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COMMITTEE ON SOUTH WEST AFRICA
Seventh session

PETITIONS AND COMMUNICATIONS RELATING TO SOUTH WEST
AFRICA DEALT WITH IN THE REPORT OF THE COMMITTEE ON
SOUTH WEST AFRICA TO THE GENERAL ASSEMBLY AT ITS
FIFTEENTH SESSION 1/

Circulated in accordance with decisions taken by
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ORAL HEARINGS

1. Statement by Mr. Mburumba Kerina at the 121st meeting of the Committee on South West Africa, 16 December 1959 2/

A grave and critical situation exists in our country. This situation requires immediate and decisive action by the United Nations. It is for this reason that we have requested an oral hearing before this Committee, with the hope that immediate action will be taken.

The United Nations can no longer countenance the appalling behaviour of the South African Government in the international territory of South West Africa. We have stated here repeatedly and seemingly to deaf ears that there is a limit to the suffering to which the people of South West Africa can be compelled to adjust. We have now reached that limit. This is the end of our tolerance of midnight arrests, unjustified imprisonment, forced labour, removal from our traditional lands and the imposition of the alien doctrine of apartheid by morally diseased alien groups who cannot respect our humanity.

The cold-blooded killing of our people by the South African troops and the declaration of a state of emergency are not only an effort to suppress and victimize our people but also a deliberate measure of intimidation against our people's demand that our territory be placed under United Nations trusteeship. Our people have been told time and again by the South African Government that the United Nations will not do anything to help them, most recently by Mr. Van der Wath, who spoke here of the benevolent intentions of the South African Government in South West Africa. The Foreign Minister of the Union of South Africa, Mr. Louw, has even gone to the length of charging that the United Nations is responsible for the present state of affairs in South West Africa. It is for not having taken action long ago to prevent this inevitable consequence of South Africa's flagrant violation of the very principles of this Organization. It is a fact that violence was provoked by trigger-happy Boer police and not by our people in these recent outbreaks. It is also a fact that the massacre of our people by Union troops and the continued bloodshed which will follow as long as South Africa is present in our land must be faced responsibly by this Organization.

The time has come for the United Nations to examine the platitudes and distortions of truth spoken by the representatives of the Union of South Africa at the United Nations. The Union Government systematically uses these fabrications

2/ Mr. Kerina also answered questions put to him by members of the Committee at the 121st and 122nd meetings (see A/AC.73/SR.121 and 122).

at the United Nations to disguise its real intentions in South West Africa. The current actions of the South African Government are as much a test of the United Nations ability to act to prevent them as they are a demonstration of strength and act of intimidation of our people.

What has happened in South West Africa points up the urgency of the need for a compulsory judgement of the International Court of Justice in this case. Further, it requires the direct intervention of the Security Council.

If there is any act to be called a threat to international peace and security, the deliberate slaughter of innocent people in an international territory of South West Africa is that act. And the fact that it is accomplished by efforts of aliens who have persistently shown absolute contempt for every principle of the United Nations reinforces the fact.

The people of South West Africa have lived for many years under this reign of terror. The present crisis is only the inevitable conclusion of what our conditions have been and will continue to be as long as South Africa has any authority over us in South West Africa.

What we demand before the United Nations is not just the end of this madness and the restoration of law and order, but we demand that immediate steps be taken to effect the immediate expulsion -- and I repeat: expulsion -- of the South African Government from our territory. I appeal to the Committee on South West Africa to take the following steps immediately and simultaneously: first, that the Committee request the Secretary-General to visit South West Africa with a view to studying the situation and to report back at an early date; secondly, that the Committee inscribe the question of the crisis in South West Africa on the agenda of the Security Council for its immediate consideration and action.

We have also been authorized by our people to seek help from whatever source it is available. For ten years we have maintained absolute faith in the United Nations and a hope that it would rescue us from this bondage. This is the final test of our faith in the United Nations.

2. Statement by Mr. Jariretundu Kozonguizi at the 121st meeting of the Committee on South West Africa, 16 December 1959 3/

Mr. Chairman, I thank the Committee through you for once more granting me this hearing.

3/ Mr. Kozonguizi also answered questions put to him by members of the Committee at the 121st and 122nd meetings (see A/AC.73/SR.121 and 122).

On 1 May of this year I told this Committee that Windhoek Location was another issue which would create a very explosive situation in South West Africa in the near future. On 12 October I told the Fourth Committee of the General Assembly of the United Nations that the Administration was contemplating using force to move the people. The Foreign Minister of the Government of the Union of South Africa went into details, telling the Fourth Committee that there was nothing like an army of troops in Windhoek.

Last Thursday the situation exploded; force was used, and troops are, at this very hour, patrolling the street of Windhoek Location and forcing people to move to Katutura. In a nutshell, this is what happened.

On Friday, 4 December, Mr. Potgieter, with his team of municipal police led by Constable Maritz, went out to continue the forcible valuation of the houses. This valuation was started on 1 November after a public meeting called by Mr. Potgieter on 28 October had rejected the removal. Whilst the Location people were waiting for an answer to the objections which they had raised, the authorities commenced with the valuation of the houses. They started with what they considered the "weaker people" -- the women in the Damara section of the Location. Women were forced to put their thumbprints or signatures on the valuation papers. Their objections were not heeded. Whilst this was going on, Constable Maritz went to the house of one of the headmen in the Damara section of the Location and ordered him to give him the value of his house. This man asked why Constable Maritz wanted this, upon which the latter said that it was for removal -- that is, the house was going to be demolished as he was to go to Katutura. The headman reminded Constable Maritz that the people had told the authorities that they were not going to move and they had not heard from the authorities yet. In any case, the headman said, he was not going to move to Katutura and therefore was not going to give the value of his house. Constable Maritz thereupon assaulted the headman, and the women who were standing by became excited and came to Mr. Potgieter, the superintendent of the Location, to ask him why Constable Maritz had to assault the headman. Mr. Potgieter simply had four of the women arrested for what he called disturbing the peace.

So the other Damara women got together and decided that the next person they had to appeal to was the Administrator of the territory. They marched to the Administration's building, joined by the Herera women, where they asked to see what they called their "Father". The Administrator ignored them and went home to "Suidwes Afrika Huis" -- that is the residence of the Administrator. They followed him, and there the police were sent to disperse the women. The women then went to see the Chief Magistrate of Windhoek. He was prepared to listen to

them, whereupon they appointed Mr. Uatja Kaukuetu, Vice-President of the South West African National Union, and Mr. Nathan Mbaeva, also of SWANU, to speak to the Magistrate on their behalf. The Magistrate advised the people to agree to the removal, but when Mr. Kaukuetu pointed out that the Authorities had started valuation without having replied to the objections which the people had raised at the meeting -- at which the Chief Magistrate himself was present -- the Magistrate said that, as far as he was concerned, there was one valid reason for their refusal, and that was that Katutura was far out of town and from the places of work. He added that he was sorry that this difficulty could not be ironed out earlier. He had nothing further to say but to advise them to move.

It is significant to note that, at one point during the talk, Mr. Kaukuetu said the following: that he was one of the leaders of SWANU and he was airing the views of SWANU, which was an organization opposed to violence and therefore "looks to violence done by the authorities in a serious light".

The people then organized peaceful and non-violent demonstrations, picketing and boycotting of beer halls. The trouble started when two men were arrested by the police. Now that was last week, Thursday, 10 December. The other story I have been relating happened on Friday, 4 December. A crowd then gathered out of curiosity and more police were sent for. The police were under Major Lombard. Then Lombard ordered the crowd to disperse, upon which the Vice-President of the South West African National Union, Mr. Kaukuetu, came forward and talked to the Major. He said that the people wanted to know why the two men had been arrested, upon which Mr. Lombard replied that that was none of their business. Mr. Lombard then gave the crowd five minutes in which to disperse, but Mr. Kaukuetu asked him to give more time as the crowd was too big.

Whilst the two men were still talking about the time, one of the policemen opened fire and the people began moving. The police followed up the shooting and the people then retaliated by resorting to stones in self-defence. The police were shooting at random. In the meantime, troops were summoned and in a moment they arrived there in armoured cars and helped the police. A state of emergency was then declared after the crowd had been dispersed and a curfew was introduced at sunset. Several armoured cars were surrounding and encircling the location while some were patrolling the streets.

Yesterday a cable from Chief Hosea Kutako said that forcible removal was starting in spite of what Captain DeWitt had told a Press conference that the removal was not expected to take place before 30 March next year. That is the position.

Now what has to be done is, in the first instance, to dissuade the Government from removing the people. This can be done through direct intervention of the United Nations, through its Secretary-General or his representative, who can be sent to South West Africa as soon as possible. This Committee can also call upon, as Mr. Kerina has already suggested, the Security Council to intervene.

I must say that this is a test case for the United Nations with respect to the South African Government. The Union of South Africa wants to test the strength of the United Nations, for she realizes that next year she will have to give a categorical reply to the United Nations. So if the United Nations fails to do anything this time, South Africa will know that the United Nations will not be able to do anything at the end of next year should she defy the United Nations or the judgement of the Court, if that is against her.

In conclusion, I want to touch a little on the reasons for removing the people. It is said that in the new location the health of the people will be much ensured. Would not one rather wonder why people who are so much concerned about the health and life of the African people in their location should suddenly decide to end that very life which they want to save so much by removing people to so-called better conditions? People would rather let other people die from lack of light in a hut or from lack of fresh air in a hovel rather than murder them. Should we call this mercy killing? Is not this cold-blooded savage murder? Are these the people to whom international authority entrusts people? This killing was planned. The Government knew that the people did not want to move. The Government newspaper Die Suidwester had this to say in a big headline after the public meeting to which I already referred and at which the people made it clear that they were not going to move: "Removal of location attacked". The first paragraph reads as follows:

"The impending removal of the Windhoek Location was strongly attacked this week at a public meeting in the Location by a number of Africans. They described the move as something which would cause trouble and lead to expenses and which is done merely to implement the Apartheid laws of the Government."

The newspapers and the authorities did not deny this.

In the Cape Times of 5 October 1959, a correspondent from Windhoek of that paper had approached the local authorities and reported that a man from the local authorities in Windhoek had confirmed that the people of the location had refused to move. So the authorities knew very well that the people were not

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prepared to move and they forcibly started the evacuation of their houses. In the end the situation exploded, and that is where we are today. A state of emergency exists at the moment in South West Africa and the authorities are making use of that state of emergency to remove the people forcibly. My friends and I, on behalf of the people of South West Africa, would very much like to see immediate action taken by the United Nations, or by anyone who can take action, to save our people from this destruction by the brutal people of the Union of South Africa.

Thank you, Mr. Chairman.

3. Statement by Mr. Allard K. Lowenstein at the 121st meeting of the Committee on South West Africa, 16 December 1959 4/

Thank you, Mr. Chairman, for the privilege of appearing before this Committee. I am distressed to impose once more on your time, and I do so only because I feel that my two colleagues, who were not able to be here today, and myself, have first-hand information from the location in Windhoek that bears directly on the crisis which has come into being in the last few days. I would read very briefly a statement as it will appear in the corrected summary record from my testimony before the Fourth Committee earlier this fall in order to tie together the comments that I would like to submit to you this morning.

"Mr. Lowenstein said that the situation in South West Africa was more explosive than was thought. That did not mean that the indigenous inhabitants were ready to revolt, or that any responsible African leaders believed in violence as their means of seeking a change in Government. On the contrary, the last words of Chief Hosea Kutako to the United States petitioners before their departure had been an eloquent plea for love and peace. But the indigenous inhabitants seemed as determined to oppose the plans for removing them from Hoachanas and from the Windhoek location, as the Union Government seemed bent on carrying them out. It had already been necessary to use force to remove one man from Hoachanas. A minor incident could be sufficient to push some Africans toward an explosive protest, for there was a growing feeling that they had nothing more to lose.

"It would be wrong, therefore, to dismiss the possibility of violent outbreaks, for which the international community would bear the responsibility owing to its failure to bring sufficient pressure on the Union Government to live up to its sacred trust." (A/C.4/SR.911, para. 46)

4/ Mr. Lowenstein also answered questions put to him by members of the Committee at the 121st and 122nd meetings (see A/AC.73/SR.121 and 122).

The events that took place over the week-end and that are now still in train of coercion, are not events that surprise the few of us who were in the Windhoek Location last summer. I spent many hours with members of the Windhoek Advisory Council and other leaders of the Windhoek Location. And while it now seems quite plain that it would be foolhardy to enter their names into the record of the United Nations at this stage, I should like to bring some word of the conversations that we held at that time.

In the first place, the feeling against removal from the Windhoek Location was so unanimous that even the nominated members of the Advisory Council - Africans who had been appointed by the South African Government as the elected representatives - had opposed the intention to remove the people from Location. Even these nominated members had made clear that they could not support the effort to remove the people from Location.

We talked about "riotous" opposition being so unanimous. Certainly, the conditions of life in the Location are appalling. I think it would be fair to say that many Western people who have lived in comfort much of their lives would not as readily perhaps make the kind of sacrifice of having a less squalid living condition offered to them merely to uphold what are the fundamental principles of human liberty, as the people in the Windhoek Location had shown they were willing to do. Because, there is no question that the new Location is cleaner and less crowded than the old Location. But there are several things about it that make it unacceptable to the people of the old Location, almost to a man. In the first place, the Location to which the people are to be removed is to be governed by a set of rules which make it more nearer a prison than a home to the African people. And these people live today almost as if in a prison. And to give up their last vestiges of freedom of movement by moving to a new place that would be governed by a central police station, in or out of which no one could go without passing first through a police official who would check passes, where crimes by law would be prohibited for living together - and as this Committee knows - would be separated by large buffer strips, to go to a place where children might not, under conditions that would suggest family life, be able to live with their families, and go to a Location in which at all times all people would be under the thumb of a

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supervisory authority which has repeatedly demonstrated its hostility to human freedom and to the status of human beings of the peoples who live in Location. To do all this, to accept these rules and to move into this, as the people here at present, is simply because it may be less uncomfortable, was an offer that was not acceptable to the people of this Location in their love of freedom and in their desire to live as human beings.

It needs also to be mentioned, as the Rapporteur has done, that some of these people actually have freeholds, and in the case the new Location, this would not be possible. But the rents in the new Location would be higher and the increased cost of living manifested not only in the rents but also in the need to take public transport to and from work, because of the greater distance from work of the new Location, presaged hardships of living in the economic area that were difficult for the people to see any sense in undertaking.

"Why" they kept asking "is it necessary, if the interest is in our living conditions to move us many miles from work? Why can't our living conditions be improved by giving us better wages, by giving us the opportunity to earn enough money to own our own homes and our own property where we would like to live, where we are near our work, where we are near town, where we are in a position to mingle freely among ourselves?" Furthermore, as one of the leaders in the Windhoek said: "You know, we just don't believe that in our own country we should be subject to being thrown out of our own homes, no matter how much we are opposed to this action, even if we were wrong in opposing it, even if our judgement is non-accurate. It is, after all, our homes and our lives and our country. And, we will not allow a minority group, because of brute force, to send us off to a place to which we don't wish to go."

Having said that about some of the reasons for the tenacity and unanimity of the people of the Windhoek Location in opposing the threat to removing them, I want to talk for a few minutes about the spirit of these people because that, too, seems to me an important of what this Committee should know in its evaluation of the situation now in existence. I suppose it would be difficult for people who are not armed to contemplate armed revolt. But, I would testify to the fact that in these unarmed people there is no spirit for violence, but as I said at the Fourth Committee meeting, the leadership is universally a

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leadership of peace, of love, of patience, and that the rank and file, respecting and understanding this spirit, in the long period of their difficult status, have never attempted, however clandestinely, to organize for violent opposition. These unarmed peaceful people, denied the right to vote, denied the right even for their Advisory Council's opinion to be respected, however unanimous, denied the right to have a normal inter-change of ideas with persons of the dominant race, asked me "How can we protest against what we are all against and be effective? What method is left to us? How do we indicate to the world that we don't want to be forced to leave our homes and that we want to oppose this with every non-violent means that we can find?"

I suggested to them a number of things which I think many of them had already thought of. I think it is important for this Committee to see how the conversations that we held last summer might bear on the events of this past week; because in the depth of their desire not to oppose removal violently, alternative plans were perceived and discussed. One is the idea that economic pressure, such as it is, in a people who live in such economic severity, be brought to bear. And this idea of economic pressure was behind the theory that by boycotting some of the municipal so-called services, the feelings of the African people would have to be taken into account with no violence, and that their feelings would be clear. There was discussion of sending thousands of postcards to the United Nations to indicate the depth of the feelings of the rank and file in the Location. There was discussion of having signs painted which could be held aloft and put on streets and on houses. There was discussion, which was particularly pathetic because of the difficulty of implementing it, but it was a fact that I submitted, and my friends in the Windhoek Location took seriously to heart, that objective white people in Windhoek should at all times be notified that protest rallies were to be held all through the (inaudible) river dam, so that clergymen and journalists, and perhaps a few of the more transigent, and thus less afraid white liberals, such as they are, could be present to see what happened so that there would be an account available of a conscientious, objective source.

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I say it was a difficult point because it was so hard for the African people to think of who they could get who would fill this role, much as they would have liked to have found people that would. Of course, in the actual events, there was not time to even seek out such people even had they been available. But I say that in this discussion, in many hours of talk, under the most squalid and difficult conditions of terror and of poverty, there was never the spirit of violence, there was never the intent to seek ways of killing or hurting a white man here or there, or of making clear, through the use of force, the almost unanimous feeling of the people of Windhoek location.

As we finished our discussions, I remember one African from the Windhoek location saying to me: "You understand that we will never resort to force, and you understand that therefore we will never have success in opposing what is being done to us, unless we can expect from the outside world that there will be help, admiration and interest in our plight as non-violent people trying to hold on to what is left of their homes and their rights".

In the process of our discussions, I also stumbled on some interesting facts, that I mention now because I think that they bear looking into by this Committee. In the first place, we were informed reliably - this was a reason that came not from the African people but from Europeans - that mass evictions to the new location were not contemplated for perhaps a year and a half because of the fact that the new location was not equipped at that stage, and would not be for some time in the future, with sufficient water. Now I am interested to know how many people will be evicted, not because the principle is more apparent with the increase in numbers, but because there come into question serious doubts in my mind - in the event that the situation is not dramatically changed since last summer - that the people, if any substantial number are moved, will be able to survive for very long in so-called better conditions if the water supply in the new location is as limited as was indicated.

It was also suggested to me that one of the methods that would be conceived by the Government to assist in the process of forcing the movement was to cut off the water and the electricity in the old location. I mention this because I think we must watch in the next few days and weeks to see whether the intent

of the Government is such that it is willing to resort, in the name of humanity - as it keeps saying to the world - to tactics quite cut of the pale of human comprehension.

This Committee knows what happened last weekend and I will not burden it with repeating that. But I do want to say that after considering the reasons that the African people feel so universally that they do not want to move, in the spirit of that opposition to removal, and the methods that were discussed first-hand with them last summer of ways in which their protest could be effected and not violent, after considering these things, I suggest, Sirs, that you weigh also the question of what any Government worthy of being the sacred trustee of civilization would do to a group of unarmed people, even if they were protesting illegally under the South African law against the removal of their homes. I submit that you might fire over their heads; I submit that you might use tear gas. I submit that neither of these things would be justified in South West Africa for the a priori reasons that we discussed before this: that the people have the right to protest against decisions they do not believe are in their best interests.

But even if we forget that point, surely any Government which fires into a crowd, and fires bullets and not tear gas, which uses the merest pretexts to kill and to wound, is not a Government which should be taken seriously in protestations of the desire to find suitable solutions to the tensions caused by its maladministration of its sacred trust.

Therefore, I would conclude by urging on this Committee the point of view that was expressed by the petitioners previously, as having now become far more urgent, far more poignant and far more immediate in its importance: first, that the matter must be submitted to the International Court, under compulsory jurisdiction as authorized by the appropriate resolution, for the specific purpose of being quite sure that if the South African Government stays in South West Africa any longer, it stays there admittedly by naked force, as it has demonstrated it is willing to use - and not as the sacred trustee of all of us. Second, that this present crisis, a crisis in human relations as grave in its import as crises in other parts of the world, although this time removed from the central stage of world affairs by geography and by isolation, imposed by

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the mandatory Power, calls upon the United Nations and the South West Africa Committee to respond by sending a "presence" to South West Africa and by putting the onus on the Union Government if it refuses to allow this presence to come, to observe, to meet freely with the African people, away from Government officials and Government supervisors, to judge for itself the spirit of the mandated Territory, the feeling of the people in whose interest the sacred trust is to be administered; and third, that in the event that these steps do not produce a change in the attitude of the South African Government, that the Security Council be requested to consider the seriousness of this threat, not only to the human rights of the people of South West Africa, but to peace on the African continent and to the delicate balance of human justice and human progress in a world in which so many of us feel that the opportunity may not again occur to stand up united, despite our other differences, on the side of justice and right in a Territory so clearly the responsibility of all of us.

4. Statement by Mr. Jariretundu Kozonguizi at the 131st meeting of the Committee on South West Africa, 5 July 1960 5/

I thank you for making it possible for me, once more, to address this Committee on behalf of the people of South West Africa. I intend to devote my entire petition to the report of the Commission of Inquiry into the occurrences in the Windhoek location on the night of 10 December 1959 and into the direct causes which led to these occurrences, under the chairmanship and sole membership of Mr. Justice Hall, Judge President of South West Africa.

The Commission in its report followed a very familiar pattern nowadays in Africa, that is, whereby Government actions, whether they be good or bad, have to be justified under any circumstances. Understandably this Commission had all the trimmings of a bogus commission, disgusting superficiality, prejudice embarked on a subtle yet familiar straining of its terms of reference designed to evade the pinning of responsibility for the disturbances on the authorities. The findings of this Commission of Inquiry into the direct and immediate causes of the occurrences in the Windhoek location on the night of 10 December 1959 are fantastic,

5/ Mr. Kozonguizi also answered questions put to him by members of the Committee at the 132nd and 133rd meetings (see A/AC.73/SR.132 and 133).

and the course of events leading to the occurrences have been deliberately falsified to suit the stand of the Union Government and its Foreign Minister, Mr. Louw, who blamed the United Nations for the disturbances. The Commission's task obviously was to save the face of the local authorities and to justify police atrocity. The cardinal finding in the report is that the disturbances were instigated from abroad. The report specifically mentioned that the disturbances were instigated by petitioners to the United Nations, allegedly in an attempt to bolster their representation to the world. But all evidence, including that presented before the Commission, indicates that the violence was premeditated by the police and the local authorities through Major Lombard and Mayor Jaap Snyman and that, contrary to what Mr. Hall, whose political views are not unknown in South West Africa not only in regard to Africans but in settler politics as well in spite of his position, found, the responsibility lies squarely not only with the municipal authorities of Windhoek but also with the Administration of South West Africa and the Government of the Union of South Africa.

It is incumbent upon us here to say a word or two about Mr. Justice Hall. Mr. Hall is well known to South West Africa not only as a judge but also as a self-appointed expert on South West African history, in which he helped Dr. Vedder to distort the history of South West Africa. His failure as a barrister prior to his elevation to the Bench -- not to say anything about his being recalled from retirement to be appointed Judge President of the Supreme Court in South West Africa -- is a well-established political fact in legal circles in South West Africa. Even now his political escapades are a source of concern to the White population in South West Africa. Only last month the Suidwes Afrikaner advised him to resign from the Bench or to pack and go back to the Union of South Africa if he should continue to agitate for a republic in South West Africa. This was after Mr. Hall had made several speeches for the incorporation of South West Africa into the Union of South Africa and the Republic. Mr. Hall has also been warned, from the rostrum of the South African Parliament, by men like Mr. Japie Basson who completely disagreed with his findings in the report. That is the man the Government entrusted with the inquiry into the causes of the disturbances in South West Africa last December. There is nothing more revealing about the bias of this man than the two last sentences in the report:

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"This was the forced removal against which Mr. Eamon Kennedy is stated to have protested at the United Nations. This goes to show how irresponsible people can deliberately distort facts in order to achieve their purpose."

Mr. Hall, in the report, gives a distorted account of the events leading to the occurrences on the night of 10 December in the Windhoek Location. He deliberately disregards all the evidence which shows that the opposition to the removal did not start, as has been alleged by the local authorities, in September 1959, but goes back to the time when the plans for the Location were being discussed. As early as 1947, plans were being formulated "to improve the living conditions of the residents of the Windhoek Location"; but nothing was done until the Nationalist Party was returned to power by South Africa's White electorate in 1948 and 1953. In 1954 the administration of the Africans in South West Africa was surrendered to the South African Department of Native Affairs and Dr. Verwoerd, who was then the Minister of Native Affairs, immediately declared that the policy of apartheid as applied to the Union of South Africa was to be extended to South West Africa. Dr. Verwoerd stated in Parliament:

"There must be a buffer strip of at least 500 yards wide between the Native residential area and that of any other racial group. No development of any kind will be allowed in the buffer strip."

This meant that the Windhoek Location was to go and a new one was to be established at a much more secure distance from the capital of White South West Africa. When the news came that there was going to be a removal, the Africans in the Windhoek Location had already given the Windhoek Council assurance of co-operation in any scheme which was to improve their living conditions at the site where they lived and where they were still living. The question of removal had not been raised then; it was merely a question of building new houses. But, Dr. Verwoerd having declared his policy in Parliament, having taken over the administration of the Africans in South West Africa, his word was to override that of the local authorities. Hence, he ruled that the Location was to go and that the new one was to be established about eight miles out of town.

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As such plans for the new Location were rushed through the Windhoek Town Council with no discussion permitted at African Advisory Board meetings, the first mention of the actual plans was made after these had been approved by the Administration and the local authority. Even at this stage the old residents of the Location objected strenuously to the manner in which the whole scheme was being handled, and instructed the members of the Advisory Board to register their objections to the Town Council.

