle, resistance and contradiction within society. For example, in a trial where a person is charged with attacking a police station, it is highly unlikely that evidence would be heard on why the dominated classes view police stations as symbols of oppression, how an isolated attack on the police station fits in with an organisational programme, and why certain organisations and groups have undertaken a programme of armed struggle. In much the same way, trials focus on individuals, not on the activities and interests of social classes. The very fact that law views the individual separately from his or her material class position, and does not accept the antagonistic nature of relations between classes, is one of the reasons why political trials reflect social conflict in a distorted, unclear manner.
- * Those involved in the administration of law tend to want to reduce social conflicts to crisp and clear legal issues, and this is a process which distorts the relationship between the trial and the series of events it deals with. Events, conflict and reality itself are complex, and often contradictory. Because

individuals are to a large extent formed by the way they experience reality, their activities and actions often reflect the contradictory nature of the society they live in. The attempt to reduce such complexity to a series of crisp legal issues is a factor which makes the political trial of only limited use in analysing and documenting popular struggle and resistance.

* The nature of trial procedure also distorts the relationship between real social processes, and trials. The presence of a prosecutor, trying to prove a case, and an accused often attempting to minimise his or her involvement in the events under consideration, means that aspects of the actual occurrences are lost or altered when dealt with in a court hearing.

* A final factor to be remembered in the study of trials is that only activists apprehended by the state are brought to court. This means that only a limited number of people involved in struggle and resistance are put on trial, and that in all the remaining cases where activists are not arrested, the study of political trials reveals nothing about the activities of the oppressed classes.

Bearing in mind the limitations set out above, it is possible to isolate some long term trends in resistance activity by tracing the course of political trials. Subsequent to the banning of the ANC and the PAC, and the state's uncovering of the Rivonia plan, the first indications of armed guerilla struggle emerged. During 1967 the ANC formed a military alliance with ZAPU, and guerilla fighters from these two organisations fought Rhodesian security forces on Zimbabwean soil. In these clashes,

a number of ANC guerillas were killed, while others escaped or were captured by security forces. More than 13 of this group were tried by the Smith regime, and sentenced to terms of imprisonment ranging from 20 years to life. During May 1980 it was reported that 13 ANC guerillas held in Zimbabwean jails had been released as part of a pre-independence amnesty for political prisoners.

However, some of those involved in the ANC - ZAPU alliance found themselves on trial in South African courts. Benjamin Ramotse, tried in 1970, claimed that he had been kidnapped by Rhodesian forces in Botswana, and then illegally handed over to South African authorities. His claim that he should not be tried in a South African court because of the unlawful nature of his arrest was turned down, and he was sentenced to 15 years imprisonment.

Fana Mzimela was found guilty of undergoing military training under the auspices of the ANC, and in 1972 he too was sentenced to 15 years imprisonment. A third member of the ANC group who fought with ZAPU during 1967 was James April. In his trial, it was found that he had left South Africa in 1962, and after receiving military training in East Germany and Russia, he joined a group fighting on Zimbabwean soil. He subsequently escaped to Botswana, avoiding Rhodesian security forces, and after undergoing further training of a non-military nature, returned to South Africa. Arrested by the police, he was sentenced to 15 years imprisonment.

These trials reflect the initial period of ANC guerilla activity, undertaken with ZAPU in Zimbabwe. However, within South Africa there were indications of organised

activity as well. During 1969 11 men and a woman were charged under the Terrorism Act. The state claimed that between 1962 and 1968 they had been active as ANC members and supporters, and conspired with Braam Fisher, Nelson Mandela, Walter Sisulu, Joe Slovo, Oliver Tambo, Duma Nokwe and other ANC and SACP leaders.

11 of the accused were found guilty of going abroad for military training, finding ways for trained guerillas to enter South Africa, searching for submarine landing sites along the coast, encouraging others to undergo military training, and assisting guerilla fighters in South Africa. Sentences ranging from 5 to 20 years imprisonment were imposed on those found guilty.

During the same year (1969), 22 people were charged under the Suppression of Communism Act in Pretoria. The state claimed that as ANC members or supporters they had distributed ANC pamphlets, investigated targets for sabotage, devised means to obtain explosives, and discussed the question of contact with guerilla fighters returning to South Africa after periods of training. After two trials in which the charges were substantially the same, the accused were acquitted on a legal technicality, but served with banning orders on release from prison. (For details of the two trials, see S vs SR Ndou and 21 others, and S vs Ramotse and others).

Despite the indications of increased guerilla and guerilla-support activity towards the end of the 1960s, the early 1970s were characterised by a relative lull in organised resistance activity, and this is shown in the isolated nature of the political trials of this period. During 1971

a number of supporters of the African Peoples' Democratic Union of South Africa (APDUSA) were convicted of recruiting people for military training, mainly in the Pondo-land area. In 1972 Essop, Moodley, Essak and Desai were charged with the production and distribution of ANC and SACP material in South Africa. Ahmed Timol, a security detainee who died while in police detention featured prominently in this trial, and at its conclusion all 4 accused were found guilty of Terrorism, and sentenced to 5 years imprisonment. However, Moodley and Essak were acquitted on appeal, while Essop and Desai served their sentences.