Apparently these objections were not heeded by the local authorities. Having had no response to their objections, the Africans exploded their hostility toward these plans in the press. In 1958 the first letters appeared in the pages of The Windhoek Advertiser and the Allgemeine Zeitung, outlining the reasons for the refusal of the residents to move. It was pointed out that Africans rejected the principle of apartheid upon which the whole removal scheme was based; the economic hardships the people would experience in the event of being removed were detailed. Amongst other things, it was pointed out that the rents in the new township were to be considerably higher, and that the distance at which the new township was situated from their places of work would compel the people to meet transport costs which their wages were far too low to permit. Indeed, the majority of those living in the old location walked to their work because they were unable to pay for transport. To any request for higher wages the Administration's invariable reply was that it could not force employers to pay more than they were already paying. It was specifically stated that the Africans were not opposed to improvement but to apartheid. Said one correspondent to The Windhoek Advertiser:

"Apartheid should not be confused with improvement. The policy of apartheid makes the interests of Europeans paramount whilst depriving the Africans of economic opportunities, educational advancement and the enjoyment of political rights. The Africans are therefore not prepared to accept any scheme or plan which is based on apartheid, as they have suffered terribly under this inhuman treatment."

Even the press raised the matter in one of the Mayoral press conferences, but the Mayor of the town dismissed their objections as mere propaganda of the rondloper Kaffers (kaffir loafers). This immediately incensed African opinion and the press was flooded with letters attacking the Mayor's irresponsible statement and declaring that the Africans would never agree to move. Editorials in the press also regretted the "unfortunate" statement of the Mayor and appealed to him to arrange a meeting with the Location residents where the issue might be reasonably discussed.

A meeting was held on 27 November 1958. Present at the meeting were members of the Advisory Board and members of the Committee of Advisors to the Board; the Mayor, Jaap Snyman; the Superintendent of the Locations, Piet de Wet; and the Urban Areas Commissioner of the Native Affairs Department, Mr. Van der Wath. Mr. Van der Wath spoke on behalf of the Administration and gave the following as reasons for their intention to move the people:

The living conditions in the Location were appalling; the health of the people left much to be desired; there was little light in their huts and no fresh air whatsoever; the living conditions had a bad effect on the working capacity of the people; the result is that many workers were able to do only a half day's work a day, and such people could not expect to be paid higher wages; the new site was chosen because there was room for expansion, and, moreover, the future industrial site of the town would be located near the new township, so that workers would be near their places of work. The rents would be higher, but the 100 per cent improvement in health facilities and other services justified the increase. The people could request a reduction in rents if their income account showed a big surplus. The rents would be £1.19.6 a month, whilst those who purchased their houses would only pay £1 for the services. The meeting was continued on 28 November 1958.

The then Superintendent of Locations stated that the people were to be moved to facilitate the implementation of the Government's apartheid policy. He then said that the Advisory Board had consented to the removal. On 30 November 1958 a public meeting was held at the Windhoek Location at which the members of the Advisory Board, one by one, publicly denied having consented to

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their removal. On 21 January a meeting was held where Mr. Piet de Wet made it clear once more that the decision to move the people was taken unilaterally by the Administration and the local authorities. This the Advisory Board reported to the residents of the Location, who decided unanimously that they were not going to move. That was the position in February 1959 when I left South West Africa.

What happened after this is contained in a report sent to us from South West Africa. The position was such that I had to state before this Committee, last year in May, that the situation in the Windhoek Location was explosive. The local authorities had commenced erecting houses in the new site and apparently it had been decided that whether the people agreed or not, they were going to move.

Information from very reliable sources reached us that the Government of the Union of South Africa and the Administration of South West Africa were contemplating the use of guns and bulldozers to move the people to the new Location, should they refuse to go.

On 4 October 1959, the Location Superintendent called a meeting in the Herero Location not to discuss removal as such but to appoint the representatives of the people on the Evaluation Board for houses in the old Location. However, the people seized this opportunity to re-emphasize their oft-repeated opposition to their removal.

On 12 October 1959 I told the Fourth Committee of the General Assembly of the United Nations that the Administration of South West Africa was contemplating the use of force to move the people to the new Location.

In a last bid to sound out the opinion of the Location residents, the new Location Superintendent, Mr. Potgieter, called a meeting. Present at the meeting were Mr. Hager, Chief Magistrate of Windhoek; Bruwer Blignaut, Chief Native Commissioner for South West Africa; Jaap Snyman, Mayor of Windhoek; Piet de Wet, Manager of the Municipal Native Affairs Department; Mr. Van der Wath, Urban Areas Commissioner in the Native Affairs Department, and Major du Preez, the head of the Special Branch or the political section of the South African Police in South West Africa and now head of the Criminal Investigation Department in South West Africa, and other officials. This meeting was attended by a crowd of between 3,000 and 4,000 Location residents. The press was present and it was there that the Location residents, through their representatives, explained unambiguously that

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they were not prepared to move. After this, all the newspapers in Windhoek admitted that the opposition to their removal was unanimous.

The Government Party paper, Die Suidwester, reported on 31 October 1959 about this and threatened that the Africans would be made to realize that they were making things difficult for themselves. It went on to say that the time had come for the Whites to show that they were tired of agitation. The editorial ended by saying that Katutura was ready and there was no going back. Apart from the newspaper reports there is ample evidence that the people were opposed to the removal. The Administrator had admitted to Milton Bracker, reporter of The New York Times, that there was opposition to the removal. The Cape Times of 5 November 1959 reported that an official of the Municipality in Windhoek had said that the people in the Windhoek Location were opposed to the removal. But the reply of the Administration and the local authorities to all this opposition was threats through their mouthpiece, Die Suidwester; the Administrator's promise to Mr. Bracker that the Government was determined to move the people; Mr. Johannes van der Walt's statement to the United Nations last year said that to abandon the scheme was unthinkable. Furthermore, the local authorities commenced the evaluation of houses forcibly in the old Location carried out by Mr. Potgieter. This evaluation was started in the Damara section of the Location and women were forced, against their will, by Municipal police, to attach their fingerprints or signatures to documents. It was at this point that events turned out in such a way as to expose blatantly the viciousness of the whole scheme. A deputation of Damara women, on Friday, 4 December, went to see the Administrator of South West Africa, Iaan Viljoen, but he refused to see them.

The events of this day were fully reported in the press, and on the day of the shootings -- that is, on 10 December -- one of the newspapers, Die Suidwes Afrikaner, commented on them in an editorial. Here I want to quote from the editorial itself. It says:

"Among other things, the newspaper maintained that apparently the municipality of Windhoek had failed to handle the whole situation and it called on the Administration of South West Africa to intervene, because things were becoming bad."

This editorial, which called for the Administration of South West Africa to intervene, and which stated that, of course, there was clear opposition, that it was clear that people opposed the removal, appeared on the very day on which the shootings took place in Windhoek.

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This editorial was written before the events of Thursday night but it clearly shows the concern of even some section of the Whites. Yet no heed was paid to this.

All this evidence was placed before Mr. Hall, but he apparently ignored it. The refusal of the Administrator to meet with the women with their grievances about forcible evacuation and the reaction of the Chief Magistrate of Windhoek to the representations made on behalf of these women by the Deputy President of the SWA National Union and the organizing secretary of the same Union convinced the residents of Windhoek that the Administration and the local authorities were not prepared to heed their objections to the removal. Hence the South West Africa National Union and the Ovamboland Peoples Organisation resolved to demonstrate peacefully their opposition to this scheme. It was decided to boycott the beer halls and the cinemas and other municipal services in the Location.

It was not long before the municipal authorities began to feel the pinch of the boycott, and this was apparently taken as the most opportune moment for the local authorities to carry out their long-standing threats and, having decided on the use of force, on Wednesday, 9 December, the Mayor advised those whites who lived near the Location to evacuate their homes until further notice.

On Thursday, 10 December, in the afternoon, the Mayor of Windhoek called a meeting of the Advisory Board, where he warned the members that those of the residents of the Location who did not want to listen and would not patronize the facilities provided by the municipal authorities were going to "feel it". The Chief of Police, at the same meeting, also warned that, by deciding to boycott the services of the municipality, the people of the Location were hunting a lion which had retreated to the bush and that such a lion was very dangerous. And the same evening the same man led the murderous campaign against the residents of the Location.

All this trend of events was ignored by Mr. Hall. The Windhoek Advertiser on several occasions has stressed the point that most of the evidence, particularly that of the African spokesmen and the social worker of Windhoek, has been ignored by the Commissioner, Mr. Hall. Even Japie Basson, a white supremacist, openly condemned the report in Parliament.

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To come to the contents of the report, we find that there is no connexion, as alleged by Mr. Hall, between the removal and the violence of the police, the police were out to make those who did not listen feel. Those who did not listen were those who demonstrated against the removal.

There is no evidence to link the petitioners at the United Nations with the events of the evening of 10 December. Most of the people, who, according to the report, were in correspondence with the petitioners at the United Nations, were not present at the scene -- For example, Mr. Nujoma and Mr. Kapuuo. As for Mr. Toivo, he lives in Ovamboland and had nothing to do with the Location removal. Those who were there -- for example, Mr. Muundjua -- Major Lombard himself admitted, were prepared to help to disperse the crowd. It is thus left to the Judge to support his allegation that the crowd had come there for violence on the instructions of their leaders, who had been advised by the petitioners at the United Nations.

Then, again, from the list of casualties we find that most of those people have nothing to do with politics or with the petitions at the United Nations. We submit, therefore, that the conclusion of the Commission is false.

We would like at this juncture to deal with specific points in the report which are either inaccurate or completely false.

We have already referred to the distorted analysis on page 5 of the report of events leading to the disturbances. While it was submitted in evidence by the municipal authorities that the Location Advisory Board consisted of six appointed non-Europeans and six elected non-Europeans, Mr. Hall says in his report that the Board consists of six non-Europeans representing the inhabitants and six Europeans appointed by the Council.

The 1955 letter addressed to Dr. Verwoerd by the Advisory Board did not ask him, as Mr. Hall alleged, to use his influence to expedite the removal, but to improve living conditions in the old Location.

In 1957 the Board did not accept Katutura as the site of the Location. This was decided by the local authorities. I have already quoted what Mr. de Wet had said, and I am prepared to quote from the minutes of the Advisory Board meeting any time -- the official minutes of the municipality of Windhoek. Other members of the Advisory Board have already denied this publicly.

We have already quashed the conclusion that there was no opposition to the removal before September 1959. But in addition we should perhaps mention that the Editor of The Windhoek Advertiser, Daan Minnaar, has mentioned in his column "Main Street" that he will be prepared to produce evidence of the letters written in opposition to the removal by the residents of the Location.

As far as the letters quoted as originating from petitioners are concerned, the parts quoted out of context either had nothing to do with the removal or, where the removal was mentioned, the letters had nothing to do with the events of 10 December. Letters quoted from Mr. Kerina to Messrs. Toivo and Kapuuo had nothing to do with the removal. No suggestion of bolstering the representations at the United Nations by refusing to move to the new Location can be found in those letters. The letter to Mr. Nujoma which mentioned the removal is dated 9 December, which means it could have been posted on 10 December in New York, the very day on which the disturbances took place. And this letter seems to be the basis of the Commissioner's findings. The letters which are quoted as originating from me seem to have struck Mr. Hall with the cordiality of the salutations: e.g. "I salute you", "hearty congratulations", "Dear Comrade". Therefore, nothing in these letters can be said to have anything to do with the removal.

The statement that Mr. Kerina was the author of the plan to form the South West Africa National Union is completely false. Mr. Kerina had nothing, and still has nothing, to do with the South West Africa National Union. He is not even a member and I do not think he has even seen the Constitution of SWANU.

The report says that Mr. de Wet told the inquiry that the rents had not been fixed and that, therefore, the people's objections were not justified. In fact, the rents had been fixed and this was conveyed to the people at a meeting addressed by Mr. Wan der Wath of the Native Affairs Department and Mr. de Wet himself, the minutes of which meeting I have in my possession. In fact, the rent has now been fixed at a minimum of no less than £2 and the bus fares have been increased while the wage struggle still continues between the municipality of Windhoek, the Administration of Windhoek and the employers of labour. Recently the Town Council rejected a proposal to review the Katutura regulations. Many of the

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people who have moved have begun to feel the pinch even before they have been applied in entirety. This has come to the notice of some employers, apparently, who are now trying to get something done about them. They proposed and Councillor Levinson tabled it before the Council, but the Council rejected it.

We want now to show what actually lies in store for the people in Katutura. And this we want to put on record to bear witness for us in the future when the police and army will be shooting people, this time in Katutura to maintain law and order, by making reference to the effects of removals elsewhere under the Department of Bantu Administration and Development. Removals have been carried out or are planned in the following areas: Johannesburg, Cape Town, Durban, Pretoria, Pieter Maritzburg, Benoni, Barkpan, Boksburg, Nigel, Dundee, and Bloemfontein. In all these cases, as in Katutura, the Government provides only economic loan funds, i.e. for African housing. Africans themselves pay interest on the loan and also over a period of years repay the State loan. They may either purchase the houses by paying monthly instalments, but not the sites on which the dwellings are built, or else may rent them.

Additional amounts are payable monthly towards the costs of services such as water, sewerage and rubbish removal, sports facilities, township administration and as contributions towards the building of schools. In some cases the Africans pay for the services in full and in others they are partially met from the Services Levy paid by employers. Other local authorities subsidize these public services from the Beerhall accounts.

According to the 1958-59 Survey of Race Relations in South Africa published by the Institute of Race Relations, the conditions in those locations to which people have already been moved are bad. It is stated that in places where people earn less than £15 a month the position is acute, e.g. in Pretoria. There the cheapest rents available to African families are £2.5.3. Transport to and from town costs the worker more than £1 monthly. It is said that large numbers of families who cannot pay these amounts have fallen into arrears with their rents. For Africans -- but not for other sections of the population -- penalties may be imposed by courts for this or else the family may be summarily ejected from the township.

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Then again it stated that in the model township of Daveyton in Benoni, life has a major drawback for many of the African residents which is the increase in their living costs that has accompanied their removal from the overcrowded slum dwellings they occupied previously. The slums were near the industrial areas, but now 15 per cent of the wages of many workers is spent on transport. At the same time their rents are two to three times larger than they paid before. As a result they have less money available for buying food and the incidence of tuberculosis has increased sharply.

And now what is the position in Windhoek? The average wages come to £10. The transport costs will be about £1 per month and the rent stands at a minimum of £2, which is more than ten times the rent they used to pay. But in Pretoria and other towns in the Union of South Africa the wages are higher than in Windhoek, which means that the situation in Katutura will be much worse than that of either Pretoria or Daveyton.

That is what apartheid can beget. Poverty for the black man and prosperity for the white man. This is what the Municipality of Windhoek is determined to enforce. It is that policy, the Government and the people behind it which and whom we want to rid our country of. For the last fourteen years we have appealed to the nations of the world. But perhaps they have been too slow. But apartheid is on the march. Indeed, it has already shown the extent to which it is prepared to go to manifest itself.

5. Statement by Mr. Sam Nujoma at the 131st meeting of the Committee on South West Africa, 5 July 1960 6/

First of all I would like to thank the Chairman and the distinguished members of the Committee on South West Africa who gave me the opportunity to address this meeting. I was authorized by the South West African Peoples' Organization formerly known as the Ovamboland Peoples' Organization, Chief Hosea Kutako and Chief Samuel Witbooi to come and speak on behalf of the African population of South West Africa and specifically to report to the United Nations and the world on the seriousness of the situation in South West Africa and to ask the United Nations to send a commission to investigate the killings, deportations and the removals of the African peoples from their traditional lands. Furthermore, we request the United Nations to revoke the Mandate over South West Africa and to place our country under the United Nations Trusteeship System as a first step toward our independence.

I would also like to point out the direct causes which led to the Windhoek disturbances which occurred on 10 December 1959. Early before the outbreak of the Second World War, it was said that the locations will be improved in South West Africa; two houses were built in Windhoek location as an example of this scheme. This idea was accepted by the African people of the location because the new houses were to be built on the same spot. However, nothing had been done until the Nationalist Party came into power in 1948. In 1954 the Native Affairs Department was transferred from the Administration of South West Africa to that of the Native Affairs Department of the Union of South Africa. In the same year the Minister of Native Affairs, Dr. Verwoerd, now the Prime Minister of South Africa, announced that apartheid should be extended to South West Africa and that all the locations in the Territory should be moved and new ones built on the basis of apartheid to make room for the white settlers. He went on to state that the locations must be built as far as possible away from the towns and that a buffer strip of about 500 yards be maintained, that separation of ethnic groups be applied in the Territory in the respective African locations.

6/ Mr. Nujoma also answered questions put to him by members of the Committee at the 132nd and 133rd meetings (see A/AC.73/SR.132 and 133).

The actual fact is that the apartheid policy and racial discrimination in South West Africa have been more strict than in the Union itself. Since 1954 discussions have been held between the Town Council and the African Advisory Board members in connexion with the improvement of the Windhoek location. However, the Africans in the Windhoek location accepted the idea of location improvements at the same site and strongly objected to the idea of the removal of the location on 28 November 1958. The Superintendent of the location, Mr. P. A. de Wet, told the Advisory Board members that the inhabitants of the locations would be moved to facilitate the implementation of the apartheid policy. He further stated that the Advisory Board had consented to the removal plan. This was denied by the members of the Board on 30 November 1958 at a public meeting held in the Windhoek location. On 22 January 1959 a meeting was held by the Superintendent of the locations, Mr. de Wet, at which he made it clear that the decision to move the people was taken by the Administration and the local authorities. The members of the Advisory Board reported to the residents of the Windhoek location, who opposed the removal scheme and who in turn informed the authorities that they were not prepared to move from their old location.

On 29 October 1959 a public meeting was held in the Windhoek location under the chairmanship of Mr. Potgieter, the new location Superintendent. Present at the meeting were Mr. Hager, Chief Magistrate of Windhoek, Mr. Blignaut, Chief Native Commissioner, Mr. Snyman, the Mayor of Windhoek, Mr. de Wet, the Manager of the Municipal Native Affairs Department, Mr. Van der Wath, the Urban Areas Commissioner in the Native Affairs Department, Colonel De Preeze, Head of the Secret Branch of the South African Police in South West Africa, and other Government officials. The meeting was attended by 4000 location residents. The leaders of the inhabitants of the location explained to the authorities that they are not prepared to move. Mr. Louis Melengani, the Vice President of the South West African Peoples' Organization, said: "If you whites pretend to be Christian and educated people, why are you administering this country so badly that there was no co-operation between whites and Africans? Hand over the administration to the Africans." Mr. Nathaniel Mbaeva, the Organizing Secretary of the South West African National Union, said: "Don't you know that this country belongs to the Africans? We shall not allow the settlers to do what they like in our country."

In November 1959, Mr. Potgieter, the location Superintendent, and the Municipal Police began to evaluate African houses in the Windhoek location. Women were forced against their will by the municipal police to attach their fingerprints or signatures to the document which stated that every person who puts his signature on that document agrees to move to the new location. On 28 November 1959, Mr. Potgieter and the Municipal Police assaulted and arrested four women who refused to sign the documents carried by the police. About 300 women led a demonstration to the Government building and the residence of the Administrator. The latter refused to address them, and the women then went on to see the Chief Magistrate of Windhoek, who told them that "they better prepare to move to the new location". The Magistrate also refused to release the four arrested women, who slept in jail the night before. On 29 November 1959 the women appeared before the Magistrate's Court and were fined £3 each. On 8 December 1959 the residents of the Windhoek location organized a boycott of all municipal facilities in the location as an expression of their protest against the removal plan of their location. The municipal beer hall, cinema and bus service were affected by this boycott.

On 10 December a meeting was held between the Advisory Board members under the chairmanship of Mr. de Wet, the Manager of the Municipal Native Affairs Department. Present at the meeting were Mr. Snyman, the Mayor of the Windhoek, Mr. Hager, Chief Magistrate, and Major Lombard, Deputy of the Police. Mr. Snyman, the Mayor of Windhoek, said at this meeting: "If you continue with the boycott, I will close all the municipal facilities in the location and I will not re-open them again." He further went on to state that "those who do not want to hear shall feel (Die wat nie wil hoor nie sal voel)".^{7/} Mr. Hager, on the other hand, said: "You Bantus, don't you know that the money from the beer hall, cinema and bus services are used for your benefit?" "Those who do not obey the law will be sent to the native reserves." Major Lombard, the Deputy Commissioner of Police, said: "Bantus, I give you the last warning. Go and tell your people that they must not interfere with the law. You must now play with a lion, the lion will bite you." One of the Advisory Board members, Mr. F. Tjiueza, replied that "the boycott is a protest against the pending removal of the location." Mr. Snyman immediately replied to Mr. Tjiueza: "We are not here to negotiate anything with you people but we have come here to warn you." Mr. Snyman and his company then walked out of the meeting.

^{7/} "He who will not hear must feel."

On 10 December at about 8.30 p.m. the police arrested Mr. F. Kujambera and three other men who were walking on the street near the Municipal Beer Hall. These gentlemen were brought before Mr. Snyman and Mr. de Wet, who were already in the Municipal Office near the Location armed with revolvers. They ordered the police to beat the three African gentlemen and throw them into jail. Mr. Kujambera was beaten half dead and thrown into custody. Many residents of the Location saw what happened to Mr. Kujambera and the others. They demanded the release of these men, but their request was refused. At that time more police arrived at the Municipal Office armed with machine-guns, sten-guns, rifles and pistols. More Africans came to see why the police were in the Location, as it was unusual for the European police to enter the Location at that time of the night. Major Lombard ordered the crowd to disperse within five minutes. Mr. Kaukuetu, Vice-President of the South West African National Union, spoke to Major Lombard and promised him that he would explain the matter to the people and at the same time would persuade them to go home. While Mr. Kaukuetu was addressing the people, the police opened fire on the crowd, killing nine persons, among them a woman and child. About fifty persons were injured. At this stage the South African soldiers arrived in armoured cars, shooting at any person walking in the street. I remember that a woman by the name of Eva David was shot in the stomach while walking in the street far away from the scene of the trouble. No police were killed or injured in this disturbance. On 11 December the South African Police and troops patrolled the whole Location, threatening to shoot people who refused to move to the new Location. Many women and children fled the Location and a few of them went to the new Location just to save their lives. This was regarded as a great victory by the Administration and the White settlers in the country. Completely false statements were issued by the local press, stating that the Africans were moving to the new Location of their own free will. The same day more than a thousand firearms were sold to the European residents of Windhoek, and during the night the Location was surrounded by the South African police and soldiers. Africans were refused permits to go outside the Location, and those from outside were refused permits to enter the Windhoek Location. On 13 December a state of emergency was declared in the territory prohibiting gatherings of any kind in the Locations except church services.

On 14 December Mr. Jacob Kuhangua, Assistant Secretary of the South West African Peoples Organization, and Mr. Mbaeva were served with deportation orders to leave the Windhoek urban area within seventy-two hours. Mr. Mbaeva, who was supporting his aged mother of about sixty-five years of age, left his mother in a miserable condition in Windhoek Location. Mr. Mbaeva is presently in the Epukiro Native Reserve. Mr. Kuhangua was escorted by six armed policemen who took him to Onamakunde in Angola. He was brought before the Portuguese officials by the South African police, who stated that Mr. Kuhangua was a politician and that he was not wanted by the South African authorities in South West Africa. The police also asked the Portuguese officials to keep Mr. Kuhangua in prison in Angola, but Mr. Kuhangua refused to remain in Angola, stating that he was born at Ondimbo in Ovamboland and that he was not a Portuguese citizen. The Portuguese authorities told the South African police to take Mr. Kuhangua back to South West Africa as he was not needed in Angola. On their way back to South West Africa the police threatened to kill Mr. Kuhangua for refusing to remain in Angola. Mr. Kuhangua was brought before the Native Commissioner at Oshikango, who instructed one of the local government head men to keep him under house arrest, with the order that nobody should visit him. Mr. Kuhangua has been under this house imprisonment with his legs and arms chained together every night.

Mr. Jackson Katjikuka, a member of the Executive Committee of the South West African Peoples Organization, was discharged from a local Boer firm after it was discovered that he was a member of our Organization. Mr. Katjikuka went to the Registration Office to seek a work permit, and to his surprise he was served with a deportation order and was asked to leave Windhoek within seventy-two hours. So far, about 200 Africans have been deported from Windhoek. One, Mr. Kureva, was told that he must go to the United Nations to seek work from this Organization.

On 22 February, two Coloured men, Mr. Izaaks and Mr. Diergaart, were served with deportation orders to leave Windhoek within seventy-two hours for the Rehoboth Gebiet. Mr. Diergaart has a family and could not possibly find employment in Rehoboth to support his wife and children. No reasons were given by the Administration for the deportation of these two men.

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On the other hand, many African businessmen have been refused renewals of their licences for this year. Two of these are Mr. Shimbama and Mr. Kaunozondunge. On 28 December the police raided the homes of Chief Hosea Kutako, Mr. Kapuuo, Mr. Muundjua, Mr. Mbuha, Mr. Nelengani and myself. At the same time, the police also raided the homes of the Reverend Hamtumbangela and Mr. Ja-Toivo in Ovamboland. They took all our personal and official correspondence. Many of these letters were used by the police at the Commission's proceedings held in Windhoek on 11 January 1960. The Commission made untrue statements that the letters received by the African leaders from overseas incited the people to oppose the removal of the Location. Among the letters produced were those received from Mr. Kerina, Mr. Kozonguizi, the Reverend Mark Scott, and those from the United Nations.

I would like to inform this Committee that we have never been satisfied with the Union Government. The reasons for our refusal to move from our old Location to the new one are very simple to understand:

Children over eighteen years of age will not be allowed to live with their parents; they will be forced to stay in a compound.

The new Location will be divided into ethnic groups.