During 1973 two non-South Africans, Moumbaris and Hosey, were charged together with Cholo, Mpanza, Mthembu and Sijaka. Moumbaris and Hosey were found guilty of providing support and assistance to trained ANC guerillas, including the supply of arms, ammunition and radio contact. Moumbaris was also found guilty of searching the Transkeian coast for suitable places to land guerillas, meeting guerillas in neighbouring territories and transporting them into South Africa, and distributing ANC pamphlets. He received a 14 year sentence, and was serving it when in December 1979 he escaped from Pretoria's maximum security prison. Hosey served 5 years. Their co-accused, Cholo, Mpanza, Mthembu and Sijaka were found guilty of undergoing ANC military training; helped into South Africa by Moumbaris, they had intended to recruit and train other guerilla fighters for ANC activity.

By 1975 a younger generation, many of whom had been influenced by the black consciousness organisations, were taking the lead in militant activity, some of which

gave rise to court cases. The most prominently featured trial of this period was that of various black consciousness leaders (S vs Cooper and others). Here the activities of SASU and BPC were put on trial under the Terrorism Act. At the end of 1975 Eric Molobi was charged with inciting people to undergo military training, distribution of pamphlets, and attempting to involve people in acts of sabotage. Found guilty on some of these charges, he was sentenced to 5 years.

Early in 1976 a number of people associated with the National Youth Organisation (NAYU) were charged with conspiring to form underground cells to study and gather information on military installations; investigating ways of using the labour force to cripple the economy; and recruiting people for military training (see S vs Molokeng and others).

During 1975 and the first half of 1976 there were indications of an increasing number of people leaving South Africa to undergo military training, mainly under the auspices of the ANC. Stanley Nkosi and Petrus Mothlanthe were found guilty of undergoing such training in the first third of 1976, and sentenced to 10 years each. In the trial of Mosima Sexwale and others, a number of ANC guerillas were found guilty of undergoing military training during the first half of 1976.

However, the events of June 1976 and after gave enormous impetus to the trends already noticeable during the 18 months preceding mid 1976. From the trials which took place in the post June '76 period, it is possible to categorise the changing forms of resistance emerging within South

Africa. These categories are based on changes in trials over a period of time: they are accordingly abstract and suffer from most of the limitations mentioned earlier in connection with the study of political trials.

The categories isolated also show a certain chronological development: while activity in one category has not ceased, it has tended to be overshadowed by new forms of resistance as conflict has intensified within South Africa. But it should be noted that individual trials do not fit neatly into each category: in many cases activity falling into a number of the categories of resistance are dealt with in one trial. There are also a number of important forms of resistance which are excluded from what follows: these relate to a large amount of organised mass resistance, taking the form of stay aways, strikes, boycotts of buses and schools, etc. The mass involvement in these forms of activity cannot be expressed, even inadequately, in trials, and they are accordingly excluded from the categorisation presented below.

1. Politicisation and educative activity:

To some extent, much of this activity preceded the events of June 1976, for example the work of organisations like BPC, SASU, and SASM. The SASU/BPC Terrorism Act trial of 1975 - 76 reflects one form of this activity, while the cases of Suttner, Holiday, Rabkin and Cronin, and Jenkins and Lee deal with another aspect. Here, intellectuals involved themselves in the production and distribution of ANC and SACP literature on a wide scale. Offences in this category have usually been charged as Terrorism, although in some cases the

Suppression of Communist/Internal Security Act has been used.

2. 'Spontaneous' (ie not organisationally linked) resistance:

This has invariably emerged in periods of intense political crisis, such as the rebellion of 1976 - 77, and the current period of resistance associated with the schools boycott and other activity, most pronounced in the Western Cape. Such resistance has often focussed on selective symbols of oppression, such as Bantu Affairs Administration Board offices, township beer and liquor outlets, buses, Bantu Education schools, etc. There have also been attacks on individuals perceived as 'system men', eg headmasters, UBC/community council members, policemen and particularly exploitative traders. Activity falling within this category has occasionally been charged as Sabotage or attempted murder, but more commonly as arson, public violence or malicious damage to property.

3. Recruitment for military training, and assisting recruits to leave the country to receive training:

Immediately after June '76, trials covering these forms of activity increased considerably as more and more politicised scholars left South Africa and found their way into the training camps of the ANC and the PAC. A well-known example of a trial covering this form of activity was the Bethal PAC trial (S vs Mothopeng and 17 others), where 16 of the accused were found guilty of offences relating to PAC activity, and sentenced to periods of imprisonment ranging from 15 years to one wholly suspended sentence.

4. Related to the above are cases dealing with attempts to leave the country with the intention of undergoing military training.

A large number of trials of this nature were held during the 1976 - 78 period, and there are still cases of people being apprehended by police while leaving the country to receive training.