The Location will be in a camp. Every person entering the Location will report himself to a policeman who will stand ready at the main gate demanding his entry permit or pass authorizing him to enter the Location.

Visitors from other places will be required to report themselves at the office of the Location Superintendent.

No meetings or any kind of gathering will be allowed without the approval of the Location superintendent.

Nobody will be allowed to move from one section of the Location to another without permission from the superintendent.

Rents will be higher in the new Location. No provisions are made to increase the African peoples' wages.

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Our people in South West Africa are not prepared to accept the policy of apartheid racial discrimination which is being enforced upon us by the South African Government. We feel that to accept apartheid is just as good as digging our own graves.

In the field of labour, there is an organization in South West Africa known as the South West Africa Native Labour Association with its headquarters in Grootfontein, in the northern part of the country. This Association is authorized to sell Africans from extra-territorial Native Reserves. Every white man who wishes to employ an African is required to make an application to this organization. As a rule, he has to pay an amount of £10 or £12 for a contract labourer of about fourteen to twenty years of age. These young men are not allowed to return home to their families, even for a vacation, before the expiry of their eighteen months' contract. They are not allowed to get sick pay or annual leave, and no compensation even in the case of accidents. Their wages are 1/6 per day; they are not allowed to be accompanied by their wives. Contracted Africans are required to carry three passes per day: the Extra-Territorial or Northern Native Identification Passes,^{8/} which indicates that the said servant is employed under the South West Africa Native Labour Association contract system. At the same time he must carry a contract service pass which shows that he is employed by a certain master in that certain town. He must also have a written piece of paper from his master stating that he is authorized to walk on the street for a certain time. If the police find him on the street after that time given by his employer, he is arrested and put into jail to face the Magistrate the following day. The fine is from £3 to £10. The Magistrate has the right to cancel his contract and repatriate him to the Native Reserve.

It is a law in South West Africa that every African who stays in urban areas or towns must work under a white man and a contract services pass should be issued to him every month.

^{8/} Photo-offset copies of an Extra-Territorial or Northern Native Identification Pass and a New South West Africa Native Labour Association Contract of Service, submitted to the Committee at its 131st meeting by Mr. Nujoma, are reproduced below, following the text of Mr. Nujoma's statement.

In July 1959, Chief Muala of the Cukualuzi people in Ovamboland, who has become very old, chose one of his nephews, Mr. Shikalepo Ileka, to be his successor. This action was approved by the whole tribe. Unfortunately, the Government in South West Africa, knowing the position of the old Chief and his attitude to the apartheid policies, refused to recognize Mr. Ileka. In October, Mr. Blignaut, the Chief Native Commissioner and the Local Welfare Officer in Ovamboland, went to depose the Chief and appointed another man, also a nephew of the old Chief Muala. This action by the Government met with disapproval of the whole tribe and threatened to overthrow the appointed Chief. On 3 December, Mr. Blignaut received a cable from the Welfare Officer at Ondonga stating that troops should be sent immediately to Cukualuzi to rescue the Government appointed Chief. Mr. Blignaut hurried to Ovamboland with eight African and twelve White policemen, armed with machine-guns and sten-guns under the command of Major Lombard. At Otjiwarongo they were joined by some more policemen and many others from Grootfontein, Tsumeb and Cnamuteni. On their arrival in Cukualuzi they found the area very quiet. However, they went on to depose the elected Chief, Mr. Shikalepo Ileka, and appointed another man by the name of Shikongo Tapcpi. He was given orders to shoot anyone who opposed the policy of the Government in the same area. Most of the people who supported the old Chief Muala were deported from the area. They are: Miss Vivi Muala, the daughter of the old Chief; Messrs. Kapueja, Abed Sheja, Alex Sheja (nephew of the Chief), Sam Nilenge, Absai Amunjela, Ipinge Muala (son of the old Chief), Joel Skikongo and Andreas Ileka. Many of these people were fined. On 25 November, Mr. Ananias Karanja was fined £15. Mr. Olinus Amakali paid an ox worth £35. Mr. Stephanus Amuama was fined £10. Mr. Phinea Musilika was fined £5. On 5 December, Mr. Nakale Muala, the son of the old Chief Muala was fined £10. On 14 December, Mr. Philemon Gabriel was fined £7. Mr. Festus Mbandi was fined £30. On 10 December, Mr. Thomas Magongo was fined £10 and Mr. Shivute Nanguasha was fined £25. Mr. Shampa Amukua was fined £10. Many of the relatives of the old Chief fled the area to seek protection elsewhere. The property of those who were deported from this area were destroyed leaving some of the families homeless; many of the people's cattle were confiscated by the Government appointed Chief.

When these people went to see the local welfare officer at Ondangua to complain about their difficulties they were simply told to go home and obey the Government-appointed Chief. Many of those who opposed the appointment of the new Chief by the Government were not allowed to buy wheat sent to Ovamboland as a result of the drought in South West Africa. This wheat is being bought with the money of the various tribes in Ovamboland; the fund is called the Tribal Fund, but the most surprising thing to all of us is the fact that the Government in turn sells this wheat to the people in Ovamboland, making a profit out of it.

Another difficulty which confronts the people in Ovamboland is the shooting of their cattle on the border of South West Africa and Angola. As a result of the drought in the country, many people have been grazing their cattle along this border only to find out later that their cattle were being killed by the South African police and buried along the border by these policemen. So far, relief has been given only to whites in the whole country.

On 17 June 1960, Mr. Hcmateni, a member of the Executive Committee of the South West African Peoples Organization, and eleven others, were deported from Windhoek to Ovamboland. It happened that Mr. Hcmateni, whom I know personally, owns a house at Windhoek Location. One afternoon on his return from work Mr. Hcmateni found policemen in front of his house with a warrant stating that he must pack his belongings and that his ticket was already bought by the police. When he asked the reasons for this action, he was arrested and escorted to Ovamboland with his eleven friends. The only reason given so far is that they were not needed in Windhoek. As the result of the drought, there is not enough food in the reserves to support all these people who are being deported from the urban areas. The Government knows this very well.

We would appreciate it very much if the Committee on South West Africa could advise the Union Government as soon as possible to stop these deportations in the country. These actions will not stop us in South West Africa from petitioning the United Nations to place our country under the Trusteeship System.

Furthermore, it has been very difficult for us to forward our petitions to the United Nations through the Union Government. On 7 May 1960, the Administration of South West Africa refused to transmit our people's petitions to the United Nations. One of these petitions,^{9/} protesting the removal of their Location, was

^{9/} See petition dated 11 November 1959 from the Ovamboland Peoples Organisation (No. 46, below).

sent to the United Nations by the people of Walvis Bay. The other petition was that of Chief Kutako. I am attaching a letter written to our people by the Administrator with regard to this case.^{10/} In addition to all these matters, we have the serious case of Mr. Ja-Toivo, the General Secretary, and Mr. Tuhandeleni, the Assistant Secretary of the South West African Peoples Organization in Ovamboland, who have been rearrested. I am also attaching the latest cables which we received from home about these two gentlemen's cases.^{11/}

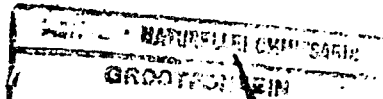
Our young people are being refused permission and passports to travel outside South West Africa for the purpose of studying. Among these young people are Mr. Onesmus Akuenje and Mr. Ben Huaraka. Mr. Onesmus went to Cape Town for studies. While in Cape Town he was arrested by the police and fined £4 and sent back to South West Africa. Mr. Ben Huaraka has been refused a passport to go to Ghana for studies.

This is the latest story of our people in South West Africa. The Government is determined to proceed with the removal plan and is prepared to force the people to move. The people, on the other hand, are also prepared not to move. There is, therefore, a great danger threatening our people if nothing is done for them. We appeal to the United Nations, especially to the Committee on South West Africa, to warn the Union Government and to request that Government to stop these violent measures now being taken against our people in South West Africa.

^{10/} See photo-offset copy below of the letter dated 7 May 1960 from the Secretary for South West Africa to the Assistant Secretary, Ovamboland Peoples Organisation, Walvis Bay.

^{11/} Mr. Nujoma submitted to the Committee four telegrams, as follows:

- (a) Telegram sent 20 May 1960 (?) from Mr. Ja Toivo, Ondangua, Ovamboland, to Mr. L. Nelengani, Windhoek: THE PARTICULAR MAN DEPORTED TO THE EAST DETAILS TO FOLLOW.
- (b) Telegram sent 15 June 1960 from Mr. Ja Toivo Ondangua, Ovamboland, to Mr. Nelengani, Windhoek: TUHADELENI ARRESTED YESTERDAY TUESDAY.
- (c) Telegram sent 20 June 1960 from OPO, Windhoek, to Mr. Kerina, New York: ELEVEN MEMBERS DEPORTED INCLUDING S HOMATENI LETTER FOLLOWS.
- (d) Telegram sent 4 July 1960 (?) from Aussspanplatz to Mr. Kerina, New York: CONDITION BAD IN OVLAND ON 27/6/60 H. JATOIVO REARRESTED AGAIN UNDER HOUSE ARREST AT OKALOKO ON 17/6/60 TUHANDELENI DEPORTED TO EENJANA IN VELD AT ANGOLA OKAVANGO BOARD FRMC SWAO



BEVELE. Elke persoon wat die draer in diens neem moet op hierdie pas, in die aangegeve kolom in ink sy eie naam en die datum en plek van indiensneming invul. Geen persoon mag hom verk gee of in diens neem sonder voorafgaande geskrewe toestemming van 'n magistraat, assistent-naturellekommissaris, amptenaar aangestel oor naturellesake, of posbevelhebber van Polisie nie. Met ontslag moet die werkgever hierdie pas in ink onderteken en die datum waarop die kontrak eindig, invul. Hierdie pas moet deur die naturel behou word. Dit is 'n oortreding om dit van hom weg te neem. By die dood van die naturel, in hierdie pas genoem, moet sy werkgever, of die persoon op wie se eiendom hy sterf, hierdie pas aan die naaste magistraat, assistent-naturellekommissaris of Posbevelhebber van Polisie stuur.

INSTRUCTIONS. Every person engaging the bearer shall enter in ink on this pass in the approximate column his own name and the date and place of employment. No person may employ or take him into service without the prior written permission of a Magistrate, Assistant Native Commissioner, Officer in Charge of Native Affairs or Station Commander of Police. On discharge the employer shall sign this pass in ink, and insert the date on which the contract is terminated. This pass shall be retained by the Native. It is an offence to take it from him. Upon the death of the native referred to in this pass, his employer, or the person on whose property he died shall forward this pass to the nearest Magistrate, Assistant Native Commissioner or Station Commander of Police.

ANWEISUNGEN. Wer den Inhaber dieses Passes in Dienst nimmt, muß seinen Namen und das Datum und den Arbeitsplatz in der entsprechenden Spalte dasselben mit Tinte eintragen. Ohne vorherige schriftliche Genehmigung eines Magistrats, Hilfs-Eingeborenen-Kommissars, eines Beamten für Eingeborenen-Angelegenheiten oder Kommandeurs eines Polizeipostens, darf niemand ihn anstellen oder in Dienst nehmen. Bei der Entlassung muß der Arbeitgeber mit Tinte unterschreiben und das Datum, an dem der Vertrag aufhört, eintragen. Der Eingeborene muß diesen Paß behalten. Es ist strafbar, dem Eingeborenen den Paß abzunehmen. Beim Tode des in diesem Paß angegebenen Eingeborenen ist der Paß von dem Arbeitgeber oder der Person, auf deren Grundstück er gestorben ist, an den nächsten Magistrat, Hilfs-Eingeborenen-Kommissar oder Kommandeur eines Polizeipostens zu schicken.

Die besitzer hiervan word gelas/gemagtig om terug te keer na.
The bearer hereof is ordered/authorised to return to

MAGISTRAAT
MARIENTAL, S.W.A.
24-2-58

Datumstempel
Date Stamp

MAGISTRATE

Pass geldig vir
Pass valid for

Gemagtigde Amptenaar
Authorised Officer

Fare deposited from

Rail Warrant No.

issued at

to Grootfontein: £ 3 - - 3

on

for journey from

to Grootfontein.

PAI

A/AC.73/3
English
Page 44

S.W.A. 127 d.



In antwoord gelieve te refereer na:
In reply please quote:

AS. 50/2/3/2.
No.

SUIDWES-AFRIKA / SOUTH WEST AFRICA

KANTOOR VAN DIE ADMINISTRATEUR,
OFFICE OF THE ADMINISTRATOR,
WINDHOEK.

7- -5-1960

The Assistant Secretary,
Ovamboland Peoples' Organisation,
P.O. Box 74,
WALVIS BAY.

Sir,

With reference to your letter of the 22nd February last, I return herewith copy of the petition forwarded under cover thereof and at the request of the Prime Minister have to inform you that the Union Government cannot concede that the inhabitants of South West Africa have the right to address petitions to the United Nations Organisation or that there is any obligation on the Union Government to forward petitions to the Organisation.

The petitioners have, of course, in common with other South African citizens, the subject's right of petition to the highest legislative and administrative authority in the land.

If this right is correctly exercised, the proper procedure would be to address a petition to the Union Government through His Honour the Administrator. Although this is the correct procedure it would not be insisted upon if any petitioner preferred to forward a petition direct to the Union Government.

The Administration is in agreement with the views of the Union Government in this regard.

Yours faithfully,


SECRETARY FOR SOUTH WEST AFRICA.

Stn. Mariental.

№ 45209

CONTRACT OF SERVICE - DIENSKONTRAK - DIENSTVERTRAG

On this 24th day of August 1956, undersigned
Op hierdie 24ste dag van Augustus 1956, het

an employee of New South West Africa Native Labour Association (Pty) Ltd., — Nuwe S.W.A.N.L.A., Grootfontein, acting on behalf of Mariental Hotel, Mariental,
 'n werknemer van South West Africa Native Labour Association (Pty) Ltd., — Nuwe S.W.A.N.L.A., Grootfontein, wat optree namens
 ein Angestellter der New South West Africa Native Labour Association (Pty) Ltd., — Nuwe S.W.A.N.L.A., Grootfontein als Bauauftraggeber von

of _____ urban Mariental, _____ Dist. Gibeon. _____ hereinafter called the "master",
 and _____ _____ _____ hierna die „meester" genoem,
 and _____ _____ _____ hiernach bezeichnet als „Arbeitsgeber"

and _____ Ekönia Kambata hereinafter called the "servant(s)" appeared before me, _____ Undersigned
 en _____ hierna die "diensbode(s)" genoem, verskyn voor my _____
 and _____ hiernach bezeichnet als „Arbeitnehmer“, vor mir _____

(Magistrate, assistant magistrate, native commissioner, assistant native commissioner or officer in charge of native affairs, post commander of police or person specially designated by the Administrator) and in German: (Magistrat, assistent magistraat, narellekommissars, assistent narellekommissars of amptenaar in bevel van naturellesake, polisie-stasiebevehebber of persoon spesiaal deur die Administrateur aangewys)

my presence signed his/their name(s) (or made his/their mark(s) as the case may be) to the following contract of service:—
 en het in my teenwoordigheid sy/hulle naam/naam geteken (of sy/hulle merk(e) gemaak, soos die geval ook al mag wees) op die volgende dienskontrak:—
 und zeichnete(n) in meiner Gegenwart seinen/ihre Namen (resp. gab/en) seinen/ihre Abdruck(e) für den nachfolgenden Dienstvertrag:—

The said master agrees to hire the service of the said servant(s) and the said servant(s) agree(s) to render to the said master his/her service at all fair and reasonable times, in the capacity of
Die gemaelde meester onderneem om die gemaelde diensbedien(e) in diens te neem en die gemaelde diensbedien(e) onderneem om die gemaelde meester te dien op alle behoorlike en redelike tye in die hoedanigheid van
Besagter Arbeidgeber stemt zu, die Dienste von besagtem(n) Arbeitnehmer(n) zu heuern, und besagte(r) Arbeitnehmer stimmt/stimmen zu, seine/ihre Dienste zu geben als

Barboy for 18 months

commencing on _____ 24/8/56 _____
vanaf die _____
beginnend am _____

And it is further agreed that the said master shall pay to the said servant(s) wages at the rate shown against the name(s) of the said servant(s) and that such wages shall be paid monthly.
En daar word verder ooreengekom dat die gemelde meester aan die gemelde diensbode(s) loon sal betaal volgens die skaal wat teenoor die naam/name van die gemelde diensbode(s) aangegee word en dat sodanige loon maandeliks betaal sal word.
Und es wird weiterhin vereinbart, daß besagter Arbeitgeber an den/die besagten Arbeitnehmer einen Lohn in der Höhe, wie beim Namen desselben angegeben ist, bezahlen muß, und daß dieser Lohn monatlich bezahlt werden muß.

Special agreements:—
Besondere overeenkomsten:—
 Besondere Verordnungen:—

1. That the said master shall, during the continuance of this contract, supply the said servant(s) with good wholesome food, containing either milk or meat or fat and not less than 12 lbs. of meal per week.
Dat die gemeente meester, vir die duur van hierdie kontrak, die gemeente diensbode(s) gratis sal voorsien van goeie en voedsame kos wat melk of vleis of vet bevat en ten minste 12 lb. meel per week.
Daß besagter Arbeitgeber während der Dauer dieses Vertrages an besagte(n) Arbeitnehmer gute nahrhafte Kost, entweder Milch oder Fleisch oder Fett enthaltend, und nicht weniger als 12 lbs Mehl per Woche free of charge.
gratis liefern muß.
2. That the said master shall supply free of charge to the said servant(s) one shirt, one pair of shorts and one blanket.
Dat die gemeente meester aan die gemeente diensbode(s) een hemp, een kortbroek en een kombers gratis sal verskaf.
Daß besagter Arbeitgeber jedem der genannten Arbeitnehmer gratis ein Hemd, ein Paar Shorts und eine Decke liefern muß.
3. That the said master shall provide during the subsistence of this contract the said servant(s) with free medical attendance and medicine in case of illness of the said servant(s).
Dat die gemeente meester vir die duur van hierdie kontrak aan die gemeente diensbode(s) mediese dienste en medisyne in geval van siekte van gemeente diensbode(s) gratis sal verskaf.
Daß besagter Arbeitgeber während des Inkraftseins dieses Vertrages besagtem(n) Arbeitnehmer(n) freie ärztliche Behandlung und Medizin im Krankheitsfalle des/der Arbeitnehmer(s) zukommen lassen muß.
4. That the said master shall provide the said servant(s) with free rail and bus facilities from the place of recruitment to the place of employment and on the termination or cancellation of this contract the said
Dat die gemeente meester aan gemeente diensbode(s) 'n trein- en buskaartjie vanaf die werwingsplek na die plek waar hy/hulle moet werk gratis sal verskaf en wanneer die kontrak ten einde loop of gekanselleer
Daß besagter Arbeitgeber jedem der besagten Arbeitnehmer Gratis-Eisenbahn- und Autobusfahrt vom Werbungsplatz bis zum Arbeitsplatz verschaffen muß, und bei Ablauf oder Annullierung dieses Vertrages
master shall provide similar facilities to the said servant(s) to the place of recruitment free of charge. (P.T.O.)
word sal gemeente meester gemeente diensbode(s) gratis by die werwingsplek terugbesorg. (Blaal om).
besagter Arbeitgeber jedem der besagten Arbeitnehmer gratis zum Werbungsplatz zurückbefördern muß. (Siehe umseitig).

I. P. No.	Name Naam Nam	Father's Name Vader se Naam Name des Vaters	Kraal	Chief Hoofman Hauptling	Tribes Stamm	for vir für	Per Month Per Maand Pro Monat	Natives signature or mark Naturel se hand- tekening of merk Eingeborenen- Unterschrift oder Abdruck
55085	Ekonja Kamata	Israel	[REDACTED]	[REDACTED]	Ondonga	1st 12 months 1ste maande 1ste Monate 2nd months 2de maand 2te Monate 3rd months 3de maand 3te Monate last month laaste maande letzten Monate	30/-	
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New South West Africa Native Labour Association (Pty) Ltd.,—~~Nuwe~~ S.W.A.N.L.A., Grootfontein

Signature of Interpreter
Handtekening van tolk
Unterschrift des Dolmetschers

- for the Master ✓ vir die Meester / für den Arbeitgeber

The preceding agreement was signed by the abovesaid parties, in my presence, on the day and year above written, voluntarily, the same being, as far as I am able to judge, understood by them respectively.
Die voorgaande ooreenkomst was door bovenzijde persone vrijwillig in my teenwoordigheid op die bovenzijde datum geteken en vir zover ik kan oordeel deur iedereen van hulle begryp.
Der vorstehende Vertrag wurde von den oben genannten Parteien in meiner Gegenwart am vorstehenden Tag und Jahr freiwillig unterzeichnet und ist auch — soweit ich es beurteilen kann — von beiden Parteien verstanden.

Date Stamp
Datum Stempel
Datum Stempel

Attesting Officer / Attestierende Beamtin / Beschließender Beamter

Designation	Hoedanigheid	Dienstgrad
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A/AC.73/3
Engl sh
Page 44

Important!

The Employer's attention is directed to Paragraph 4 of this Contract. It is essential that he applies, in good time, before expiry of the contract, to the nearest S.W.A.N.L.A. Agent for a Railwarrant for the relative labourer(s) with which he/they will obtain a Railway ticket for the return journey. The Identification Pass(es) of the labourer(s) concerned must be sent along with the application for warrant(s) to the S.W.A.N.L.A. Agent who will return such Pass(es) together with Railwarrant(s) to the Employer.

Belangrik!

Die Werkgewer word versoek om Paragraaf 4 van die Dienskontrak in ag te neem. In verband daarmee is dit noodwendig dat die werkgewer, betyds, voor afloop van die kontrak, by die naaste S.W.A.N.L.A. Agent aansoek doen vir spoorwegbiljet(te) vir die Arbeider(s) waarmee hy/hulle sal reiskaartjies vir sy/hulle terugreis verkry. Die Identifikasiepas(se) van betrokke Arbeider(s) moet saam met die aansoek(e) vir spoorwegbiljet(te) aan die S.W.A.N.L.A. Agent gestuur word. Hy sal die Pas(se) saam met die Biljet(te) aan die werkgewer terugstuur.

Wichtig!

Die Aufmerksamkeit des Arbeitgebers wird auf Paragraph 4 gelenkt. Es ist notwendig, daß er rechtzeitig vor Ablauf des Kontraktes beim nächsten S.W.A.N.L.A.-Vertreter einen Eisenbahn-Fahrschein(e) für den/die betr. Eingeborenen beantragt, worauf er/sie von der Eisenbahn Rückfahrkarte(n) erhalten wird/werden. Der Identifikationspaß jedes Eingeborenen muß zusammen mit dem Antrag für die Eisenbahn-Fahrscheine dem S.W.A.N.L.A.-Vertreter eingesandt werden, der den/die Paß/Pässe zusammen mit dem/den Fahrschein(en) dem Arbeitgeber zurücksenden wird.

5. Statement by Mr. Mburumba Kerina at the 131st meeting of the Committee on South West Africa, 5 July 1969 12/

I wish to express my appreciation to the Committee on South West Africa for allowing me to make this statement on behalf of our people in South West Africa. There are others of our people who could express themselves with much more eloquence than I, had they the opportunity to be present here. Chief Hosea Kutako, Mr. Ja-Toivo and Mr. Kuhangua should all be here themselves.

Our people regard the territory of South West Africa as an international territory. It is administered by the Government of the Union of South Africa as a mandate of the League of Nations. The Union Government has international obligations and responsibilities in the administration of our country. We know that when the Union of South Africa accepted the mandate for South West Africa, it also accepted the responsibility of administering the territory as "a sacred trust of civilization"; that is, the Union Government was to administer South West Africa on behalf of the international community. This conformed with the principles of international accountability which prevailed at that time. It is a historical fact that these principles have never been recognized or practised in our country by the Government of the Union of South Africa.

There is a long chain of evidence extending from the establishment of the mandate in 1920 to the present time to show South Africa's intransigence and flagrant disregard of its international responsibilities concerning our country. Our petitions over the years have informed the international community of the tyranny being exercised over us. Reports of this very Committee have further substantiated the statements which we have advanced. As apartheid is applied with increasing intensity, we realize that our very existence is at stake. We are here today to state that the Union of South Africa is morally and politically unfit to administer our country. Recent events in the Union of South Africa itself, which have evoked action by the United Nations Security Council, are a clear demonstration of that Government's inability properly to administer its own people, let alone wards of an international community. The actions of the

12/ Mr. Kerina also answered questions put to him by members of the Committee at the 132nd and 133rd meetings (see A/AC.73/SR.132 and 133).

South African people in Windhoek on Human Rights Day 1959, which resulted in the violent death of twelve African men, women and children, and the serious wounding of thirty-six others, are sufficient to prove our statements. If more evidence is required, one has only to observe what is happening today as vindictive reprisals such as deportations and economic pressures are imposed upon our people for organizing themselves, demanding their rights, and appealing to the international community for assistance.

We are unalterably opposed to the South African Administration in our country and will continue to resist every means which it uses to impose its policies upon us. We as human beings cannot submit to the degradation, humiliation and violence forced upon us by the South African Government. There is no single South West African who needs to be told by anyone on the outside that he is suffering or how he should express his resentment against the South African Government and its racist policies.

Perhaps it would be easier for those outside South West Africa to understand our position if they could see the so-called "civilized leaders" at work among us, as we see them -- particularly those who were closely involved in the armed attack upon our people last December.

Our country is administered by a group of South African Nationalist politicians who are accountable only to the European minority which supports the political, economic and social policies of white supremacy and apartheid. They consider Africans only in terms of how their economic potential can be exploited for European development and improvement. The chief methods of the European politicians in executing their administrative responsibilities are economic intimidation, physical coercion and violence. Indeed, their reasoning seems to indicate that force is the only method they understand and respect in their relationship with the Africans. South Africa's racial policies are endorsed by the vast majority of the Europeans in South West Africa, who all obtain economic benefits from these policies either directly or indirectly at the African's expense. We invite any one single European to state openly that he is opposed to the present system and would co-operate and share on a truly equal basis with Africans in the development and use of our land and resources. So far, the only leaders respected and followed by Europeans in our country are those whose

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principles and policies are based on racial hatred and economic exploitation of our people. Here are a few examples of the quality of European leadership which exists in our country.

The Administrator of the Territory, Mr. Viljoen, does not consider himself in any way accountable to the African people for his administrative policies. He refuses even to discuss Africans' grievances with them. Only a few days before the December shootings he arrogantly and adamantly refused to receive the deputation of African women who were outraged by the treatment meted out to four of their neighbours at the hands of police accompanying an official who was evaluating their houses as a first step in the forced location removal. This same Mr. Viljoen, addressing a group of motorists in August 1959, said: "We can't afford to lose one white skin ... especially in South and South West Africa. We require those people when we see what is happening in Natal." Apparently here he was referring to the Cato Manor riots in the Union of South Africa.

A long-time resident of our country from South West Africa, Mr. J.G. Van der Wath, represents South West African European settlers in the South African Parliament. He addressed the fourteenth session of the General Assembly as a member of the South African delegation and achieved the dubious distinction of being the only "expert" not to answer a single question put to his delegation by the representatives of other nations. Mr. Van der Wath is one of the chief advocates of South African apartheid as applied in South West Africa. He himself buys and employs contract Ovambos. One such worker recently left his employ with less than half (£10) of the pay he was promised under the terms of the contract. When the labourer requested the full amount of £22 for eighteen months' service, he was threatened with police action by Mr. Van der Wath.

The same gentleman regaled the Assembly with numerous examples of the beneficent services rendered to the Africans by the South African Administration, such as the number of bore-holes and the length of roads constructed in our country. He was preceded in 1958 by the Chief Native Commissioner, Mr. B. Blignaut, who was largely responsible for the execution of apartheid policies in South West Africa and who today is the paramount chief of the African tribes in South West Africa. Mr. Blignaut returned to our country to inform Africans in Ovamboland that a defrocked priest, Michael Scott, and a Herero from Walvis Bay

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wanted to have the country turned over to the Chinese, Russians and Indians. He deposed the elected Chief of the Oukualuzi tribe in Ovamboland, appointed a Government tool and supplied him with fire-arms to suppress his people and enforce Government policies.

The Mayor of Windhoek, Mr. J. Snyman, is the confirmed advocate of the use of force. He often resorts to his fists in his contacts with Africans. On the afternoon of 10 December 1959, Mr. Snyman addressed the Advisory Board of the Windhoek location on the subject of the Africans' boycott of the municipal facilities and the imminent location removal. He told the gathering that the removal would proceed as planned despite the Africans' protest, that the Administration was not there to negotiate with Africans but only to warn them that "he who does not hear must feel".

In the light of our most recent experiences at their hands, our people see the Union Government's frantic attempts to implement apartheid in South West Africa at any cost as part of the larger scheme of preparation for the so-called "bitter end struggle" which the Nationalists themselves are creating. European settlers in South West Africa are growing increasingly aware of the untenability of their position in the light of world sentiment; and the very Africans whom they consider unfit to govern themselves are emerging into their own all over the continent; but what shocks them most is the fact that in South West Africa, one of the last remaining strongholds of white supremacy, an able, bold and dynamic young leadership is arising from right under their noses in the locations and reserves. Last Year's legal resolution of the General Assembly contributed to the anxiety among Europeans over their future in South West Africa. We Africans do not understand why the European settlers in South West Africa have become blind to stark reality in Africa, why at the same time the United Nations should be regarded as their enemy and why they cannot envisage any change. The Foreign Minister of the Union of South Africa, Mr. Louw, has even gone to the extent of blaming the inevitable consequences of his Government's incompetence on the United Nations. We reject the right of such people as these to exercise any authority over us. Nowhere among them or their colleagues in South West Africa do we see any one man of half the moral, political or intellectual stature of our elders such as Chief Kutako, Captain Witbooi or Chief Muala of Ukuualuzi.

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At this time we can only anticipate more violence of the same kind that we have suffered, unless an end is put to the Union of South Africa's administration in South West Africa. It is for this reason that we again call upon the international community to exercise its authority over South West Africa. We ask for an early judgement of the International Court of Justice, the removal of South African authority over our country and its replacement with an international administration as a first step towards our independence.

At this point I must comment briefly on the report of the Commission of Enquiry into the disturbances of 10 December 1959. In the first place, one would think it to be beneath the dignity of a sovereign State to publish such a document. It is a document which was prepared largely from the contents of carefully selected, purloined letters; a document which would have us believe that the Africans are contented and have no grievances of their own, that they do not suffer as other human beings and are incapable of protesting in an organized manner; a document which have us believe that the significant thing was that a location superintendent's office was damaged and a few picture frames broken, rather than to present the essential fact that human life was wantonly destroyed because Africans dared to challenge the Administration's right to herd them out of their homes and into another location like cattle. Nowhere in the report do we see a photograph of the dead and the wounded Africans shot down from behind. This report might surprise any one but an African who has lived under the Union Administration. We know that the enquiry was initiated to placate international opinion rather than to scrutinize the real causes of the disturbances. We also know better than to expect a truly objective judicial evaluation of these events by a judge appointed by the Union Government. One cannot expect a murderer and his accomplice to examine themselves objectively for evidence of guilt. The simple fact of the matter is that there can be no justification, real or imagined, for the shooting of unarmed people by armed police.

The London Observer of 17 January 1960 had the following to say about the conduct of the Commission:

"It seems possible that the South African Government hopes to use the riots as a powerful counterattack in its dispute with the United Nations over South West Africa. This week's inquiry had more of the atmosphere of a treason trial -- without the accused -- than of a non-judicial investigation. As at the Pretoria treason trial, a mass of letters and documents seized in raids on the homes of African political leaders were handed in."

We can conclude from these and other observations which appeared in The Windhoek Advertiser and other local papers that the conduct of the Commission represents an implicit abuse of judicial office. Its activities during the hearings violated judicial ethics and offended judicial decorum. My main reason for even mentioning such a worthless document is that the South African Government will undoubtedly quote its dubious conclusions with great pride and characteristic arrogance before the coming General Assembly. Here is a perfect example of how South Africa refuses to see or to comprehend the meaning of its actions. It is inconceivable for anyone to expect any change of attitude by the South African Government in South West Africa. This report is a significant addition to the abundant evidence of South Africa's incompetence. We repeat again that all of our past experiences and all present evidence lead us to expect only more of the same treatment we have endured at the hands of the Union Government.

The deliberately misleading allegations contained in the report about me personally hardly deserve any reply. I have this to say: I make no apology for my determination to contribute to our people's efforts to bring an early end to white supremacy and apartheid in our country. We all acknowledge our responsibility to ourselves to eradicate these abhorrent evils and to establish ourselves as masters of our own destiny. The Commission's report accuses me of being naive and irresponsible. I must say, with thanks to the Union Government and its flagrant violations of our people's elementary human rights, that it has been impossible for me to remain in that condition for long. It is precisely their own dishonourable acts which have made me realize my responsibilities to my people and to myself ever more clearly. We have pledged ourselves, however, in South West Africa to apply all of our efforts toward achieving our freedom whilst avoiding any action that might jeopardize our progress toward this goal.

Our commitment to freedom grows out of our deep awareness of what has happened to us and what we must do to reclaim our rights. No one has to inform any of us, from the youngest contract labourer to our Elders who bear the scars of German oppression, how we suffer. We would expect anyone in the world, except perhaps the South Africans, to comprehend this and the extent of our commitment to our principles. There is ample documentation of our people's opposition to the location removals and all of the other oppressive measures forced upon us by the Union Administration, in the carefully prepared reports of this Committee.

We want to see the day when all the inhabitants of South West Africa can co-operate on the basis of equality and mutual respect; but we know that this is impossible as long as the South Africans or the poisonous residue of racism and exploitation remain in our country. Our goal is to remove the South African Administration as soon as possible and to proceed with the all-important work of developing our country for the benefit of all. We call upon the United Nations once more to acknowledge its moral, legal and political responsibilities and enforce its authority in our country.

In conclusion, I wish to say that our people are very grateful for the magnificent work this Committee has done in preparing its report which are an invaluable source in informing the world of conditions in our country.

7. Statement by Mr. Mburumba Kerina at the 154th meeting of the Committee on South West Africa, 11 August 1960 13/

Mr. Chairman and distinguished delegates. I wish to thank the Committee for this opportunity given to me to express my views on the latest tragic events in our country.

Last year Mr. Chairman, while appearing before the Fourth Committee of the General Assembly your petitioners drew the Fourth Committee's attention to the seriousness of the situation in South West Africa and certainly your petitioner's prediction materialized before the closing of the Assembly.

This time we wish not to predict but to draw the attention of this Committee to a situation in our country which sooner or later might become a serious issue here and at home.

We have since our appearance before this Committee on the 5th of July been informed that the local authorities have embarked on a country-wide campaign of deportation of leaders and members of the South West Africa Peoples Organization. These deportations are a grand design by the local authorities to destroy the SWAPO in our country. These illegitimate acts of the Administration are accompanied by South Africa Air Force activities in our country.

The Sunday Times, Johannesburg, of 31 July 1960, stated:

13/ Mr. Kerina also answered questions put to him by members of the Committee at the 155th meeting (see A/AC.73/SR.155)

"Air Patrols

"The Union is maintaining regular air patrols along its borders. These are from Cape Town up to the west coast, inland along the Kunene River and the Caprivi Strip, and then across Bechuanaland to the north-eastern Transvaal and down to Lurban.

"Part of this area has already been thoroughly reconnoitred.

"The Union has flying rights across the Protectorates by agreement with Britain, but no agreement yet exists to allow for overland troop movements across these areas.

"The Union's first military attache in the Federation, Colonel A.J. Zinn, took up his post in Salisbury a few months ago and it is known that events in the north are being followed with the closest attention."

Mr. Chairman, a reign of terror has been imposed on our people in our country by the South African Government. Many of the leaders of the South West Africa Peoples Organization who have lived in urban areas since the German regime are being unlawfully deported to the Northern areas where they are confined to a camp built for political prisoners at Okaloko.

A letter of 23 July 1960 to Mr. Nujoma from Mr. Louis Nelengani, Vice-President of the South West Africa Peoples Organization stated:

"An elderly man of about 88 years of age, whose name is David Kangué, settled in Windhoek before 1915. Then on the 7th day of July 1960, he was deported from Windhoek to Ovamboland. The deportee does not know anyone, nor has he any friends or relatives neither has he anywhere to go to in Ovamboland. However, he was deported without any reason.

On the 8th day of July 1960, Mr. Kashikuka, a member of our South West African Peoples Organization, was arrested in Walvis Bay without being in possession of a 'Poll Tax' card, which is the 4th pass one has to have. On the 13th day of July 1960, Mr. Kashikuka, appeared before the Magistrate in Walvis Bay, being found guilty, Mr. Kashikuka was fined £25 (twenty five pounds) or 2 months hard labour in jail. Even though the £25 fine was paid, the Government authorities still have him in jail as a detainee, or a prisoner.

On the 8th day of July 1960, 4 African youths whose names are Edward Nailenge, Erastus Nepando, Hishia Nepando, Jonas Kapukile, left Windhoek for a weekend to Walvis Bay, there they were arrested, even though they produced their Travelling Pass, they had to appear before the Magistrate in Walvis Bay. They were charged and found guilty of being in possession of cameras, taking photographs and then sending it to the U.N.O. Their fines were £15 each, and their cameras confiscated by the Police."

Perhaps this Committee and the United Nations at large could manage to go on discussing as usual and let these inhuman events pass into the faded records of history. Mr. Chairman, it would be very wrong for this Committee to be led by this kind of reasoning. The tragedy of the people of South West Africa is a very serious matter for the United Nations to pay little attention to.

The developments in the Republic of the Congo should be taken as a serious warning by the Government of the Union of South Africa of what could happen in South West Africa unless the South African Government acts with greater prescience. For the germs of violence and disintegration that prevail in Central Africa are endemic in South West Africa.

Mr. Chairman, there is an element of fear haunting the Nationalists in South West Africa. This fear which has overcome the sense of reasoning of the Europeans in South West Africa has come about as the result of the rising dynamic and positive leadership among the African people in South West Africa which neither oppression nor deportations or apartheid will stem. In view of what is happening in Central Africa today, I can only at this moment say that the days of the Union Administration in South West Africa are numbered. I will certainly be failing in my duties if I fail to mention here that, our demand for our country to be placed under the United Nations Trusteeship does not by any means prejudice the presence of our European friends who have made South West Africa their home. We believe that we can best resolve our difference only in the absence of the South African Government in our country.

However, it is also significant to mention that we in South West Africa like our fellowmen in other parts of Africa will not be begging for crumbs from the tables of European settlers in our country nor are we going to stop struggling for the end of the Union Administration and European domination in our country.

May I with your permission Sir, at this juncture appeal to the Committee on South West Africa to adopt a resolution or to write a letter to the Union Government requesting that Government to stop the deportations and the unjustified imprisonment of the leaders and members of the SWAPO in the territory forthwith.

/...

This we feel is very important to the peace, tranquillity and the orderly political transition in our country.

Attached to my statement are copies of several passes sent to me by the Elders at home to be submitted to this Committee.^{14/}

^{14/} Photo-offset copies of the registration, permit, pass and other forms submitted to the Committee by Mr. Kerina are reproduced at the end of his statement.

Duplikaat.
MUNISIPALITEIT VAN

R. 4
MUNICIPALITY OF

WINDHOEK

Nº 976

Reeksnommer
Serial number

Geproklameerde gebied
Proclaimed Area of

WINDHOEK

REGISTRASIESERTIFIKAAT / CERTIFICATE OF REGISTRATION.

(Moet op versoek aan 'n gemagtigde beampte getoon word).
(To be produced on demand to an authorised officer).

Naturel (naam en van)
Native (name and surname)

Vader
Father

Kaptein
Chief

Kraalhoof
Kraalhead

Provinsie of land van geboorte
Province or country of birth

Belasting-identiteitsnommer
Tax Identity number

Woondistrik
District of domicile

Blykbare ouderdom
Apparent age

Hoogte
Height

vt.
ft.

dm.
in.

Bou
Build

Gelaatskleur
Complexion

Merke en besondere tekens
Marks and prominent features

Opmerkings van geneeskundige beampte
Medical Officer's remarks

Die naturel van wie die identifikasiebesonderhede hierbo vermeld staan, word hierby gemagtig om
The native, whose particulars of identification are quoted above, is hereby authorised to remain

binne die geproklameerde gebied te bly en by
in the proclaimed area and to reside at

in die
in such

gebied te woon tot
area until

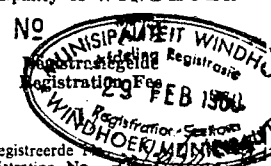
met die doel om
for the purpose of

Registrasiebeampte / Registering Officer.

(Vir heruitgifte kyk agterop.)
(For reissues see Reverse.)

R. 8.

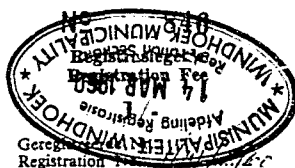
Munisipaliteit van
Municipality of WINDHOEK



Geregistreerde
Registration No.

Maande Months

R. 8.
Munisipaliteit van
Municipality of WINDHOEK



Gereg.
Registration No. 14 MAR 1980

Maande 3/6/80 Months

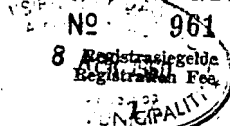
(2)

Hierdie sertifikaat is opnuut uitgegee en geldig tot
This certificate has been reissued and is available until 2/6/80

Registrasiebeampte / Registering Officer.

Hierdie sertifikaat is opnuut uitgegee en geldig tot
This certificate has been reissued and is available until

R. 8.
Munisipaliteit van
Municipality of WINDHOEK



Geregistreerde Nr.
Registration No. 8 MAR 1980

Maand 6/6/80 Month

Registrasiebeampte / Registering Officer

Hierdie sertifikaat is opnuut uitgegee en geldig tot
This certificate has been reissued and is available until

Registrasiebeampte / Registering Officer.

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JANUARY	FEBRUARY	MARCH
APRIL	MAY	JUNE
JULY	AUGUST	SEPTEMBER
OCTOBER	NOVEMBER	DECEMBER

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MUNICIPALITY OF WINDHOEK

Native Location

Site Permit issued under regulation No. 6 of the regulations published under Government Notices No. 120 of 1925.

Permission is hereby granted to
Ewald Katjanyo
to occupy site No. *26* in the
H3 section of the
WK location
subject to the regulations published under Government Notice No. 120 of 1925.

P. H. ...
Superintendent of Locations

Date of issue *1/7/52*

Service Contract No. *1246*

Receipt for payment of rates provided for in regulation No. 17 of the regulations published under Govt. Notice No. 120 of 1925.

1952

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JANUARY	FEBRUARY	MARCH	JANUARY	FEBRUARY	MARCH
APRIL	MAY	JUNE	APRIL	MAY	JUNE
JULY	AUGUST	SEPTEMBER	JULY	AUGUST	SEPTEMBER
OCTOBER	NOVEMBER	DECEMBER	OCTOBER	NOVEMBER	DECEMBER

19

January	February	March
April	May	June
July	August	September
October	November	December

Village Management Board of OUTJO NATIVE LOCATION

SITE PERMIT issued under regulation
No. 17 of the regulations published
under Government Notice No. 49/1937.

Permission is hereby granted to

Eneas Katjivango

to occupy site No. 17
in the OUTJO Urban Area
location, subject to the regulations
published under Government
Notice No. 49/1937.

H. J. ...
Superintendent of Locations.

Date of Issue 1953.

Service Contract No. 29246.B.

2 M.A. C.T. 1954/12/48

Receipt for payment of rates provided for in regulation No. 17 of
the regulations published under Government Notice No. 49 of 1937.

19 53

19

OUTJO Location Revenue Urban Area	OUTJO Location Revenue Urban Area	March	January	February	March
29	2/5				
April	May	June	April	May	June
July	August	September	July	August	September
October	November	December	October	November	December

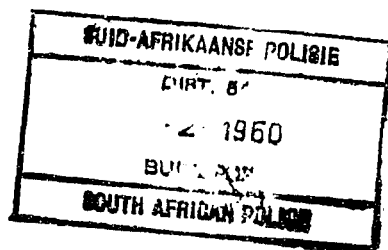
*Tasamung unleset xel fandum
meuuners beg An nang Dr Mel*

Reispass / Travelling Pass

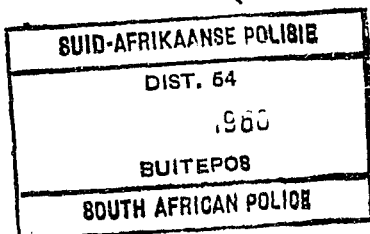
Naturellenaam Anton Kamau
Native name
Naam waarby bekend de
Name known by
Naam van vader
Name of father
Naam van Hoofman Dr E.G.S. Nel verklaar dat die
Name of Headman
Naam van Kraal draer hies van Vyis van S'ekel
Name of Kraal
Stam Herero Wyk Lephalabo
Tribe Area
Reis na Onakunda Bechuanaland
Proceeding to
Doel Bezoek familie
Purpose
Geldig vir 18/2/60 14 dae 1 Month
Available for
Kantoor ONTYANGWE
Office
Datum 18-2-1960
Date
g J.M. d. - 41

Pas uitgereik deur
Pass Issuer

[Signature]



*Return to Bechuanaland
Estg 2742156*



BRAND: SC 121 NAME: DAVIL KAMON 17-10-0 N.A. 30
 RESERVE: AMINUIS Folio:

DATE	PARTICULARS	Approved Bulls	Scrub Bulls	Oxen	Cows	Horses	Donkeys	Sheep	Goats
31. 10. 49	P. 1. 11			2	13	1	2		10
31. 10. 49	P. 1. 11								
3. 1. 50	P. 1. 19. 0								
24. 4. 50	P. 1. 19. 0			2	12	1	2		10
				1	11	1	1	1	16
1. 1. 51	P. 2. 12. 10								
9. 1. 57	P. 2. 12. 10								
				2	16	1	1	1	16
11. 2. 52	P. 4. 18. 3			3	25	1	1	3	35
15. 1. 53	P. 3. 15. 1			1	25	1	1	3	35
25. 11. 54	P. 3. 17. 0			4	30	1	2	3	38
25. 11. 54	P. 4. 17. 0			1	29	1	2	3	38
25. 1. 56	P. 9. 8. 0			1	7	30	2	2	3
16. 4. 56	P. 18. 17. 0			1	3	30	2	2	3
1. 7. 57	P. 16. 9. 0			1	4	38	3	1	6

S.W.A. 27 NO 8545 ADMINISTRASIE VAN S.W.A. S.W.A. ADMINISTRATION 1/- HOSPITAAL DIENSTE HOSPITAL SERVICES EEN BEHANDELING: NIE-BLANKE BUIITE-PASIENT ONE TREATMENT: NON-EUROPEAN OUT-PATIENT DATUM/DATE <i>Rheinard</i> 12 DEC 1959	S.W.A. 27 NO 8567 ADMINISTRASIE VAN S.W.A. S.W.A. ADMINISTRATION 1/- HOSPITAAL DIENSTE HOSPITAL SERVICES EEN BEHANDELING: NIE-BLANKE BUIITE-PASIENT ONE TREATMENT: NON-EUROPEAN OUT-PATIENT DATUM/DATE <i>Rheinard</i>
S.W.A. 27 NO 8573 ADMINISTRASIE VAN S.W.A. S.W.A. ADMINISTRATION 1/- HOSPITAAL DIENSTE HOSPITAL SERVICES EEN BEHANDELING: NIE-BLANKE BUIITE-PASIENT ONE TREATMENT: NON-EUROPEAN OUT-PATIENT DATUM/DATE <i>Rheinard</i> 29 DEC 1959	S.W.A. 27 NO 8579 ADMINISTRASIE VAN S.W.A. S.W.A. ADMINISTRATION 1/- HOSPITAAL DIENSTE HOSPITAL SERVICES EEN BEHANDELING: NIE-BLANKE BUIITE-PASIENT ONE TREATMENT: NON-EUROPEAN OUT-PATIENT DATUM/DATE <i>Rheinard</i>

S.W.A. 27

NO 8580

ADMINISTRASIE VAN S.W.A.
S.W.A. ADMINISTRATION

1/- HOSPITAAL DIENSTE
HOSPITAL SERVICES

EEN BEHANDELING: NIE-BLANKE BUIITE-PASIENT
ONE TREATMENT: NON-EUROPEAN OUT-PATIENT

DATUM/DATE
2 JAN 1960

GOVERNMENT HOSPITAL

8. Statement by Mr. Sam Nujoma at the 154th meeting of the Committee on South West Africa, 11 August 1960 15/

Thank you, Mr. Chairman and distinguished members of the Committee on South West Africa for allowing me to speak at this late hour of the Committee's work. I wish to make a brief statement on behalf of those I represent in South West Africa namely, the African people of South West Africa. On the 17th June 1960, Mr. Eliaser Tuhandeleni, a member of the National Executive Committee of the South West Africa Peoples Organisation, was arrested and taken into exile at a place located between Okavango and Ovamboland near the border of Angola and South West Africa with a bucket of water and a small amount of food. On the 17th June 1960, Mr. Ja-Toivo, the General-Secretary of the South West Africa Peoples Organisation in Ovamboland was arrested again and put under house confinement. The South African officials threatened to dismiss all the elected headmen in Ovamboland who support the South West Africa Peoples Organisation in Ovamboland. A camp has been built where all the political leaders of the South West Africa Peoples Organisation will be detained - this camp is the one I have just referred to. On the 14th June, Mr. Kashikuka, a member of the National Executive Committee of SWAPO at Walvis Bay, was arrested and fined £25. After the payment of the fine Mr. Kashikuka was sent to prison and later the local authorities escorted him to Ovamboland. In Ovamboland he was brought before the Native Commissioner who gave instructions that Mr. Kashikuka be placed under house arrest together with Mr. Ja-Toivo.

On 1st June, Mr. Nghijalua who lives at Enana in Oukuanjama area had his cattle confiscated and taken to the Government's kraal. When Mr. Nghijalua demanded the release of his cattle the veterinary doctor told him that he will shoot the Bull and the remaining calf. The old man turned round and asked the doctor as to whether he has come to help the people in Ovamboland or to destroy them. The doctor turned and shot the old man's bull and calf and left.

We fear very much, Mr. Chairman, that the people who were injured during the December disturbances will be ordered to leave Windhoek urban area because

15/ Mr. Nujoma also answered questions put to him by members of the Committee at the 155th meeting (see A/AC.73/SR.155).

some of these people are not in a position to work for European settlers, as it is unlawful for an African to live in an urban area if he is not employed by a European settler.

In June, two Coloured men were assaulted by the Windhoek location Superintendent, Mr. Potgieter, who accused them of having incited the people in December to protest against the removal of the location to Katutura. First, Mr. Potgieter hit and kicked Mr. Goeiman in his office and asked where his brother-in-law was. Mr. Goeiman replied that he was at the shop in the location. Mr. Potgieter sent a policeman to bring him to his office. On his arrival at Mr. Potgieter's office, the latter began to kick him and he also knocked his head against the wall until he became unconscious. Potgieter then began to accuse the two Coloured gentlemen of being communists and agitators. I would like to inform this Committee that this is not the first time that Mr. Potgieter has acted in this way in his capacity as the location Superintendent as well as the representative of the local authority in the location. It also alleged that Potgieter in November 1959 assaulted African women who refused to have their houses evaluated.