5. The undertaking of organisational work within South Africa for unlawful organisations has usually been charged as an offence under the Terrorism Act, and in some cases the Internal Security Act. A recent trial involving the provision of strategic information for the ANC is an example of such activity, namely the case of Renfrew Christie, who was sentenced to 10 years imprisonment for undertaking research into energy matters, and supplying the ANC with the results of his research.

The activities of Mounbaris and Hosey, described above, also fall within this category of organised resistance.

6. As those who left the country in the wake of June '76 underwent training in the camps of the ANC and the PAC, so an increasing number of guerilla fighters returned to South Africa. A number of these guerillas were arrested before undertaking any activity, and were charged with undergoing military training "with the intention of endangering the maintenance of law and order". As the number of guerillas returning to South Africa rose, so another offence emerged in political trials - that of harbouring or giving assistance to guerilla fighters. In these cases, family members were sometimes charged with assisting relatives who had undergone military training, as in

the trial of Kate Serokolo and 2 others, and the current case of Mzinyathá and Bentley: in this matter, Bentley is the stepfather of Mzinyathi, and is charged with harbouring him, knowing that he had undergone military training.

7. The final category of resistance to be extracted from political trials is the one fast becoming most common in the courts. It reflects the growing intensity of armed struggle in South Africa, and deals with actual guerilla and sabotage activities. Charges relating to these activities often include the possession of arms, ammunition and explosives.

Slightly earlier cases of this category include those of Solomon Mahlangu, executed for his limited role in the Goch Street shooting of June 1977; Mosima Sexwale, who was found guilty of, inter alia, throwing a grenade into the cab of a police vehicle in order to escape from custody, and was sentenced to 18 years; and Naledi Tsiki, who was found guilty of sabotaging a railway line in the Northern Transvaal during 1976, and sentenced to 12 years imprisonment.

More recent cases include the Pietermaritzburg Treason Trial (S vs Sekete and others), where evidence was led of running battles between ANC guerillas and South African and BophuthaTswanan forces, and the current trial of Lubisi and others, where the accused face charges of Treason, murder, and Terrorism relating to the siege at a Silverton Bank, and the attack on a police station at Soekmekaar.

These rather abstract categories of resistance partially reflect certain forms of conflict within society. As mentioned earlier, a number of factors make it difficult to analyse and monitor the nature and intensity of that conflict. Despite the limitations outlined above, the study of political trials enables us to form some impressions on resistance to the nature of South African society, as well as the degree of support enjoyed by banned organisations active amongst the dominated classes.

Onverwacht: 'ethnic' division and oppression

OUTSIDE Thaba Nchu in the Orange Free State, on the main highway to Bloemfontein, there is a sign marked Uitzicht, pointing to the south-west. The public road is wide, rough and heavily rutted. Long before it reaches Uitzicht, which is a small railway siding near the Rusfontein dam, it passes through a gap in a low ridge of hills crossing the western boundary of the Thaba Nchu reserve. Beyond that gap, 12 kilometers from Thaba Nchu town, lies one of the largest resettlement slums in South Africa. It is officially known as Onverwacht, but the people who live there also call it Botshabelo, Place of Refuge. It was barren veld in May 1979. Today it is still a vast parade of shacks and tents and numbered toilet stands, occupied by more than one hundred thousand people. Why?

The story of Onverwacht shows what has been happening throughout the rural areas of South Africa in the late 1970s. Black labourers and their families are expelled from white farms. Illegal 'squatters' are harassed by municipal police in 'white' South Africa (the hated 'blackjacks') and by bantustan police in the black reserves. The 'surplus appendages' of the apartheid state - the sick, the unemployed, the aged, the wives and children of migrant workers - are squeezed onto remote and isolated dumping grounds. Meanwhile political responsibility for the stagnant dustbins of white prosperity

is displaced from PW Botha to the bantustan leaders; a continuous rumble of discontent in the black townships is choked by 'sneeze machines' and the rest of the South African state's techniques of repression; and the international media speculate over hints of significant reform.

Because of its historical association with the Seleka Rolong, a branch of the Tswana people, Thaba Nchu is an enclave of BophuthaTswana and became 'independent' as part of that bantustan in December 1977. But the african population of the Orange Free State as a whole is predominantly Southern Sotho. Their official 'homeland' is Qwaqwa, otherwise the magisterial district of Witziesshoek, in the north-eastern corner of the Free State on the border of Natal. Qwaqwa is a tiny, mountainous and barren area of 48 000 hectares. Its de facto (actual) population in 1970 was 24 000, representing less than 2% of the 1,36 million people identified as members of the 'South Sotho national unit' and, accordingly, as citizens of Qwaqwa by law (de jure). Nearly 90% of this population were resident in 'white' South Africa; and 8,4% were in other bantustans than Qwaqwa, mainly the Transkei and BophuthaTswana. The estimated de jure population of Qwaqwa in mid-1978 was 1,79 million. But far more important than the absolute increase in numbers is the changes



1976: Soweto students demand release of detainees and an end to Bantu Education.