The most disturbing development is the latest deportation order issued to Mr. Nelengani, Vice-President of SWAFO, to leave Windhoek within 24 hours. In addition to this there is also the case of Mr. Martin Joseph, a member of the National Executive Committee at Walvis Bay, who has been arrested and who is presently being kept in custody awaiting to be deported to Ovamboland. These are the latest activities of the Union Government in South West Africa which is trying to deceive the Committee by saying that it is leaving the door open for negotiations. I appeal once more to the Committee to take immediate action on what we have just reported because to us these activities are being carried out with a good reason by the Union Administration in our country. The Committee must intervene to protect the lives of our people before it is too late.

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9. Communications concerning the issuance of travel documents
to the Reverend Markus Kooper 16/

- (a) Telegram received on 30 June 1960 from the Rev. Michael Scott,
London, to the Chairman of the Committee on South West Africa

REVEREND MARKUS KOOPER CANNOT LEAVE BECHUANALAND FOR UNITEDNATIONS WITHOUT TRAVEL
DOCUMENTS STOP PLEASE SEND CARE OF PETO SEKGOMA BOX 77 SEROWE

SCOTT

- (b) Telegram received on 5 July 1960 from the Rev. Markus Kooper,
Serowe, Bechuanaland, to the Secretary of the Committee on
South West Africa

UNABLE TO LEAVE TERRITORY NO PASSPORT PLEASE HELP ME TO BRITAIN FOR PASSPORT

REV. KOOPER

- (c) Letter dated 8 August 1960 from Mrs. Winifred F. Courtney,
New York, to the Chairman of the Committee on South West Africa

I enclose, Special Delivery, two communications from the ~~Reverend~~
Reverend Michael Scott^{17/} which I have just received this morning, and which he has
asked me to convey to you. I have been interested in the Markus Kooper difficulty
on behalf of the American Committee on Africa, for which I work on a volunteer
basis. I have followed the South West Africa issue for ten years now and am most
interested in the Territory's fate.

The enclosures are from Hansard - the British Parliamentary debates^{18/} on
the Rev. Markus Kooper of July 28 and 29, 1960, as well as one other debate which
may be relevant. Unfortunately the page concluding the Markus Kooper debate

^{16/} A request for a hearing, submitted by the Rev. Markus Kooper by letter dated
16 May 1960 (see No. 51 below) was granted by the Committee on South West
Africa at its 128th meeting on 2 June 1960. The Committee fixed 5 July 1960
as the date for the hearing, and later decided, at its 141st meeting on
25 July 1960, to hear the petitioner whenever he arrived in New York.

^{17/} The communications, a letter dated 4 August 1960 from Mr. Scott to the Chairman
of the Committee on South West Africa enclosing a letter from Mr. Scott to the
Secretary-General, were received direct from Mr. Scott. For texts, see below,
No. 80.

^{18/} The extracts submitted are not reproduced in this document. For texts, see
United Kingdom Parliament, House of Commons, Parliamentary Debates (Hansard),
28 July 1960, cols. 1846-47, and 29 July 1960, cols. 2101-06, available in
the United Nations Library.

seems to be missing. It should follow column 2106. I am writing the Rev. Scott today and will note that fact for him. It is therefore impossible to tell exactly what was the outcome of the debates. The editorial from the Guardian, also enclosed, suggests the possibility of obtaining travel documents for Mr. Kooper and others like him through the United Nations High Commissioner for Refugees.

I enclose also a copy of Mr. Scott's covering letter to me.

(Signed) Winifred F. Courtney
(Mrs.) Winifred F. Courtney

Enclosures

(i) Copy of letter from the Rev. Michael Scott to Mrs. Winifred F. Courtney

Thank you very much for your letter and diligence over the question of the Rev. Marhus Kooper. I am enclosing a copy of the Hansard report of the debate on the adjournment of the House of Commons dealing with this matter and also a leading article which appeared in yesterday's "Guardian" published in Manchester.

Would you please convey this to the Chairman.

(ii) Extract from The Guardian, Manchester, 3 August 1960

POLITICAL REFUGEES

A number of political fugitives from the Union of South Africa are now staying in the High Commission Territories. Surely the time has come to give them some sort of regular status which would make it possible for them to move elsewhere if they wish. Several instances of their difficulties were mentioned in the Commons last week and, in the flurry preceding adjournment, attracted too little notice. On Thursday, Mr. Alport, Minister of State for Commonwealth Relations, said in answer to questions from Mr. Marquand and Mrs. Castle that political refugees in these territories have been given special residence permits "conditional on their holders not taking an active part in politics." On Friday, Mr. Marquand raised the case of the Rev. Marcus Kooper, an African Methodist minister formerly resident in South-west Africa and now living in Bechuanaland under a temporary residence permit. Mr. Kooper, he said, had several times petitioned the United Nations on behalf of his tribe, the so-called Red Nation, whose land holdings had,

they alleged, been severely curtailed by the Union Government. (On this account he was arrested in 1959 and for a while detained in a place remote from his home.) The South-west Africa Committee of the United Nations has told him that it will give him a hearing when he can get to New York. But the committee was told on July 5 that "Mr. Kooper is unable to leave Bechuanaland for New York, because of the absence of the necessary travel documents." And he cannot get the documents because, as Mr. Thompson, the Under-Secretary for Commonwealth Relations, put it, "he is definitely not one of our people for passport purposes." It is not, in the circumstances, much good his asking the Union Government, whose person in this sense he legally still is.

Have these people to stay indefinitely where they are, geographically immobile and politically emasculated? The proper comment is that of a Conservative MP, Mr. Emery:

"It seems absolutely crazy that refugees... should only be able to get out of Bechuanaland if they obtain an Indian 'laissez passer' or are smuggled aboard a plane to fly to Ghana."

Moreover, though the number of people concerned is now small, it may well grow as the number of independent African States, some of them authoritarian in character, increases. What the refugees need is something equivalent to a passport, on the strength of which they could apply for a visa to enter what country they wish. During the Commonwealth Conference, Dr. Nkrumah threw out the idea of a general Commonwealth passport, which did not make much impression. But is there not a better instrument to hand? The proper source of a travel document for refugees is surely the United Nations High Commissioner for Refugees, heir to the former International Refugee Organisation. He has a representative accredited to the British Government; he can, on information gathered by his representative, readily recognise as a refugee and issue a travel document to someone who is not British for passport purposes; it is established that "political dissidents" can be accepted as refugees in international law. Thousands of European refugees have received such documents - the postwar successor of the old Nansen passport. There has been no previous occasion to apply this provision to Africa; but is there any reason why it should not be done now? Then the High Commissioner could help equally a refugee from the Union in Bechuanaland, from Angola in the Congo, or from Dahomey in Ghana, or vice versa, as need arises. Will the Government use its good offices with him on behalf of those now in difficulties?

PETITIONS RAISING GENERAL QUESTIONS RELATING, INTER ALIA,
TO THE STATUS OF SOUTH WEST AFRICA AND CONDITIONS IN THE
TERRITORY 19/

10. Petition, by letter dated 2 August 1959, from Mrs. Erika Kuhlmann, Omaruru, South West Africa, to the Secretary of the Committee on South West Africa 20/

Re. APARTHEID

I am writing to ask you to bring this letter on the subject of Apartheid to the notice of the members of your Committee, and to have the kindness to acknowledge receipt of it to me.

First, I should like to give you some brief information about myself. I come of an old missionary family well known and respected in the whole Territory by both white and black people. My grandfather, Missionary Dannert, came here in 1874 and my father, Missionary Kuhlmann in 1898. I myself have held religious services for the indigenous inhabitants (in hospitals and prisons and in the villages). My relations with them are excellent, as was proved when they asked in dismay questions like "What will become of us?" on hearing that I was going away to get married and when they promised to sing at my wedding.

To revert to the subject of Apartheid, I should like to say that through misleading reports which are reaching the United Nations the opinion persists there that sharp and unnatural dividing lines are drawn between the black and white races through Apartheid. This distinction, however, is in keeping with the race consciousness of the black people; they themselves live in their different tribes in a rigorous state of Apartheid. I can give you some instances of this.

Indigenous inhabitants of different tribes, Zulu, Basuto, Xhosa, Herero, Ovambo, and Bergdamara, have been gathered together here in large numbers for railway construction in the last two years. They all live in completely separate camps. When I tried to bring together Xhosas and Zulus for a combined religious service they explained that this was impossible. Neither could set foot in the

19/ One of these petitions, a letter dated 18 June 1959 from the Rev. William J. Devenney to the Chairman of the Committee on South West Africa, has not been reproduced in this document. For text, see A/C.4/422.

20/ Original in German.

other's camp. They asked for Sunday services in their own camps, on the ground that they could not visit churches attended by other natives because they were afraid of them. Actually blows were exchanged and blood was shed when Zulus entered the villages of other tribes apparently to make purchases.

On one farm Hereros left a small child to die of hunger after its mother's death, because the father was an Ovambo. I could give you many examples of similar outrages on the part of the Hereros.

One day when I went visiting the sick with some Bergdamara women and enquired about the sick people in the adjoining Herero villages I received the indignant reply "How do we know who is sick in the Herero villages?" My repeated attempts to bring together women and girls of the Herero and Bergdamara tribes for a Bible class were unsuccessful for a long time because the Herero women stayed away when the Bergdamara women came. The settlements of the four established tribes are alongside each other, but they hardly set foot on each other's territory. I could give plenty of examples of this.

For the tribes and races to live apart is therefore in accordance with the black people's own way of thinking. For instance we once sat in a crowded religious service in the Omatjette reserve of the Hereros with black and white people closely packed together, yet in a picnic which we had afterwards out of doors the black people sat down quite as a matter of course a stone's throw away from us.

These examples and facts would be sufficient to prove that Apartheid is to the black people a perfectly comprehensible system which they employ among themselves. The agitation to put an end to Apartheid does not come from the people themselves but from certain outside circles. Here in South West Africa we have enjoyed hitherto a peaceful and predominantly satisfactory form of coexistence and neighbourly co-operation of all sections of the population, and it is wrong that dissension should be introduced among us from outside. Only today a black foreign worker who is at present in hospital said he never wanted to leave South West Africa because it is so peaceful.

These statements are made in all honesty and good faith.

(Signed) Erika Kuhlmann

11. Petition, by letter dated 3 August 1959, from the Ovamboland Peoples Organisation, Windhoek, South West Africa, to the Secretary-General 21/

On behalf of the Ovambo people of South West Africa, we are appealing to the United Nations to assist us in the grave situation under which we are living, by removing the territory of South West Africa from the Administration of the Union of South Africa and to place it under the United Nations Trusteeship System by this year.

We are treated like slaves by the Union Government which authorised the South West Africa Native Labour Association (SWANLA) to sell our young men to white settlers in the Police Zone as Contract cheap labourers. All Ovambos, Ovakavangos and the Ovahimbas of Okaokoveld are not allowed to go into the Police Zone to seek work, they are only allowed to enter the Police Zone on contracts which last 18 months and for which they are not allowed to break in case of disagreement between them and their masters.

The people are not allowed to choose the type of work they want to do, even the European for whom they are going to work are decided for them by SWANLA.

In most cases in our respective areas, we are promised by the Government to get better jobs, better wages and better treatment, but when we arrive at Grootfontein, where the headquarters of the SWANLA are situated, these promises are not fulfilled.

We are sold like poor slaves in our homeland. We have no rights, nor do we have any choice about the wages for which we are going to work. As soon as you have come to Grootfontein then you must know that you are a dumb animal and you must shut your mouth and wait to what Mr. SWANLA will decide for you.

The wages are 1/3d per day without increments through the whole period of 18 months. In most cases when disagreement has arisen between an employee and his employer and the Native asks his master to let him go, the European mostly demands the return of his money which he had paid to the SWANLA, which are £8 for an inexperienced young man, £12 for a man with one year's experience and £13 to £18

21/ Copies of this petition, which was received direct from South West Africa, were also transmitted to the United Nations by letter dated 14 August 1959 from Mr. Mburumba Kerina and by letter dated 8 September 1959 from the Rev. Michael Scott.

for experienced men according to the number of times they have been on contracts. In any case if this Master is a kind one who demands his money back, instead of beating or killing that naughty boy as such people are regarded by the Police, it is even impossible for a Contracted labourer to get that money back on account of the low wages he gets. In this way, the cause of the death of people who have been reported to have been killed accidentally or the Boss thought he was a KUDU or he jumped off a moving vehicle etc. etc. is usually the breaking of the Contract or refusing to work overtime.

Here is a short list of some of the people who lost their lives in this way: In 1944 Mr. Kume Kimene was beaten to death by his Master on farm Boschoff in Gobabis district. On June, 1952 Mr. Imanuel Johannes Itope was killed by his master on a farm in Mariental dist. Daniel Johannes was beaten by the Police on a farm Swartland in Maltahohe dist. because he refused to work overtime for which he was not to be paid. In December, 1955 Mr. Shanika Nunjango and another one were shot dead by their master on a farm in Bathanie district. In June, 1953 one Gvambo young man was shot dead and two other seriously wounded because they refused to work overtime on account of the fact that the previous day they had worked overtime and their manager refused to pay them for the overtime and as they they refused to work overtime again, the Police were called in and on their arrival, they simply opened fire on the poor Natives. On August, 1954, one man was shot dead and another one badly wounded by the Police at Tsumeb because they refused to work overtime without payment. Two other Gvambos were badly wounded by the Police at Brandberg mine on account of the fact that they also refused to work overtime.

This is a very clear indication that we have no security in our homeland at all. The Police which are supposed to maintain law and order, are indoctrinated by the Union Government's policy of Apartheid and instead of assisting the poor people, they help the whites to kill our people.

In some cases the Police also arrest the Gvambo people in connection with disputes which have arisen between the employer and the employee for refusing to work overtime, and bring them before the Magistrate Court at which they are mostly sentenced to a fine of £10 and deport them back to their respective areas or send them back to the same European who had illtreated them.

/...

The Unpolice Zone

In the Unpolice Zone, the Okavango, Ovamboland and the Kaokoveld our people are not allowed to have a market of any kind for their live-stock or crops and have no other sources where they can get money for their needs except to go on contract as unskilled cheap labourers where many of them suffer terribly or lose their lives.

We are told by the Government Officials that our cattle have disease and can therefore not be sold which of course is not true. How can the cattle have a disease and not die or become meagre as a result of the disease? We realised that this was only a plan of cutting us off from any other sources of earning money so that we can be induced to like to go on contract to the Police Zone which is the only way by which we can get money in our hands, although it might mean sufferings.

In the three above mentioned areas, we are allowed to trade among ourselves, but people of one area are not allowed to trade with the other areas. Even in buying things from ones own people one must have money with which to buy things one wants, but this money is only obtainable when one has allowed himself to be sold as a contracted cheap labourer.

Medical Treatment

There are no Government Hospitals in the Unpolice Zone. There are only Mission Clinics which are unable to provide the necessary medical aid to the indigenous people. There are only two medical Doctors at Ondangua in Ovamboland which have been provided by SWANLA to examine the young men who are to be recruited into the Police Zone to work for the Europeans as contracted cheap labourers. These Doctors are there to examine the people who are going to work but not to treat them medically.

Education

There are no Government schools in Ovamboland and Okavango while there is not a single school of any kind in the Kaokoveld. In Ovamboland and the Okavango, there are only Mission schools which give tuition up to Std. III. This Std. III is also very inferior as compared with the other Native schools in the Police Zone. At present the type of education given there is the so called Bantu education where the pupils are taught everything at school through the medium of their mother

/...

language. Afrikaans is the only foreign language which is taught to the pupils and only as a subject. English is completely unknown there.

On account of the fact that all the subjects at school are taught to the pupils through the medium of their mother language one hardly finds somebody who is able to speak or understand Afrikaans which is the only official language taught to them in the whole areas of Ovamboland and Okavango. The system of the Bantu Education has been introduced by the Government of the Union of South Africa in order to prevent the people from reading good books and news papers in which they might be informed about the world situation or even what is going on at the United Nations. This is one of the most important things which prevent the Ovambo people from sending their petitions to the United Nations because many of them even do not know that there is such an organization as the United Nations. A few who have heard of the UN do not exactly know what the real work of UNO is because they have been misled by the officials of the Union Government who always try to spoil the good name of the UN among our illiterate people.

The Propaganda of the Union Government's Officials

On November 28th, 1958 the Chief Native Commissioner for S.W.A. Mr. Elignaut told the people at a meeting held in Ongandjela (Ovamboland) that, "what the Rev. Michael Scott and Mr. Mburumba Kerina were trying to do at the United Nations was to bring the Indians, Chinese and Russians here to rule over South West Africa which will mean the end of your people here." He further stated that the Rev. Michael Scott was a priest of the Anglican Church and had been expelled from the Church on account of political activities and he was now telling lies at the United Nations in order to take our land away from us and to give it to the Indians, Chinese and Russians.

He also said, "the United Nations would never help you. You must not do like what the Hereros are doing in writing false statements to the United Nations saying that we illtreat them. You must cooperate with the Union Government which is willing to assist you in any difficulty."

In fact, we the Ovambo people do not like the Union Government and it is our earnest desire that South West Africa should be removed from the control of the Union of South Africa.

/...

The Bantu Authority Act

In 1950 the Minister of External Affairs of the Union of South Africa Mr. Eric Louw told the Ovambo Chiefs and Headmen that if they accept the Bantu Authority Act they would be given power to rule over their people. Many promises have been made which up to now have not yet been fulfilled e.g. better living conditions, better treatment for their young men who work on contracts in the Police Zone and better educational advancement.

The Bantu Authority Act is actually the root of the Apartheid Policy and racial discrimination exercised by the Union Government upon the indigenous people of this territory and in the Union of South Africa.

Toivo Ja-Toivo

The Union Government deported Mr. Ja-Toivo from Cape Town back to Ovamboland where he is now under house-arrest without any reason except that he petitioned the United Nations on behalf of the Ovambo people for which he was authorised by the great majority of the people of Ovamboland.

At the present moment he is not allowed to go outside Ovamboland or to talk freely to the people in his homeland. On his way home from Cape Town, he has been treated inhumanly by the cruel South Africa Police at Tsumeb for which he petitioned the Chief Native Commissioner of South West Africa. Enclosed please find a copy of our petition to the Chief Native Commissioner and a reply from him.

We would further like to make it clear that it is not true what the Union Government says that the Ovambo people are satisfied with the rule of the Union Government over South West Africa.

We are humbly asking you Sir, to place South West Africa under the Trusteeship system of the United Nations immediately and to grant us self-rule ultimately. We also ask the United Nations to refer the question of South West Africa to the International Court of Justice for compulsory jurisdiction by this year.

Finally, we ask the United Nations to allow the Rev. Michael Scott, Mr. Mburumba Kerina and Mr. Fanuel Jariretundu Kozonguizi to speak on behalf of the Ovamboland Peoples' Organisation at the United Nations.

President for the Ovamboland Peoples' organization:

(Signed) Sam Nujoma

SECRETARY: (Signed) Louis Nelengui

Enclosures

- (i) Copy of letter dated 28 February 1959 from Messrs. Louis Nelengani, Sam Nujoma and others to the Chief Native Commissioner, Windhoek

We have the honour to inform you that we the Ovambo people are strongly protesting against the ill-treatment meted out to Mr. Herman Ja-Toivo at Tsumeb. It is alleged that Mr. Ja-Toivo had a travelling pass from Windhoek to Ovamboland. On December 24th, 1958, Mr. Ja-Toivo was arrested when he was due to enter the Tsumeb Corporation Compound without a permit.

He was taken to gaol until December 27th, 1958. While in jail, the police stole his travelling pass. When he appeared before the Magistrate's court, he was found guilty and fined £2 or 20 days.

After the sentence was passed on him, the police asked him if he had a pass. He replied that he had a pass. Mr. Ja-Toivo was put into custody for a second time for having no pass which was already stolen by the police. On the 29th December, 1958 he reappeared before the Magistrate because he refused to sign the Form of Property, then the Magistrate told him that the pass which he had was in the Magistrate's possession and that it was not a proper one. He got this pass from the foolish and blind clerks at Windhoek. The Magistrate also informed him that he would send his pass back to the Chief Native Commissioner at Windhoek.

Mr. Ja-Toivo remained in jail until the 5th January, 1959 when he was escorted to Ovamboland by the police with instructions from the Magistrate of Tsumeb, stating that Mr. Ja-Toivo must not be allowed to enter the Police Zone or go outside Ovamboland.

Could the Native Affairs Department explain this unlawful and cruel manner made by the Christian and democratic officials of the South Africa Government.

We appeal to YOUR Government to put an end to such ill-treatment among the African people of South West Africa.

(Signed:) Louis Nelengani
Sam Nujoma
Tomas Shivute
Arron Hamutenja
Lukas Nepela
Titus Kahutuena
Matheus Andunge

/...

- (ii) Letter dated 11 April 1959 from the Chief Bantu Affairs Commissioner for South West Africa to "Mna." 22/ Louis Nelengani and others, Windhoek

I have to acknowledge your letter of the 28th February concerning your complaint about mna. Herman Toivo and wish to inform you that Toivo was issued with a pass in order to enable him to proceed direct to his home in Ovamboland.

Instead of doing so he stopped at Tsumeb and contravened the law by entering the Tsumeb compound without any permission from the mine owners or the compound manager. When any person contravenes the law he must bear the consequences. The Magistrate at Tsumeb acted in his lawful capacity and I cannot find any fault with the court proceedings or any subsequent steps taken by him. No unlawful or cruel action had been applied to Toivo who being apparently an enlightened person should have known better than to have acted in a way which brought him into trouble. He has only himself to blame.

The Government is not only my Government as inferred by you but yours as well as I can give you the assurance that every person in the Country European or Bantu can rest assured that he will not suffer any illtreatment if he does what is right and required by law.

Your personal interest and that of your co-writers in mna. Toivo's case is appreciated but I am afraid that I cannot agree that it is representative of the Ovambo people whom I know as very peace loving and who would not countenance any act which would bring a person in collision with the law.

(Signed) Bruwer Blignaut
CHIEF BANTU AFFAIRS COMMISSIONER FOR S.W.A.

12. Petition, by letter dated 2 October 1959, from Mr. Jacobus Beukes, Rehoboth, South West Africa, to the United Nations 23/

With reference to the Secretariat of the United Nations, I herewith attach communications from which you yourself can see what answer was given by the

22/ "Mna.", an abbreviation of "Morena", meaning "Sir" or "Mr." in Sesutho, is used by officials of the Department of Bantu Administration and Development to address "Natives" or "Bantu".

23/ Original in Afrikaans.

Union Government to the attached telegram^{24/} which I sent to it for forwarding to the United Nations.

In view of the contents of the communication, my humble wish is to know or to be informed as quickly as possible under what provision of law I must now send my petitions inasmuch as article 26 (a) has now been violated by the Union Government. My humble request is to be informed as soon as possible what action is now open to me under the Mandate. Also attached is the most recent telegram^{25/} which I have already sent to the United Nations in order to show how seriously our situation has now become. Our sole entreaty is for deliverance by the United Nations, for the oppression is now taking a serious turn.

(Signed) J. Beukes

Enclosures

- (i) Letter dated 29 and 30 September 1959 from the Secretary of South West Africa to Mr. J. Beukes, Rehoboth

By order of His Excellency the Prime Minister, I am hereby returning a letter of 27 August 1959 together with an enclosure thereto.

I have been requested to point out that the Mandate provision referred to in that letter is no longer applicable. In the view of the Union Government, one of the consequences of the dissolution of the former League of Nations was the termination of the Union's obligation to forward petitions from the inhabitants of South West Africa to an international authority.

I must further inform you that the obligation to submit such petitions to the former Permanent Mandates Commission was not imposed by the former mandate but was based on a later decision (1923) of the former Council of the League of Nations. Furthermore, petitioners were not permitted to send their petitions direct to the Mandates Commission but had to do so through the Mandatory, which thus had the opportunity to make comments.

As already stated in my communication of 15 September 1959, it is again emphasized that you, like any other South African citizen, certainly possess the

^{24/} For text, see No. 65 below.

^{25/} For text, see No. 67 below.

"right of petition", under which a subject may direct petitions to the highest legislative or executive authority of the country.

(Signed) C.F. Marais
Secretary of South West Africa

- (ii) Copy of letter dated 27 August 1959 from Mr. Jacobus Beukes to the Prime Minister of the Union of South Africa

I hereby humbly request that the enclosed telegram^{26/} as stated therein, be forwarded to the United Nations as provided in article 26(a) of the Mandate. The same has already been sent direct in the respectful expectation of a reply.

(Signed) J. Beukes

13. Petition, by radiogram received on 31 October 1959 from Chief Hosea Kutako, Chief Samuel Witbooi and the Ovamboland Peoples Organisation, Windhoek, to the United Nations

SITUATION IN SOUTH WEST AFRICA WORSE STOP WE ASK THAT THE TERRITORY BE PLACED UNDER UNC IMMEDIATELY OR REFER TO INTERNATIONAL COURT FOR COMPULSORY JURISDICTION

CHIEF HOSEA KUTAKO CHIEF SAMUEL WITBOOI
SAM NUJOMA PRESIDENT OVAMBOLAND PEOPLES
ORGANISATION

14. Petition, by letter dated 12 November 1959, from the National Federation of Catholic College Students, Washington, D.C., to the United Nations Committee on Mandated Areas

The National Federation of Catholic College Students in the United States wishes to express to your Committee its attitude concerning the social conditions and injustices in South West Africa.

I would like to say, in behalf of the more than 100,000 Catholic College students belonging to the Federation, that we hope the United Nations will take immediate steps to improve social conditions and do away with the apartheid in South West Africa.

26/ For text, see A/C.73/3 below.

Enclosed is a copy of a resolution in this regard which was passed by our annual Congress this summer. It is our sincere hope that this resolution will receive your careful consideration.

(Signed) Thomas E. Cronin
International Affairs
Vice President-NFCCS
College of the Holy Cross
Worcester 10, Massachusetts

Enclosure

TITLE: Resolution on South West Africa

WHEREAS: The United Nations is responsible for the control of social conditions in the mandated areas of the world; and

WHEREAS: The principles of the United Nations Declaration of Human Rights are not upheld in various places in Europe, Asia, and Africa, and especially in the mandate of South West Africa; and

WHEREAS: Owing to the rigid Union of South Africa government censorship, very little information on the conditions in South West Africa has been circulated throughout the United States; therefore

BE IT RESOLVED: That the XVI National Congress of the National Federation of Catholic College Students call on the United Nations to publicize effectively the conditions prevalent in South West Africa, and to insist that remedial action be taken by the trustee government; and

BE IT FURTHER RESOLVED: That copies of this resolution be sent to the State Department, the United Nations Committee on Mandated Areas, and the student federations of South Africa; and

BE IT FINALLY RESOLVED: That the International Affairs Vice President of the National Federation of Catholic College Students be directed to carry out the provisions of this resolution.

15. Petition, by letter dated 23 May 1960, from Mr. Jacobus Beukes, Rehoboth, South West Africa, to the United Nations 27/

You are respectfully asked to give serious consideration to our entreaty and request as set out in the attached communication. My humble entreaty is that the present session may, through the Mandate, bring about the release of us, the people of Rehoboth, and the entire Territory of South West Africa, so that we may be able to enjoy the happy future to which we are entitled.

I trust that, in accordance with what has been published in the Press, such news may always be published as will enable us to survive. We shall be grateful for a brief acknowledgement that the communications have reached their destination. We are profoundly confident that on this occasion we shall survive in our long struggle. We respectfully ask His Excellency the Prime Minister of Ghana and also the representatives of the other Member States to help us at all costs so that everyone living in South West Africa may be happy. This will be greatly appreciated by us.

(Signed) Jacobus Beukes

Enclosure

Letter dated 23 May 1960 from Mr. Jacobus Beukes to the Captain and Members of the Advisory Board, Rehoboth, South West Africa

I hereby respectfully ask that this communication be forwarded to His Excellency the Administrator of South West Africa and then to His Excellency, Dr. Verwoerd, Prime Minister of South Africa, Cape Town.

"HISTORICAL REVIEW OF NATIONAL EXISTENCE FROM 1870-1871-1874"

1. We, the people of Rehoboth, were independent and sovereign under the authority of our Captain and National Council as well as of the Rhenish Mission. This status was confirmed by a treaty of friendship in 1885, and we were later placed under the mandate of the old League of Nations, which has been replaced by the present United Nations as provided in the Charter and the provisions of Article 22. The mandate was entrusted to the Union Government on 17 December 1920.

2. It has been officially learned that His Excellency Mr. Dag Hammarskjöld is to visit South Africa. We respectfully ask that in connexion with this visit Mr. Hammarskjöld be invited to Rehoboth.

3. The purpose of the invitation is to provide information on the Charter and the Administration under the mandate by which our future existence is ensured.

4. The latest action has given cause for concern that we must abandon our national ideology and ideal. This demonstrates that our historical existence has been contemptuously disregarded and treated as a popular delusion.

5. We hereby state on the basis of solid evidence that the people of Rehoboth were the first settlers and embodied the principles of the first civilization. After the two great wars of 1881 and 1882, the Rehobothians asked for protection from abroad. In response to this request, as we know, the German Kaiser and the King of England agreed that South West Africa should be given to Germany as a colony. The request of Captain Hermanus van Wyk and the members of his National Council was granted. Whereupon the Rehobothians had at the same time to agree to meet the troops at Walvis Bay and lead them into the interior. The party was attacked en route by the Hottentots. The Rehobothians suffered casualties and destruction, but they persevered in order to bring the troops into the interior to Windhoek. The fighting then broke out again. Rehoboth independently set up its own baster Community under German discipline, and this was later reinforced by a second company that was assisted by an active civilian force. From 1894 to 1907 the Rehobothians loyally persevered and stood together until peace and tranquility were restored.

6. In the later action of 1914 between the German Government and the Allied Powers, the Rehobothians independently stood together and sided with the Allies at the cost of heavy sacrifices in property and lives. That is why we must say that the most recent happening will not be able to triumph over our historical and basic national existence.

In witness whereof.

(Signed) Jacobus Beukes

16. Petition, by letter dated 1 June 1960, from the South West Africa Peoples Organisation, Windhoek, South West Africa, to Mr. H. Kerina 28/

Enclosed please find petition, which we request that you forward to the United Nations Organization on behalf of O.P.O. whose name has changed to S.W.A.P.O. however we will explain in the next letter.

"Article 2-".... the Mandatory shall promote to the utmost, the material and moral-being and the social progress of the inhabitants of the territory subject of the present Mandate".

The only material used by the Administration of S.W.A., is, what he adopted from the Unions Government, and that is 'force and violence'... Regarding 'social progress', the only progress was in building of 'beer-halls', which is profitable to the Government, but not in the interests of the inhabitants.

"The Mandatory shall see that slave trade is prohibited, and that no force labour is permitted, except for essential public works and services, and then only for adequate remuneration".

In reply to the above: "Article 3": that law never existed in S.W.A., as slavery was never abolished here. To put you to proof, we will quote a paragraph from the Windhoek Advertiser, during December 1959. "Over and above the contract wages given to the Ovambos (1/30 per day for a raw labourer)....". Is it possible that a human being could live on that amount? Which is approximately 17 cents in American currency.

"Article 4 - "No military or naval bases shall be established or fortifications erected in the territory".

Please ask the South African Foreign minister, who shot those people that died on the 10th day of December 1959? It was Police from the Union of South Africa. Mr. Kerina, going down Kaiser Street in the direction of Rehoboth, you will find a road leading to the left, the administration of S.W.A. had a military camp built there filled with members of the Union Defence Force. Therefore they have what we call 'mobile fortifications', and that is Saracens, tanks and armoured cars.

28/ Transmitted to the United Nations by letter dated 10 June 1960 from Mr. Mburumba Kerina to the Secretary of the Committee on South West Africa.

"Article 5 - "Subject to the provisions of any local law for the maintenance of public order and public morals, the mandatory shall ensure in the territory freedom of conscience and the free exercise of all forms of worship, and shall allow all missionaries, nationals of any state member of League of Nations, to enter into, travel and reside in the territory for the purpose of prosecuting their calling".

No Asiatic is allowed in S.W.A. for any of the above purposes. Here is no "freedom of conscience", as the minds of the peoples (inhabitants) minds are continually occupied with fear, regarding travelling permits, as to go from one place to another.

REPORT

The tribe in Ovamboland by name of Cukualuthi, whose chief was Mara, passed away. Therefore, the people of the said tribe elected a new chief in their favour (which they favour). Then the Commissioner of Native Affairs in Ovamboland, banished the chief, and appointed a new chief in his favour, whose name is Mr. Tapoppi.

Mr. Tapoppi, visited the neighbourly Nama Tribe, rustled their cattle and goats, then he ordered these people to leave the vicinity. With the influence of the Native Commissioner in the back-ground, Mr. Tapoppi, on the 20th day of May 1960, confiscated all cattle, goats and sheep belonging to Mrs. Quambi Shoni, and forced her to leave the vicinity.

Even our respected clergyman has forwarded Mr. Tapoppi personally, such as Mr. Offico and Mr. Abisia Jhamunjela, after they tried to negotiate with Mr. Tapoppi, they were only threatened by being banished from Ovamboland without even their personal belongings, as to those who tried to oppose him and the Native Commissioner.

Regarding Mr. Sam Nujema, who was banished from Windhoek on exile in Ovamboland, what is going to happen to his family? They have no source of income.

Yours sincerely,

(Signed) Louis Helengani
Vice President C.P.O

(Signed) (illegible)
Foreign Secretary C.P.O.

17. Petition, by letter dated 13 June 1960, from the Bristol Peace Council, Bristol, England, to the Secretary-General

The following is the text of a resolution adopted this evening by the Bristol Peace Council at its Annual Meeting; it is being sent to the Secretary-General of the United Nations Organisation and for information to the British Prime Minister and to the local Press.

"This Annual Meeting of the Bristol Peace Council, noting the application by the Union of S. Africa of racial discrimination against the native people of the former German colony of S.W. Africa, entrusted to S. Africa under mandate by the League of Nations, and the attempt by the Union to treat the territory as a province of S. Africa, appeals to the United Nations Organisation to safeguard the liberties of the native peoples and to fulfil the obligations taken over from the League of Nations by itself assuming direct responsibility for administering the territory."

(Signed) F.M. Clegg (Miss)
Hon. Secretary/Treasurer

18. Petition by letter dated 22 June 1960, from Chief Hosea Kutako and Chief Samuel Witbooi, Windhoek, South West Africa, to all Member States of the United Nations 29/

In view of the fact that the question of South West Africa has been discussed by the General Assembly of the United Nations for fourteen years since 1946 and:

In view of the fact that numerous resolutions debated and passed by the General Assembly of the United Nations with overwhelming majority - Member States seem to make no effect on the Government of the Union of South Africa and:

That even two Advisory Opinions of the International Court of Justice (1950 and 1953) respectively, seem to have gone unheeded to by the Government of the Union of South Africa and;

In view of the fact that the conditions in both the Union of South Africa and in the Mandated Territory of South West Africa continues to deteriorate. The condition in the Mandate proper continues to deteriorate to an unparallel degree with oppression and Apartheid laws applied even more rigidly and;

29/ By covering letter of the same date, addressed to the Secretary-General, the petitioners requested the circulation of their petition to all Members of the United Nations.

In view of the fact that this "Sacred Trust of Civilization" has been repeatedly and flagrantly violated by the Mandatory - a Government which even on this the 20th century is not fit to administer the Mandate because of its Apartheid Policy which we think to be morally wrong and politically foolish.

We appeal to your respective Governments of all Member Nations of the United Nations to request an immediate Special Session of the General Assembly of the United Nations to consider among other matters:

- (a) To request the Special Session to appoint an International Commission to come to South West Africa so that it can see the wretched conditions to which we are relegated and compelled to live.
- (b) To ask the Special Session to see to it that while the case is on, the lives of indigenous Africans in the Territory are protected from any possible revenge by irresponsible white elements in the Territory who at present are armed with rifles of all kinds by Government decree.

We have been asking for an International Commission to visit South West Africa for the past fourteen years since 1946. We regret however, to state that our request for such a Commission never acceded to.

We now appeal to your respective Governments in the belief and hope that your Governments will expedite the question of South West Africa at this Special Session of the General Assembly of the United Nations and bring our long sufferings to an end.

We are grateful to your Governments to the generous help given to us at the United Nations and other conferences.

(Signed) Hosea Kutako
Chief Hosea Kutako
Chief Samuel Witbooi

19. Petition, by letter dated 28 June 1960, from Chief Hosea Kutako, Chief Samuel Witbooi and the South West Africa Peoples Organization, Windhoek, South West Africa, to the Secretary-General 30/

We request the United Nations to place South West Africa under the Trusteeship of the United Nations this year. There seems to be no reason why South West Africa has not yet been placed under the United Nations. It is a Mandate and moreover it is the wishes of the inhabitants that it should be placed under the United Nations.

The Removal of Africans from their homes

After the killing of Africans by the Union Government on the 10th and 11th December 1959 in Windhoek, the Government brought arms and armoured cars to intimidate the Africans so that they should move to the new Location - Katutura (See our Cables to UNO). A few Africans moved for fear of being killed.

After the United Nations passed a resolution calling upon the Union Government not to remove the Africans by force, the Union Government resorted to indirect methods of forcing the Africans to move to the new Location. This is done in this way:

- (a) When an African is out of work and he wants a permit to seek work, he is not given such a permit unless he is prepared to go and reside in the new Location.
- (b) Africans who were employed by the Municipality and who refused to reside in the new Location were dismissed from employment.
- (c) Africans from outside the towns are not allowed to come or reside in the towns unless they are prepared to go to the new Locations. (New segregated Locations which are 500 yards away from the Europeans residential areas have been built and are being built in almost all the towns in South West Africa.)
- (d) Africans who are suspected of influencing other Africans not to move to the new Locations are ejected from the towns by the Government.
- (e) The Government appointed people who secretly intimidate Africans to move to the new Locations. This is done in this way:

The people who intimidate the Africans ask Africans individually whether or not they will move to the new Locations. When an African replies that he

30/ By letter dated 25 July 1960, Chief Hosea Kutako informed the Secretary-General that a copy of this petition had been sent to the South West Africa Administration with the request that it be forwarded to the United Nations.

will not move, he is told that he will encounter hardships in the future. When an African who is intimidated in this way, moves to the new location, such an African is represented by the Government to have moved voluntarily. (r) Most of the white employers threaten their African employees with dismissal if they did not move to the new locations and as a result many Africans have been dismissed from employment.

The Administrator of South West Africa told the Europeans recently that they should decrease their African labour and that they should do the work themselves.

Education

Bantu Education has been introduced into the two only Secondary Schools for Africans in South West Africa - Augustines and Illovo. Bantu Education will also be introduced into all African Schools in South West Africa early in 1961.

The object of Bantu Education is to teach African children from childhood that they are inferior to the Europeans.

Africans are not allowed to leave the country for further studies.

All the Africans in South West Africa are opposed to Bantu Education and it is being forced down our throats. This is a clear indication that the Africans have no rights in their land of birth.

A new school is under construction in the new location - Katutura. It has been said that when the new school has been completed, the African Schools in the old location of Windhoek would be closed down. All the Africans in the old location of Windhoek are determined never to set their feet in the new location - Katutura and they have no intention of sending their children to Katutura for the purpose of attending school there under any circumstances.

The closing down of the schools in the old location will mean that African children will have no school.

Police Brutality

Whenever an African is arrested he is beaten mercilessly by the Police before trial. Sometimes they are assaulted by the Police without any charge against them. These beatings sometimes cause the deaths of many Africans.

Health

The deathrate is extremely high because there are no Hospitals, clinics or medical doctors in the Native Reserves. Patients from the Reserves travel hundreds of miles by motor lorries to the nearest Hospitals or medical doctors. /...

Serious patients cannot be rushed to the Hospitals because they have to go to the PASS Offices first to obtain travelling PASSES and this causes considerable delay.

In the Hospitals, out patients have to pay a shilling each before treatment, failing which they cannot be attended.^{31/}

African Hospitals are over crowded and there is a shortage of medical Practitioners and Nurses. African Nurses are sacked and are replaced by European Nurses in the African Hospitals so as to provide employment for the White Nurses.

Many African patients who are supposed to be admitted in the Hospitals are sent home because there is no accommodation.

Native Reserves

Life is very hard in the reserves. South West Africa experienced severe drought during the past few years. Africans suffered heavy losses of livestock.

No assistance was given to the Africans during this drought although the Europeans were given financial assistance by the Government.

Boreholes were sunk in uninhabited lands and these lands were given to the White farmers as an assistance to them during the severe drought.

Stock Sale in the Native Reserves

Prices are very low in the Native Reserves and the Africans are not allowed to sell their livestock to markets outside the reserves.

Africans who live in the reserves whether they are men or women are not allowed to seek employment in the towns. European firms in the towns are allowed to get African labourers from the reserves under the Contract System.

These contracts last for six to eight months after which the Africans have to return to the reservers. These African Labourers are not allowed to bring their wives and children with them.

^{31/} The petitioner attached an Administration form (form SWA 27), which provided: "1/- Hospital Services. One treatment: Non-European out-patient" and left space for the date of treatment. Photo-offset copies of form SWA 27 are reproduced above under No. 7.

Pass Laws

The Pass Laws have become more oppressive. When an African comes into an urban area, he has to go to the Pass Office sometime immediately on his arrival, even in the middle of the night to obtain permission to be in the urban area.

Police Raids

African houses are raided day and night. If an African fails to produce his PASS, he is arrested. An African has to have many different kinds of passes and if he fails to produce one of them, he is arrested.

One of the reasons why the Africans were killed by Government forces on the 19th December, 1959, was that the Africans had boycotted the Beerhall, Bus Service, and the Cinema. As the result of the boycott, the Beerhall, Bus Service and the Cinema were closed.

The Beerhall, Bus Service and the Cinema were boycotted because the Africans were beaten by the Police because they had refused to have their homes evaluated. The evaluation was a preliminary step to remove the Africans from their homes to a segregated location - Kitutura.

At a meeting of the Advisory Board, the Africans told the Government not to reopen all these services so as to avoid further killings.

The Government will now reopen all these services on the 1st July, 1960 against the wishes of the Africans.

Similar killings may occur as a result of the introduction of these services.

European men and women in South West Africa are armed and their common talk is that they will exterminate the Africans before the United Nations takes the country over.

In the light of this grave situation we appeal to the United Nations to act with all possible speed to release us from this prison.

(Signed) Hessel Kutako

20. Petition, by letter dated 17 July 1960, from Mrs. Maria Pruter, Swakopmund, South West Africa, to the Secretary-General 32/

With regard to the letter from Herero Chief Hosea Kutako I would like to mention that my husband has been in the country for more than forty years and myself for more than thirty years.

1. We do not own any kind of arms, since we are not hunters.
2. I must also say that the Government is doing an enormous lot in the way of providing hospitals for natives, schools, etc.
3. We employ in our business and house more than forty natives, among them all sorts of contract labourers, some of whom have renewed their contracts between five and eight times. Do you believe that the boys would have done that had they been dissatisfied with their wages and treatment? Our natives are being paid in accordance with performance. Among them are several who earn more than 220 a month. In spite of rising wage scales which has taken place over the years, there has been no improvement in their housing and clothing, since they have used all wage increases to buy liquor. Although I have made efforts to help the boys in the improvement of their homes, not one of them responded by showing interest.

At the moment our chauffeur is ill and in our home. The white doctor visits the boy each day and treats him. I myself cook for the boy on Saturday and Sunday afternoons, since both my houseboys adhere to their working hours, namely, 8 a.m. to 1 p.m., and 4 to 6 p.m.*

It is too bad that UNO troops had to be sent to the Congo. If those efficient natives had been left to themselves, the European world would have seen how efficient the natives really are.

Once the natives govern themselves, we are convinced that the history of Africa will be turned back by 100 to 200 years.

(Signed) M. Pruter

*N.B. Saturday afternoon is free. Sunday morning hours are from 8.30 a.m. to noon, and instead Wednesday afternoon is given off.

21. Petition, by memorandum, undated, from the Ovamboland Peoples Organisation, Sea Point, Cape Province, Union of South Africa, to the Secretary-General

WHEN THE TERRITORY OF SOUTH WEST AFRICA WAS GIVEN IN MANDATE TO THE GOVERNMENT OF THE UNION OF SOUTH AFRICA, IT WAS ON THE UNDERSTANDING THAT GOVERNMENT WOULD PROMOTE THE ECONOMIC, EDUCATIONAL, AND POLITICAL DEVELOPMENT OF THE INDIGENOUS PEOPLES.

HOWEVER: THIS HAS NOT BEEN DONE AS WILL BE SEEN FROM THE FIGURES LISTED BELOW.

POPULATION: Whites: 48,588; non-Whites: 366,013 (1951)

LAND: For Whites only: 37,578,865 hectares.

For non-Whites: 21,825,997 hectares.

SCHOOLING: In 1952 the amount spent on Schooling was as follows:

For Whites only: £659,781

For non-Whites: £144,072

There is no High School for Africans in the whole territory.

HOSPITALS: For Whites only the amount spent in 1952 was: £40,000

For non-Whites the amount spent in 1952 was: £20,000

ECONOMIC: Work reservation is applied on State enterprises such as the Railways, which makes it impossible for non-Whites to rise above the level of manual labour.

Wages: Average non-White in Towns: £5 per month

Average non-White in Farms: £1 per month

Women are paid less, and recruited labour even less. There are no openings for the economic advance of non-Whites. The

PASS LAWS are stringently applied as in the Union.

POLITICAL: Non-Whites have no say in the government of the Territory.

APARTHEID IS APPLIED AS IN THE UNION.

AS WILL BE SEEN, THE UNION GOVERNMENT HAS DONE LITTLE, IF NOT NOTHING, TO ADVANCE THE INDIGENOUS PEOPLES IN THE SPHERES INDICATED IN THE CONDITIONS OF MANDATE.

We, therefore, THE OVAMBOLAND PEOPLES' ORGANISATION, call upon the UNITED NATIONS ORGANISATION to place the territory of SOUTH WEST AFRICA under the rule and jurisdiction of the TRUSTEESHIP COMMITTEE of the UNITED NATIONS ORGANISATION.

(Signed) E.H. Kalundalalie
Ovamboland People's Organisation

/...

PETITIONS RELATING, INTER ALIA, TO THE SITUATION IN
THE WINDHCEK LOCATION

22. Petition, by telegram received on 3 November 1959, from Chief Hosea Kutako, Chief Samuel Witbooi and the Ovamboland Peoples Organisation, Windhoek, South West Africa, to the Secretary-General

WE ASK UNO TO PASS RESOLUTION CALLING ON SOUTH AFRICA TO DESIST FROM
CARRYING OUT REMOVAL OF AFRICANS FROM THEIR RESIDENTIAL AREAS

CHIEF HCSEA KUTAKO CHIEF SAMUEL WITBOOI
SAM NUJOMA, PRESIDENT OF OVAMBOLAND PEOPLES
ORGANISATION

23. Petition, by telegram received on 7 November 1959, from Chief Hosea Kutako, Chief Samuel Witbooi and the Ovamboland Peoples Organisation, Windhoek, South West Africa, to the Secretary-General

PREPARATIONS FOR REMOVAL OF AFRICANS FROM THEIR LAND AGAINST THEIR WISHES
HAVE BEGUN IN WINDHCEK STOP TAKE IMMEDIATE ACTION TO PREVENT IT.

CHIEF HCSEA KUTAKO, CHIEF SAMUEL WITBOOI,
SAM NUJOMA, PRESIDENT OVAMBOLAND PEOPLES
ORGANISATION

24. Petition, by letter dated 12 November 1959, from the Action Committee authorized to assist the Advisory Board, Windhoek, South West Africa

In the Windhoek Advertiser of the 5th October, 1959 Mr. Potgieter the Superintendent of Locations was reported to have addressed a meeting at which 200 Africans were present.

What was reported in the newspaper was what he said but the statements given by the Africans were not published in the newspaper. This gave us the impression that Mr. Potgieter gave the statement to the newspaper before he came to the meeting.

The meeting was called by the non-European Advisory Board and it took place in the Locations on Sunday the 4th October, 1959. There were 482 Africans at the meeting. Detectives of the special branch also attended the meeting. They were not invited. A large number of police was assembled at the Municipal Office in the Locations. Another body of armed police was assembled at the Charge Office.

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The Superintendent of Locations Mr. Potgieter also came to the meeting and asked permission to attend which was granted by the Chairman.

The purpose of the meeting was to appoint a valuator who would evaluate African houses in the present Locations.

The non-European Advisory Board had been instructed by the Government to tell the Africans in the Locations to appoint the said valuator. There were three speakers who spoke on behalf of the Africans. The first speaker said they had refused to be removed to "KATUTURA" and would therefore not elect a valuator. He said they gave reasons for refusing to move and they were awaiting replies from the Administration. He added that the Africans were amazed that the Government had come with the proposal for the appointment of a valuator while it had not replied to the reasons given by the Africans.

Mr. Potgieter replied that if the Africans were not trying to bring about agreement between the Europeans and the Africans in that matter, there would be trouble. He added that we should not seek trouble when it was not necessary. The second speaker said that if Mr. Potgieter felt that our going to "KATUTURA" would avoid trouble, he must realize that if we were forcibly removed to "KATUTURA" we would not be peaceful and if he wanted peace, he must realize that peace ought to be reciprocal.

Mr. Potgieter said that if the people were refusing to appoint a valuator, he would conclude that they were obstructing the work which was given to him by His Honour the Minister.

The third speaker said that the non-Europeans were not indebted to the money spent on "KATUTURA" as they never agreed that a new township "KATUTURA" should be built. He added, "Go and tell the Government that we will never reside at 'KATUTURA'. If this is regarded as seeking trouble, it is proof of the oppression meted out to the Africans which we always complain about. Should there be trouble, it will not be our fault but the Government will be responsible for it."

Mr. Potgieter said that the non-Europeans' Advisory Board had consented to the removal. The Boardmen replied that they had never agreed to the removal. The Advisory Board proposed that a public meeting be called at which the Advisory Board and the Authorised Committee would be allowed to speak. Mr. Potgieter

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agreed to the holding of such a meeting, but no date was fixed and we are still waiting for that meeting. The Advisory Board repeated their request on 14th October, 1959 for a public meeting. They proposed that the Chief Native Commissioner and Mr. Van der Watt of the Native Affairs Department be present.

If the public meeting is not called, we shall conclude that the Government is afraid to hear the truth which the non-Europeans will give and the reasons why they refuse to move to the new Township. Though we are looking forward to holding a meeting, we will not depart from our decision of refusing to be moved as our refusal is democratically justifiable. The meeting was closed with the agreement between Mr. Potgieter and the Boardmen that another meeting would be called.

Our views with regard to the removal are as follows: We reiterate our statement made last year that the removal is based on Apartheid. Evidence of this is that in 1956 the Minister of Native Affairs indicated in the Union Senate that since Native Affairs in South West Africa now fell practically under the same control as in the Union of South Africa, a greater measure of homogeneity could be brought about between the two areas. The minister stated that correctly situated and adequate Native Locations areas had been selected and provision made for the removal or replanning of incorrectly situated Locations.

The Minister described in the following words the requirements which had been laid down and which must be complied with.

The most important of these are, firstly, that there must be a buffer strip of at least 500 yards wide between the Native residential area and that of any other racial group. No development at all is allowed in the buffer strip. As far as possible a location must also develop diagonally away from a European town.

On November 30th, 1958, the Manager of the Locations Mr. P.A. de Wet informed us that the location would be moved to facilitate the implementation of Apartheid policy. He said at a subsequent meeting that the decision to remove the location was of the Government but not of the Non-European Advisory Board. He added that the Non-European Advisory Board had objected to the removal.

It is clear from the statement of the Minister of Native Affairs and the Manager of Locations that the removal is intended to implement the Apartheid policy but it does not stem from a desire to improve the conditions of the people.

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When the Africans asked the Manager of Locations why they were not building the new houses in the old location, he replied that the area was too small for expansion and that there were two cemeteries one for Europeans and the other for Non-Europeans which would prevent the expansion of the Locations. He said there was inadequate grounds for sports grounds and parks.

On the 27th November, 1958, Mr. van der Watt of the Native Affairs Dept. said at a meeting that the Location was going to be removed so as to be closer to the industries which were being established near the new Township.

Proofs that the Locations will be removed in accordance with the decision of the Union Minister of Native Affairs and not for the reasons given by Mr. van der Watt and Mr. de Wet are as follows: There is a cemetery in the European residential area but the European town has expanded inspite of the cemetery. The cemetery is hemmed in by the European town. Europeans are not being removed from the vicinity of the cemetery. The Locations in the following towns will be moved away from industries and the European towns:- Gobabis, Okahandja, Omaruru, Walvis Bay, Keetmanshoop and Luderitz. The Locations in the above towns have enough areas for sportsgrounds and parks.

All these nonsense about cemeteries, industries, sportsgrounds and parks suited the Africans of early times who were deceived by Major Leutwein that their guns were sick and that they should have them injected and it resulted in the Africans losing their lands and other property.

Whenever people were removed from their lands in South West Africa, it was always the Africans and not the Europeans and they were removed from what were regarded as white areas. The Africans have therefore more knowledge of the evils of removals than the Europeans. There is no doubt that the Africans are despised and are regarded as objects which can be pushed about so as to facilitate the expansion of the so called white areas.

It is strange that the Minister of Native Affairs had the face to make a law in the Union of South Africa for the Africans of South West Africa in the absence of African representatives and exported it to south West Africa.

The Africans would welcome the construction of new houses in the old Location provided their wages have been increased and regulations that will be agreed upon between the Africans and the Town Council but not the oppressive regulations made by the Town Council for the new Township.

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With regard to the removal, we wish to remind the South West Africa Administration that Apartheid is responsible for the injustices and bad conditions under which we the Africans live in South West Africa and for which the South West Africa Administration and the Union Government are criticised by the rest of the world.

We cannot be expected to support Apartheid at a time when we and the rest of the world are busy trying to eradicate this evil.

Our decision to refuse to move to the new Township is firm and final.

E.S. Vetira
J.G. Muundjua
A.A. Kapere
R. Meroro
E. Tjiuna
(Signed) R. Kavendjaa

ACTION COMMITTEE AUTHORIZED TO ASSIST THE ADVISORY BOARD

25. Petition, by letter dated 23 November 1959, from Chief Hosea Kutako, Windhoek, South West Africa, to the Administrator of South West Africa

Re: Removal of Windhoek Location to Katutura Township

As the municipality of Windhoek has decided to remove the African people living in the Windhoek location and because the people have refused to move giving their reasons, to which, reasons, the municipality has not as yet replied and because the municipal authority is proceeding with preparations for removing the people. I, as a person with first hand knowledge of the evils attached to forcible removals, wish to inform Your Hon. as to my experiences concerning such mass removals.

1. At first we were living at Augaigas, Sesbalie and Onjoroha; here we were told that we should be given Orumbo, Okatumba etc. as the present land was too small for a people to multiply and that we were to be given land where we should spread and which will be ours for generations.

2. Later, when we settled at these places, we were told that there were no grazing at these places and that we should take our cattle out during the dry seasons and graze them at Okambondona etc. We did as we were told but when we wanted to come back during the rainy season, we found that wire had been erected by the authority and we were prevented to return by them.

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3. Then from there we were told that we should be removed to Epukiro; but as the people suffered great loss through their previous removals and because they were promised that the places would be theirs for generations, they refused to move. Force was resorted to by the Government and windmills were pulled down, houses burned down and people were bombed. The same thing happened at Waterberg, Rehoboth, Otavi, Rietfontein etc. This removals caused my poor people great loss in household and other belongings cattle and even loss of human life for which losses no compensation was made.

4. Further the municipality maintain that there is a cemetery to west of the present site of the location and accordingly the location cannot be expanded farther west. There is a cemetery in the European residential area of Windhoek but the European town has expanded inspite of the Cemetery. The cemetery is hemmed in by the European town. The Europeans are not being removed from the vicinity of the cemetery. The locations in the following towns will be moved away from industries and places of work: Gobabis, Okahandja, Omaruru, Walvis Bay, Keetmanshoop and Luderitz. The locations in the above towns have enough ground for parks and sportsgrounds and no cemeteries.

Whenever people were removed from their lands in South West Africa, it was always the Africans and not the Europeans and they were removed from what were regarded as white areas. The Africans have therefore more knowledge of the evils of removals than Europeans. There is no doubt that the Africans are despised and regarded as objects which can be pushed about so as to facilitate the expansion of the so-called white areas.

It is strange that the Minister of Native Affairs had the courage to make laws in the Union of South Africa for the Africans of South West Africa in the absence of the African Representatives and then export them to South West Africa.

For these and the enclosed reasons^{33/} given by the people themselves; I submit that the people are justified in their refusal to be moved to another site and therefore beg to implore Your Honour to intervene and refrain the municipal authority from removing the people against their will.

(Signed) Chief Hosea Kutako

^{33/} The statement enclosed with the letter is the same as that reproduced as enclosure B of annex XIX in the report of the Committee on South West Africa to the General Assembly at its fourteenth session (A/4191).

26. Petition, by telegram received on 4 December 1959, from Chief Hosea Kutako, Chief Samuel Witbooi and the Ovamboland Peoples Organisation, Windhoek, South West Africa, to the Secretary-General

FORCIBLE REMOVAL OF AFRICANS FROM THEIR LAND BEGUN IN WINDHOEK
SITUATION EXPLCSIVE FOUR PERSONS IN JAIL STOP TAKE IMMEDIATE
ACTION

CHIEF HOSEA KUTAKO CHIEF SAMUEL WITBOOI
SAM NUJCMA PRESIDENT OVAMBOLAND PEOPLES
ORGANISATION

27. Petition, by telegram received on 11 December 1959, from Chief Hosea Kutako, Chief Samuel Witbooi, the Ovamboland Peoples Organisation and the South West Africa National Union, Windhoek, South West Africa, to the Secretary-General

MASS REMOVAL IN WINDHOEK FORCE USED AGAINST AFRICANS STOP ELEVEN KILLED
THIRTYTWO SERICUSLY INJURED SITUATION CRITICAL TAKE IMMEDIATE ACTION

CHIEF HOSEA KUTAKO CHIEF SAMUEL WITBOOI
SAM NUJCMA PRESIDENT OVAMBOLAND PEOPLES
ORGANISATION

WILLY KAUKUETU PRESIDENT SOUTH WEST AFRICA
NATIONAL UNION

28. Petition, by telegram received on 12 December 1959, from Chief Hosea Kutako and the Ovamboland Peoples Organisation, Windhoek, South West Africa, to the Secretary-General

STATE OF EMERGENCY DECLARED IN SCUTH WEST AFRICA STOP PLEASE SEND
IMPARTIAL COMMISSION TO INVESTIGATE SITUATION HERE

CHIEF HCSEA KUTAKO
SAM NUJCMA PRESIDENT OVAMBOLAND PEOPLES
ORGANISATION

29. Petition, by letter dated 15 December 1959, from Mr. Jariretundu Kozonguizi, New York, to the Chairman of the Ccmmittee on South West Africa

I am writing to request for a hearing before the Ccmmittee on South West Africa when it meets to discuss the situation that has arisen in the Windhoek Location.

Attached is a Memorandum on the background of the present crisis as well as information received by telephone.

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The latest (at the time of writing) information is that forcible removal started yesterday (14th December, 1959).

(Signed) Jariretundu KOZONGUIZI

Enclosures

- (i) Telegram, sent on 14 December 1959 from Mr. Kaukuetu, Windhoek, South West Africa, to Mr. Mburumba Kerina, New York

ALL WHITES ARMED STOCKS OF REVOLVERS PISTOLS EXHAUSTED UNION POLICE
PRETORIA TOLD TO STAND BY SITUATION GRAVE NAMES CASUALTIES SENT LETTER

KAUKUETU

List of casualties^{34/}

NAMES OF THOSE KILLED BY THE POLICE ON "HUMAN RIGHTS DAY" DEC;
10TH 1959.

Bartholomew Kahiiko Willem Cloete Sageus Tjowbe Anton Katjiupurna
Johannes Haimbondi Maddume Kaspara Anna Maugunda Sebulon Kasuto
Benito Gutsche

INJURED

Damaras

Martha Igeises Napth. Gariseb Karel Cloete Asser Gamseb Daniel Xeisab
Cephas Nunuhe Paul Goseb Petrus W. Araeb Jacobus Vrieslag
Simon Igoraseb Claudius Igoraseb Reinhardt Cwo-cab Barnabas Nunuhe
Bernabas Goramab Pius Dcmingo 1 School boy Std.II

Hereros

Franz Kujambera Japhet Thipura Daniel Katjirumba Anton Tjaverna
Urpanus Kariange Reinhardt Kuiri Daniel Humavindu Dcminicus Katipuka
Aaron Tjatindi Adolph Kaimu Theo Tjiharo Nicolas Siririka
Johannes Kandjoi Gotthardt Zaskuje Ndangi Tjerivanga Usiel Veseevete
Erastus Muhaindjumba Bernhardt Tjindere Nathan Murango Cephas Kazarako
Ishmail Kahipura Hiskia Kaura Lazarus Tjiueza Hans Muvere
Mctuselah Malundu Katirori Katjiuongua

^{34/} This list of casualties was later transmitted to the United Nations by Mr. Mburumba Kerina, by letter dated 11 January 1960 to the Secretary of the Committee on South West Africa.

Cvank

Eva Daniel Masinlele Shikani Paul Domingo Jeroboam Mathews

(Signed) Kaukuetu

(ii) Memorandum on the background to the crisis

As early as 1947 plans were being discussed to improve living conditions of the residents of the Windhoek location. But nothing was done until the Nationalist Party was returned to power and the Minister of Native Affairs announced his apartheid plans. In 1954 the administration of the Africans in South West Africa was transferred to the Department of Native Affairs of the Union of South Africa and thus came directly within the purview of the apartheid plans of the Minister.

Declared the Minister in Parliament giving reasons for removals of Africans:

"The most important of these are: firstly, that there must be a buffer strip of at least 500 yards wide between the Native residential area and that of any other racial group. No development at all is allowed in the buffer strip. As far as possible a location must also be diagonally away from a European town."

Plans for the new locations were rushed in the Town Council of Windhoek and no thorough discussion was allowed in the Advisory Board meetings. The people in the location objected to the manner in which the whole scheme was being handled and instructed the members of the Advisory Board to place their objections before the Town Council. But even as the Manager of Municipal Native Affairs admitted at a meeting held on 22.1.1959 in the Windhoek location when he said: "Go and tell the people that it is not a single Board member who said it but that it was decided by Local Authorities and the Administration".

The Administration and local authorities having decided the Africans saw the only other way in which they could make themselves clear on the issue was recourse to the press.

In 1958 the first letters appeared in The Windhoek Advertiser and the Allgemeine Zeitung giving reasons for their refusal to move from their location. Amongst others they pointed out that they rejected the principle of apartheid on which the scheme was based; they pointed out the economic and financial hardships that the people will experience; the rents in the new township will be higher and then there will be busfares to be paid; these will not be commensurate with the

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low wages of the people; to the request for higher wages the Administration's reply was that they could not force employers to pay higher wages; the majority of the people in the old location just walk to work and they do not have to incur transport expenses.

They further stated that as inhabitants of South West Africa the residents of the Windhoek Location had an inherent right to the land they live on and to deprive them of it would be a violation of that right.

After stating that they were not opposed to improvement they said:

"Apartheid should not be confused with improvement. The policy of apartheid makes the interests of the Europeans paramount whilst depriving the Africans of economic opportunities, educational advancement and the enjoyment of political rights. The Africans are therefore not prepared to accept any scheme or plan which is based on apartheid as they have suffered terribly under this inhuman policy."

The Press raised the matter in one of the Mayoral Press Conferences and he dismissed it as just propaganda, of the "rondloper kaffers" (kaffir-loafers). This incensed the Africans very much and the Press was flooded with letters attacking the Mayor's "irresponsible" statement, and declaring that Africans were not prepared to move.

Editorials in the Press also regretted the "unfortunate" statement of the Mayor and appealed to the Mayor to arrange a meeting with the location residents where the issue would be thrashed out.

In the end the Town Council promised that as soon as Mr. Bruwer Blignaut (Chief Native Commissioner) returned to Windhoek from the United Nations, that a meeting would be held.

A meeting was held on the 27.11.1958. Present were the Members of the Advisory Board and the Committee of Advisors to the Boardmembers (the latter were responsible for most of the letters in the Press), the Mayor, Mr. Jaap Snyman, the Superintendent of Locations (Mr. P.A. de Wet), and the Urban Areas Commissioner in the Native Affairs Department, Mr. v. der Wath.

Mr. Van der Wath gave the reasons for the intention to move the people.

1. Living conditions in the location were appalling.
2. The health of the people left much to be desired. There was little light in their huts and no fresh air whatsoever.

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3. The living conditions had a bad effect on the working capacity of the people. The result was that many workers were only able to do a half-day's work in a day, and such people could not expect higher wages.

4. The new site was chosen because there was room for expansion and moreover the future industrial site of the City will be on that side so that workers will be near places of work.

5. The rents would be higher but the 100 per cent improvement in health facilities and other services justified the higher rents. The people could request reduction in rents if the income account showed a big surplus. The rents would be £1.19.6d and those who purchased the houses would only pay £1 for the services.

The meeting ended in confusion as the Mayor refused to answer questions put to him. On the 28.11.1958 the then Superintendent of Locations, Mr. P.A. de Wet, stated that the people would be moved to facilitate the implementation of the Apartheid policy. He further stated that the Advisory Board had consented to the removal. This was denied by the Members of that Board on the 30.11.1958 at a public meeting in the Location.

Another meeting with Mr. P.A. de Wet was held on 22.1.1959 at which he made it clear that the decision to move the people was unilaterally taken by the Administration and the local authorities. This the Advisory Board members reported to the residents of the Location who decided unanimously that they were not going to move.

This was the position in March 1959. On 1.5.1959 Mr. Kozonguizi pointed out to the Committee on South West Africa that the Windhoek Location "is another issue which will create a very explosive situation in South West Africa in the near future".

4.10.1959: The location superintendent called a meeting in the Herero Section where he asked the people to appoint 'their' representative on the Valuation Board for houses in the old Location. The people pointed out to him that they were not prepared to move. Mr. Vetira said at this meeting: "... we are not going to move even if the other tribes were to move. We the Hereros will not move. Go and tell your government and your Police that now they can do what they want".

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12.10.1959: Mr. Kozonguizi told the Fourth Committee of the General Assembly of the UN that the Administration was contemplating using force (guns, machine guns and bulldozers) to move the people to the new location.

29.10.1959: A public meeting was held in the location under the Chairmanship of Mr. Potgieter, the Location superintendent. Present were: Mr. Hager (Chief Magistrate of Windhoek); Mr. B. Blignaut, Chief Native Commissioner; Mr. Jaap Snyman, Mayor of Windhoek; Mr. de Wet, Manager of Municipal Native Affairs Dept.; Mr. Van der Wath, Urban Areas Commissioner in the Native Affairs Department; Colonel du Preez, head of the "Secret Branch" or political branch of the South Africa Police in South West Africa; and other officials. The meeting was attended by 3,000-4,000 location residents.

The representatives of the people explained to the authorities that they were not prepared to move. Mr. Mbaeva said: "Don't you know that this country is ours? We shall not allow settlers to come here and do as they like".

Mr. Nelengani said: "If you whites as educated people are administering this country so badly that there was no cooperation between whites and non-whites, hand the administration over to the Africans".

1.11.1959: The Local authorities began with the evaluation of the Houses in the Damara section of the location. Women were being forced against their will by municipal police to attach their finger prints or signatures to documents. A deputation of Damara women then requested the Administrator of the Territory, Mr. Laan Viljoen, to meet them which he refused to do.

(iii) Telephone conversation held Saturday afternoon, 12 December 1959,
Windhoek-New York

This conversation was held between Jane Kerina and Messrs. Kamuketu, Nujoma and Kapere.

"I must tell you the situation is critical here." "We are in a state of great fear."

Fifty police (European and African) were sent into the Windhoek location. The people were boycotting the Municipal facilities-bioscope, the beerhall and recreation hall (this is part of the protest against the impending removal of the African location by the Government to a place where the Africans are refusing to move). Police tried to arrest the people who were picketting. Two men were arrested (Frans Kujambara and another unidentified man).

Many people gathered out of curiosity to find out what was happening. They were curiosity seekers. Two or three thousand people gathered there. Major Lombard was in charge. He ordered the people to disperse. Willy Kaukeutu told him that the people were not there to do damage and asked him why the police were there. Lombard evaded the question saying that the police were there to maintain law and order. He was told that the people did not threaten anyone and that he should take the police away. Major Lombard refused to take the police away and gave the people five minutes to disperse. The people refused to leave as long as the police remained.

The people were told by their leaders to leave after one of the police was overheard to mention something about sten-guns. As the people began to leave police began to fire into the crowd. The police just fired at random. People fled. Some attempted to retaliate by throwing stones after they were fired upon. The firing continued for about 45 minutes and over 300 rounds of ammunition were fired. Mr. Kapere added that no Europeans were killed or wounded and reiterated the point that it was only after the shooting began that the retaliatory stone throwing began. The army was summoned for reinforcements. When the shooting ended there were 12 dead and 32 seriously injured as well as about a score less seriously injured. One building was set afire but the fire was quickly extinguished. One car belonging to the manager of non-European affairs was burned and one ambulance was slightly damaged.

A state of emergency has been declared. No meetings of any kind except church and burial services can be held. Any violator of this is subject to three to six months' imprisonment. Armoured cars with machine-guns patrol the streets. Curfew is effective at sundown. Mr. Nujoma, President of the Ovamboland People's Organisation, says that the location has been staffed with police to keep watch. Police have encircled the location. Africans from outside Windhoek have requested passes to go to Windhoek for burials of their relatives. Those who have been granted passes have been told to come and go by daylight.

Mr. Nujoma also reports that armoured cars with machine guns and about fifty police were sent to Ovamboland to the Okualuzi tribal area. He says that the police were sent the people as was done in Windhoek. However, the people in Ovamboland did not make any trouble.

30. Petition, by telegram received on 15 December, from Chief Hosea Kutako and the Ovamboland Peoples Organisation, Windhoek, South West Africa, to the Secretary-General

JACOB KUHANGUA SECRETARY OF OVAMBOLAND PEOPLE'S ORGANISATION AND
NATHENIAL MBEAIVA SECRETARY OF SOUTH WEST AFRICA NATIONAL UNION WERE
SERVED WITH DEPORTATION ORDER MUST LEAVE WINDHCEK STOP TAKE
IMMEDIATE ACTION.

CHIEF HOSEA KUTAKO
SAM NUJOMA, PRESIDENT, OVAMBOLAND PEOPLE'S
ORGANISATION

31. Petition, by telegram received on 15 December 1959, from Chief Hosea Kutako, Windhoek, South West Africa, to the Secretary-General

FORCIBLE REMOVAL STARTED IN WINDHCEK TODAY ARMURED CARS AND LORRIES IN
LOCATION SITUATION CRITICAL ACTION BY UNC NECESSARY

CHIEF HOSEA KUTAKO

32. Petition, by telegram received on 15 December 1959, from Chief Hosea Kutako, Windhoek, South West Africa, to the Secretary-General

SAM NUJOMA, PRESIDENT OF OVAMBOLAND PEOPLE'S ORGANISATION AND JOHN BERNARD
DEPORTED FROM WINDHCEK

CHIEF HOSEA KUTAKO

33. Petition, by letter dated 15 December 1959, from Chief Hosea Kutako, Chief Samuel Witbooi, the Ovamboland People's Organisation and the South West Africa National Union, Windhoek, South West Africa, to the Secretary-General 35/

The Africans in Windhoek have been refusing to be removed from their homes to a new location which was built for them by the Government. The new location was established so as to separate the Africans from the Europeans in accordance with the Apartheid policy.

35/ A copy of this letter was also forwarded to the Secretary-General by letter dated 24 December 1959 from Mr. Mburumba Kerina and Mr. Jariretundu Kozonguizi, New York.

Although the Africans live separate from the Europeans today, their residential area is regarded to be too close to the European residential area. The Africans are opposed to the removal because the Apartheid Policy is responsible for the injustices under which they live in South West Africa; such as lack of political rights, inadequate educational facilities, inadequate medical facilities, unsuccessful farming, the restriction of the movements of the Africans in the land of their birth, low wages, banishments and the removal of Africans from their lands. All these injustices which have relegated the Africans to the status of slaves are meted out to the Africans only but not to the Europeans.

In spite of our repeated refusal to be removed to the new location for the above reasons, the Government appointed Valuers to evaluate our houses for the purpose of paying compensation.

On Friday December 4th, 1959, Advisory Boardman Fritz Gariseb was beaten by a Municipal Policeman Mr. Maritz for refusing to give the value of his house to the valuers. Some women who sympathized with him were also beaten and four of them were arrested. Some Africans, mostly women, demonstrated peacefully against the arrests. They marched to the Government Buildings with a view to protest to the Administrator against the beatings and the arrests of the Africans by the Municipal police.

The Administrator refused to hear them. He left them standing there and drove to his official residence. The Africans followed him and assembled in the yard. He then ordered them to leave his ground immediately. The police told them to go to the Chief Magistrate. The Magistrate addressed the Africans unsatisfactorily. He refused to release the detainees and charged them for supposed public disturbance. They were fined £3 each.

The Africans told the Magistrate that they could not understand why their houses were being evaluated while they had refused to move to the new location, but the evaluation continued.

On the 8th December 1959 the Africans decided to boycott Municipal Beer Hall, buses and cinema.

On the 10th of December 1959 at 3 o'clock p.m. a special Advisory Board meeting was convened by the Town Council. The officials present were the

Manager of Locations, Mr. F. de Wet, the Mayor of Windhoek, Mr. J. Snyman, the Chief Magistrate of Windhoek, Mr. Hager, the Major of Police, Mr. Lombard. They addressed the Africans in threatening attitude. "He who does not hear must feel," said Major Lombard, repeating Snyman.

When the Africans wanted to reply, Mr. de Wet said that they had come to warn and no discussion would be allowed.

In the evening of the same day Mr. Snyman and his police who had come to the locations under the guise of protecting a few Easter drunk addicts assaulted Mr. Franz Kujambara who was in the vicinity of the Beernull, alleging that he was preventing the people to use the bar.

Kujambara's screams attracted a big crowd. Two people who were together with Kujambara were unjustly arrested. The people demanded their release which was refused by the police. Mr. Snyman called for police reinforcement.

The police force under Major Lombard arrived and ordered the people to disperse within five minutes. The leaders of the Africans requested for more time to enable them to persuade the people to go.

As the people turned to go the police fired without warning killing several people. The Africans reacted by throwing stones. The police retreated into the Municipal offices from which they fired killing more people.

Later the military force came in armoured cars with machine guns. They fired shots at random with the result that some people were hit by bullets in their homes.

The European Community had been informed about the planned attack on Africans a day before the attack. The Europeans who live in the vicinity of the location were told to evacuate before the attack began.

We have reason to believe that the attack was premeditated. Within two days as from the day of the incident the European Community in Windhoek bought more than two thousand revolvers and rifles. Armed units have been placed at key position around Windhoek. Two military aircrafts arrived in Windhoek from the Union of South Africa.

It is obvious from the above statement that the situation in South West Africa is critical and demands immediate action by the United Nations to remedy the situation.

Chief Hosea Kutaho
Chief Samuel Witbooi
Sam Nujoma (President of Ovamboland People's
Organisation)
Willy Kauxuetu (Vice President of the South
West Africa National Union)

(Signed) Hosea Kutaho

34. Petition, by letter dated 22 December 1959, from Chief Hosea Kutaho, Chief Samuel Witbooi and the Ovamboland People's Organisation, Windhoek, South West Africa, to the Secretary-General

We have the honour to inform you that the Administration has deported Mr. Sam Nujoma, President, Ovamboland Peoples Organisation, Mr. J.J. Kunangua, Secretary, Ovamboland Peoples Organisation, Mr. Nathaniel Ibaeva, Organizing Secretary, South West Africa National Union and Mr. John Benhard, also a member of the South West Africa National Union. They were given 72 hours within which they should leave Windhoek. No reasons were given for the deportations.

Two of these gentlemen have already left Windhoek, Mr. J.J. Kunangua has been escorted to Ovamboland by police and Nathaniel Ibaeva to Epikoro Native Reserve.

Mr. John Benhard a businessman was first asked to sack Mr. Sam Nujoma who was in his employment. When he refused to sack Mr. Nujoma, he, Mr. Benhard's, licence was unlawfully cancelled and he was also deported.

We ask the United Nations to tell the Union Government to desist immediately from these uncivilized deportations.

We find it very difficult to have our cases defended in courts in South West Africa where there are only white lawyers who are not keen at all to help Africans. For that reason we asked Mr. Oliver Tambo, a well-known African lawyer from the Union of South Africa, who, on his arrival by air from Johannesburg was not granted the necessary permit to enter South West Africa. In South West Africa Africans have no lawyers to defend them.

Windhoek has just become a war camp. The Location is being patrolled day and night by armoured cars and armed police jeeps and machine guns.

We strongly request the United Nations to urge upon the Union Government to withdraw its police and defence forces from South West Africa.

The Union Government has appointed Mr. Justice Hall Judge President for South West Africa to investigate the cause of riots in Windhoek Location. But as we have no faith in the Union Government we do not trust any commission appointed by the Union Government. We are afraid that such a commission will not be free from impartiality taking from the atmosphere in which the commission will investigate. We therefore ask the United Nations to send an impartial commission to South West Africa immediately to investigating the recent killings and shootings of Africans in the Windhoek Location by the Union Government forces.

It is absolutely necessary that a United Nations Commission should visit South West Africa immediately because the absence of a United Nations Commission in South West Africa has created the impression among Government officials in South West Africa and the Union that the United Nations is far away in New York and will never set its foot in South West Africa to prevent them from oppressing the Africans.

The debates on South West Africa in the United Nations during the past 14 years would have been effective had the United Nations sent a commission during that period.

We earnestly request that the question of South West Africa be taken to the International of Justice without any further delay for compulsory jurisdiction.

Chief Hosea Kutako
Chief Samuel Witbooi
Sam Nujoma (Cvamboland People's
Organization)

(Signed) Hosea Kutako

35. Petition, by telegram received on 24 December 1959, from the Rev. Michael Scott, Navrongo, Ghana, to the United Nations

SUPPORT OTHERS PETITIONING FROM SOUTHWEST AFRICA FOR URGENT
EFFECTIVE ACTION

MICHAEL SCOTT

/...

36. Petition, by letter dated 29 December 1959, from Chief Hosea Kutako, Chief Samuel Witbooi, the Ovamboland Peoples Organisation and the South West Africa National Union, Windhoek, South West Africa, to the Secretary-General

We wish to inform you with grave concern that the situation in Windhoek Location is still tense.

The police patrols have culminated in the raids of African homes. The homes of Chief Hosea Kutako, Sam Nujoma, President of the Ovamboland Peoples Organisation (his deportation still pending), Louis Nelengani, Vice President of the Ovamboland Peoples Organization, Willy Kaukuetu, Vice President of the South West Africa National Union, Uaseta Mbuha, Secretary-General of the South West Africa National Union, Natanael Mbaeva, Organizing Secretary of the South West Africa National Union (already deported), the house of the late Mr. Bernhard Gutsche, brother of Mr. Mburumba Kerina Getzen, and four other prominent Africans were raided yesterday morning, the 28 December 1959.

Documents confiscated from the various people including United Nations documents, pamphlets, books, personal letters and documents of various political organisations, note and minute books as well as newspapers and money. A sum of £90 set aside by Chief Hosea Kutako for the maintenance of Mr. Jarireturũ Kozonguizi and a Bank book of the Ovamboland Peoples Organisation and a sum of £43 in cash from the same Organisation were also confiscated in the raid.

Shootings.

The Government is deliberately creating hostility between Black and White and as a result more than two thousand rifles and revolvers were bought by the white community of Windhoek within the month of December and irresponsible shootings have already occurred in the country.

On the 27th December 1959, three Africans were shot by unidentified Europeans on the Okahandja - Windhoek main Road.

It has become a common slogan among some whites sections that they will exterminate the Africans before the United Nations takes the country over.

In the light of this grave situation, we appeal to the United Nations to treat this matter as urgent.

(Signed) Chief Hosea Kutako,
Chief Samuel Wittbooi,

(Signed) Sam Nujoma President of the
Ovamboland Peoples Org.

Uaseta Mbuha Secretary-General of
the South West Africa National
Union

37. Petition, by letter dated 2 January 1960, from Chief Hosea Kutako, Chief Samuel Witbooi, the Ovamboland Peoples Organisation and the South West Africa National Union, Windhoek, South West Africa, to the Secretary-General

We would like to inform you that two Africans who were injured in the shootings of Africans by the South African Government forces on the 10th December 1959 died in Windhoek. One of them died on the 18th December and the other one died on the 31st December 1959.

Shootings in the territory are still continuing. One African woman was shot dead in a public road in the Grootfontein district. As we pointed out in our previous letter of the 29th December 1959, some sections of the white community say that they will exterminate the Africans before the United Nations takes the country over. Africans who are killed in this way are never investigated by the Government.

In the light of this grave situation we ask the United Nations to send a supervisory Commission to South West Africa immediately, as we believe that the presence of a United Nations Commission will not only stop these illegal killings but it will induce the Government to investigate such killings.

(Signed) Hosea Kutako

Chief Hosea Kutako
Chief Samuel Witbooi
Sam Nujoma President of the
Ovamboland Peoples
Organisation
Willy Kautueta President of
the South West Africa
National Union.

38. Petition, by letter dated 21 January 1960, from Chief Hosea Kutako, the Ovamboland Peoples Organisation and the South West Africa National Union, Windhoek, South West Africa, to the Secretary-General

The forcible evaluation of African houses which was suspended on the occasion of killings of twelve Africans was resumed on the 4th January 1960.

The procedure adopted by the Government is as follows: A note is sent to the African house owner telling him that his house would be evaluated on the date mentioned in the note and that he should be present.

When the valuator comes on the appointed date he demands the value of his house. If the African refuses to tell him or if he is not present the valuator usually writes down the value which according to his own judgement is sufficient.

The Government is simultaneously using indirect pressure to intimidate the people to go to the new Location - "Katutura": Africans are unjustly being issued with prohibition orders preventing them from remaining in the proclaimed area of Windhoek as is the case with Martin Lukas, Mathews Humu, Hiskiah Nujoma (younger brother to Sam Nujoma, President of Ovamboland Peoples Organization) and David Isete.

Some Africans traders who refused to go to "Katutura" had their licences revoked while others were refused renewals; many Africans are being dismissed from their jobs and are not given permits to seek work unless they go to "Katutura". This is not a surprise because the Administrator of South West Africa in a speech delivered at Walvis Bay on the 13th January 1960 urged Europeans to do away with African labour.

Two Africans were shot by white police in Walvis Bay in December 1959, one of them is in critical condition in Walvis Bay hospital.

In the light of this situation we should like to draw the attention of the United Nations to the importance of sending a Supervisory Commission to South West Africa; not only will the presence of such a Commission stop the Africans from being exterminated but the South African Government will be taught to treat the Africans as human beings.

The presence of such a United Nations Commission in South West Africa is very important and should not be overlooked by the United Nations. We believe that the United Nations resolutions, how good they may be will only be effective if the United Nations has a Commission stationed in South West Africa.

The situation in South West Africa can be described as one of "The reign of Terror".

(Signed) 1. Chief Hosea Kutako
2. Sam Nujoma (Ovamboland Peoples
Org. President)
3. Willy Uatja Kauketu (S.W.A.
National Union)

39. Petition, by letter dated 22 January 1960, from Mr. Mburumba Kerina, New York, to the Secretary of the Committee on South West Africa

Enclosed please find (1) statement on South West Africa from the South African National Congress; (2) account of the arrest and deportation of Mr. Jacob Kuhangwa.

The statement from the African National Congress was attached to a personal letter. The account of the arrest and deportation of Mr. Jacob Kuhangwa was a portion of a personal letter.

Please make these materials immediately available to the Committee on South West Africa as petitions.

(Signed) Mburumba Kerina

Enclosures

- (1) Letter dated 8 January 1960 from the African National Congress, Johannesburg, to the Secretary-General

(1) The AFRICAN NATIONAL CONGRESS of South Africa which has persistently appealed to the United Nations Organization against the atrocities perpetrated by the Nationalist Government in implementing its Apartheid policy is gravely concerned at the extension of this policy to South West Africa.

(2) The complete denial of political rights to the non-European peoples of South Africa, and the use of force in the violent removal of non-European people from their land and homes in order to enforce this policy of Apartheid has been the cause of many deaths resulting from police terrorism.

(3) These acts are, in themselves, sufficiently deplorable and indefensible when committed by the South African Government against the African people in South Africa, and their extension to the people of South West Africa is in flagrant disregard of the resolution of the United Nations General Assembly, deploring the racial policies of the South African Government, which correctly states "that policies which accentuate or seek to preserve racial discrimination are prejudicial to racial harmony."

(4) It is our submission that the accentuation and preservation of Apartheid and racial discrimination by the South African Government in South West Africa, where the privilege of the South African Government to govern has

been the subject of debate at numerous sessions of the Assembly, demonstrates the contempt with which the South African Government regards the views of the United Nations Organization.

(5) The situation is further aggravated by the fact that, not only does the South African Government stubbornly continue to defy world opinion and violate the Universal Declaration of Human Rights, but it resorts to force and violence against the people in an effort to stifle any resistance thereto.

(6) In our view, the enforcement of policies in direct conflict with the Universal Declaration of Human Rights by the South African Government in South West Africa calls for the direct intervention of the United Nations Organization. The use of firearms against unarmed people who were opposing their forcible removal to Katutura, which resulted in the death of twelve Africans in the Windhoek location, may well constitute an act of aggression by the South African Government against the people of South West Africa.

(7) We note with concern that the South African Government, in an attempt to confuse the issue, has appointed a commission of inquiry to investigate the causes of the protests in South West Africa. As this commission is appointed by one of the parties concerned, and is racially exclusive, being composed of Whites only, we maintain that their findings cannot be held to be impartial, and strongly urge that the United Nations Organization appoint its own commission of inquiry into these occurrences.

(8) In the circumstances this can never be a domestic issue concerning the Union Government alone. It is a matter of international importance and responsibility.

(9) We submit, sir, that the Union Government has overstepped whatever tenuous legal right it might have had to continue administering the territory of South West Africa. Further, it is in our view clear that unless the people of South West Africa are speedily relieved of tutelage under the South African Government, the South African Government will continue to intensify its racist repression and violent attack upon the liberty of the people.

(10) We are further of the view that if any proof is sought of the gross maladministration of the territory of South West Africa, the Nationalist Government in its military operations during December has provided sufficient proof thereof.

(11) We are convinced that the solution of the problems of South West Africa will depend upon the recognition of the sovereignty of the indigenous peoples, and acceding to their demand for United Nations Trusteeship as a first step towards self-rule.

(Signed) D. Mokwe
Secretary General

(ii) Account of the arrest and deportation of Mr. Jacob Kuhangwa

Mr. Jacob H. Kuhangwa, who has been living in Cape Town, and recently in Windhoek, where he has been assistant secretary in the Ovambo Peoples Organisation, was arrested by the police there on 17 December, a week after the riots.

He was placed under escort, and told to get into a car. He was taken to Ovamboland where they went to Ondangua. His escort went into the office of the Chief Bantu Affairs Commissioner, but Mr. Kuhangwa was left outside.

After this they put him in another car, without saying anything to him or asking him anything.

Then they took him to the Portuguese border, and crossed to a town called Onamakunde. There they took him to a Portuguese official. His escort, consisting of Africans, spoke to the Portuguese official and said: "This is your man, a politician. He is undesirable. He is disturbing our country."

In front of everyone the Portuguese official asked Mr. Kuhangwa where he had been born. "I was born in South West Africa, the other side of the border", he said. The Portuguese official then said to the escort: "What is this you are doing to me - you bring to me a man who is not mine, and who, you say, is a bad man." He said that if he were to deal summarily with him he would have to answer questions from Lisbon. Then the African escort said to Mr. Kuhangwa: "I have power to kill you. You must tell the truth." Mr. Kuhangwa said: "I am not afraid to die, but I can tell you no other truth than the truth I have told you."

They brought him back to Changuena in South West Africa, but the officials there said that there were too many people, and that K. would poison them. So the escort decided to take him to the eastern end of the territory. He is there now, kept under guard, with his hands tied to his legs for part of the time. A certain headman has been ordered to keep him like that.

When he was arrested he was allowed to take no money with him or blankets. All he has is the clothes he stood up in.

The place where he is is called Ckatala, Ckuanyama. This is his own village, where his father is buried.

The government is doing nothing for him, and giving him nothing.

That is the message that his friends wish given to the two patriots in New York. At the same time would you warn them that K. does not want to be written to.

40. Petition, by telegram received on 29 January 1960, from Messrs. Matheus Andunga, Hainbondi Pali, Simon Shivute and Louis Helengani, Windhoek, South West Africa, to the Secretary-General

AFRICANS ARE FORCED TO LEAVE THEIR HOMES TO GO TO NEW LOCATION
KATUTURA SITUATION CRITICAL SEND COMMISSION TO INVESTIGATE

MATHEUS ANDUNGA HAINBONDI PALI SIMON SHIVUTE LOUIS HELENGANI

41. Petition, by telegram received on 6 March 1960, from the Rev. Michael Scott, Accra, to the Chairman of the Committee on South West Africa

AFFOINT ECLY TO PETITION YOU INVESTIGATE ALLEGATIONS OF JUDGE HALIS
JEFMAN COMMISSION REGARDING WINDHOEK RIOTS AND RESPONSIBILITY UN
PETITIONERS

MICHAEL SCOTT

42. Petition, by telegram received on 28 March 1960, from the Rev. Michael Scott, Tunis, to the Chairman of the Committee on South West Africa

PETITION YOU ASK SECURITY COUNCIL ACTION AGAINST CONTINUING THREAT PEACE
SOUTHWEST AFRICA

MICHAEL SCOTT

43. Petition, by letter dated 25 July 1960, from Chief Hosea Kutako, Windhoek, South West Africa, to the Secretary-General

I am writing to ask the United Nations to investigate the killings of the twelve (12) innocent Africans in Windhoek by the Union Government on the 10th December 1959, and to demand compensation from the Union of South Africa.

The Africans were killed by the Police and the Union Government forces after they had refused to be moved from their homes to a new segregated Location - "Katutura".

I have sent you a report on the events led to the killings of the Africans.

(Signed) Hosea Kutako.

44. Petition, by letter dated 23 July 1960, from the South West Africa Peoples Organisation, Windhoek, South West Africa, to the Secretary-General

I, Louis Nelengani, as Vice-President of the South West African Peoples Organisation, wish to inform the United Nations Organization of the latest news in South West Africa.

An elderly man of about 88 years of age, whose name is David Kangu, settled in Windhoek before 1915. Then on the 7th day of July 1960 he was deported from Windhoek to Ovamboland. The deportee does not know anyone, nor has he friends or relatives, neither has he anywhere to go to in Ovamboland. However, he was deported without any reason.

On the 8th day of July 1960, Mr. Hashikuka, a member of our South West African Peoples Organisation, was arrested in Walvis Bay, without being in possession of a 'POLL TAX' card, which is the 4th pass one has to have. On the 13th day of July 1960, Mr. Kashikuka appeared before the Magistrate in Walvis Bay, being found guilty, he paid the fine of £25 or two months in jail hard labour. Even though the fine was paid £25 (Twenty Pounds), the Government authorities still have him in jail as a prisoner.

On the 8th day of July 1960, 4 African youths whose names are: Edward Nailenge, Erastus Nepando, Hiskia Jacob and Jonas Kapukile, left Windhoek for a weekend to Walvis Bay, there they were arrested, even though they produced their 'TRAVELLING PASSES', they appeared before the Magistrates Court in Walvis Bay, and were fined guilty of "Spying" for the United Nations Organization, owing that each of the youth possessed a camera. They were fined £15 each and their cameras confiscated by the Police.

Therefore, we 'appeal' to the worlds organisations to help us in our struggle to put South West Africa under the trusteeship of the United Nations this year.

Louis Helengani, Vice-President, S.W.A.F. Organisation

(Signed) Louis Helengani

Petition forwarded to the Union Government, Certificate of posting of a registered postal article No. 1/5840.^{36/}

45. Petition, by letter dated 2 August 1960, from Mr. Sam Nujoma, President South West Africa Peoples Organisation, New York, to the Chairman of the Committee on South West Africa.

I have the honour to inform you that I have just received a letter from the Secretary-General of the South West Africa People's Organization in which he enclosed a clipping from the Windhoek Advertiser of 28 July 1960. This article deals with violence resulting from the valuation of African's houses in the Windhoek location. (See enclosed clipping.)

I would like to inform the United Nations Committee on South West Africa that Mr. Potgieter is an officer of the local authority in the Windhoek location. This is not the first time that he has personally assaulted an African in his official capacity. On 28 November 1959, Mr. Potgieter, in his capacity as the location Supervisor and the municipal police assaulted four Damara women who refused to let their houses be valuated and later arrested them and put them in jail because they opposed the location removal.

The situation is still critical in South West Africa. The Administration of South West Africa continues to carry on with deportations and removals of Africans from their homes and traditional lands. I appeal again, on behalf of the South West Africa People's Organization, to the United Nations Committee on South West Africa to take immediate measures against the South African government before the actions of South African police and soldiers cause further physical injury and bloodshed of Africans.

(Signed) Sam Nujoma, President
South West Africa People's Org.

^{36/} The petitioner enclosed the relevant postal certificate.

Enclosure

Extract from the Windhoek Advertiser, 20 July 1960

YOU ARE THE AGITATOR BEHIND LOCATION RIOTS

References to the night in December of last year when rioting broke out in the Windhoek location and 11 Natives lost their lives were made in the Windhoek Magistrates' Court during the past two days, when a 54-year-old European, Adriaan Jacobus Potgieter, Superintendent of the Windhoek Location, appeared before the Additional Magistrate, Mr. W. de Vos, to face two charges of assault.

After having allegedly assaulted a 29-year-old Coloured man, Ernst Groeneveldt, Potgieter is reputed to have said to him: "You are the agitator behind the location riots last year."

Giving evidence before Mr. de Vos, 54-year-old David Goeiman said that he and his brother-in-law, Ernst Groeneveldt, owned a shop in Katutura and another in the old location. On June 23, he said, he went to Potgieter's office in the location, and said to him: "Meneer, today I have come to ask for help". Goeiman alleged that before he could explain what he wanted, Potgieter asked him where his brother-in-law, Ernst Groeneveldt, was.

The accused, he told the Court, grabbed the telephone and telephoned Katutura, and said to the person on the other side to hold Groeneveldt until he came for him.

Hits and kicks

After the accused had put down the telephone, he is alleged to have walked across to Goeiman, who is small in stature, grabbed him and asked him if he remembered the riots last year.

The complainant then claimed that Potgieter hit and kicked him. He told the Magistrate that he still suffered pain as a result of the incident.

While giving evidence, Goeiman said that he had gone to Potgieter's office to ask for permission to move his stock to the shop in Katutura, because most of his customers had moved to the new location.

Giving evidence, Groeneveldt said that after hitting him, Potgieter said: "You are a White Herero, and one of the Communists who make the 'boere' eat the bullets from U.N.C.".

/...

More hits

Greeneveldt told Mr. de Vos in evidence that he was taken from his shop in the location to Potgieter's office, also in the location. When he entered the office, Municipal Native Sergeant Frans closed the door, and Potgieter approached him, grabbed him by his collar and asked: "Do you remember me?". Greeneveldt said that before he could answer, the accused hit him, and afterwards knocked his head against the wall until he became unconscious.

Also in the room at the time, were a Mr. Theron, Frans, the Native Sergeant, and my brother-in-law, David Goeiman, he said.

Greeneveldt told the Court that Potgieter continued knocking his head against the wall until the Native Sergeant intervened.

"The accused then told us to wash our faces." This they did because they did not wish to annoy Potgieter.

Potgieter is then alleged to have told the two complainants that if they wanted to lay a charge against him, they could do so.

To police

Greeneveldt continued to tell the Court how they were taken to Sergeant Williams' office at the Police Station. They (Theron, Sergeant Frans, Greeneveldt, and Goeiman) were left outside for about 15 minutes while Potgieter spoke to Sergeant Williams.

"When we were called into the office, the accused said: 'Here are the two. I have dealt with them, and you can now hear from them personally'."

Greeneveldt said that before Sergeant Williams could talk to them Potgieter said: "Goeiman is the one who incites Greeneveldt, and Greeneveldt then incites the others in the location."

"David then asked the accused to prove it, but he did not answer, and instead turned to me and asked me whether I was satisfied that he had hit me. I immediately asked the accused why, if he was so certain that I was the Communist in the location, or the agitator, he did not show me a copy of any speech I was supposed to have made."

Not normal

"While we were in Sergeant Williams' office I regained full consciousness, and I noticed that the accused was not acting normally. He appeared to have been drinking."

Groeneveldt told the Court that he and Goeiman told Sergeant Williams and Potgieter that they did not want to make a case. Later that morning, however, they went to see a firm of Attorneys.

The witness told Mr. de Vos that he went to the hospital, where he was examined. His back still hurt, as well as other parts of his body where he had been hit.

Asked if he had given Potgieter any reason to assault him, the witness told the Court that he had not done so on that day. He said that all that he could remember was that last year he had refused to sign a valuation document, because he was not being paid out for the valuation at the time. "I could not see why I should sign before I got my money," the witness said.

After further evidence had been led, Potgieter was remanded to August 3.

Appearing for the accused is Mr. Gert Muller, while Mr. P.C. van der Merwe is appearing for the Crown.

PETITION RELATING, INTER ALIA, TO THE REMOVAL OF
THE NATIVE LOCATION AT WALVIS BAY 37/

46. Petition, by letter dated 11 November 1959, from the Ovamboland Peoples Organisation, Walvis Bay, South West Africa, to the Secretary-General 38/

We the under signed persons are resident of the Walvis Bay location and wishing to inform you that we are forced by the Government to move to a new township which is being built at another site without us being consulted.

As there was no agreement reached in connection with the removal of the location to another site, we are strongly opposed to the removal because it is merely an act of the Apartheid Policy of the Union Government but the Government is forcing us to move.

The Walvis Bay Municipality had decided to give our area, where the present location is situated to the white Settlers and that is the only reason why we the African inhabitants must be removed to a far remote site in the sand-dunes of the Namib desert.

We ask the United Nations to put a stop to such evil treatment meted out upon the African people of South West Africa by the Union Government. Kindly regard this case as an urgent matter.

We further request UNO to place the territory of South West Africa under the Trusteeship System of the United Nations immediately.

37/ Walvis Bay, which is administered as an integral part of South West Africa, is territorially an integral part of the Union of South Africa province of the Cape of Good Hope.

38/ Transmitted to the United Nations by letter dated 30 November 1959 from Mr. Mburumba Kerina.

We are also asking the United Nations to allow the Rev. Michael Scott, Messrs. Mburumba Kerina and Jariretundu Kozonguizi to speak on our behalf at the United Nations.

Filimon Engombe
Johannes Christoph
Andrias Shivute
Malakia Demula
Joseph Alugazi
Matheus Nangombe
Simon Shekuli
Simon Ikela

Johannes Ningungo
Petrus Angolo
Absay Reinhold
Simon Kavela
Jonas Reinhold
Jesaja Nikodemus
Josua Nghilukilua

(Signed) V.H. Mdadi
O.P.O. Organization
Secretary of Walvis Bay
S. W. A.

PETITIONS RELATING, INTER ALIA, TO CONDITIONS IN OVAMBOLAND^{39/}

47. Petition, by letter dated 3 March 1960, from the Ovamboland Peoples Organisation, Windhoek, South West Africa, to the Secretary-General

We have the honour to inform you that old Chief Muala of the Ukualuzi tribe of Ovamboland has become very old and chose one of his nephews, Mr. Shikalepo Ileka, as acting Chief and his successor. This action was approved by the whole tribe. After the approval, however, there arose a great fear on the part of the Native Affairs Dept. because the old Chief Muala could not agree with the Native policy of the Union Government. The officials of the Native Affairs Dept. thought that Mr. Ileka, who was appointed by old Chief Muala and the tribe would oppose the Union Government's Native policy as his uncle did.

On October the 12th, 1959 the Chief Native Commissioner, Mr. Bruwer Blignaut and the Welfare Officer at Ondangua in Ovamboland went to Ukualuzi and appointed one of Chief Muala's other nephews, Mr. Shikongo Tapopi, as Chief of Ukualuzi and the whole Ukualuzi tribe. When Chief Muala and the Ukualuzi tribe heard that the Government overthrew the elect Chief Shikalepo Ileka, who was appointed by the people and they have elected or appointed their own chief; the people were very much disappointed and angry and overthrew the Government appointed chief and the Government tribal secretary, Mr. Gabriel Tapopi who is regarded as a government tool in the Ukualuzi area.

On the 3rd. December 1959 the Chief Native Commissioner, Mr. B. Blignaut, received a radiogram from the Welfare Officer at Ondangua in Ovamboland stating that troops should be sent to Ukualuzi to rescue the Government appointed chief and his tribal secretary. The Chief Native Commissioners took twelve white and eight African policemen armed with machine guns, sten guns, rifles and pistols under the command of Maj. Lombard. At Otjiwarongo they were joined by some more policemen and many others from Grootfontein, Tsumeb and Oamutoni. When the police arrived at Ukualuzi they found that everything was quiet. The

^{39/} See also Nos. 11 and 94 above.

police were given order to remove Chief Shikalepo Ileka from the Ukualuzi tribal area. Then the Government appointed Chief and the tribal secretary were given order to victimise or even shoot any person who is opposed to the Union Government at Ukualuzi area.

Here is a list of some of the people who have been deported from Ukualuzi because they supported old Chief Muala: - Miss V. Muala, the daughter of Chief Muala, Messrs. Iita Kapueja, Obed Sheja, Alex Sheja, nephews of chief Muala, Sam Hilengi, Abisai Amunjela, Ipinge Muala, son of Chief Muala, Joel Shikongo and Andreas Ileka.

Those that were fined are: On 25th. Nov. 1959 Mr. Ananais Kamanja was fined £15. Mr. Olinus Amakali paid an ox worth £35. Mr. Stephanus Amuama was fined £10. Mr. Phineas Musilika £5. on the 5th. December 1959 Mr. Makale Muala, son of Chief Muala, £10. on the 14th. December Mr. Philemon Gabriel £7. Festus Mbandi £30. on December the 10th. 1959 Mr. Thomas Magongo £10. on 10th. December 1959 Mr. Shivute Manguasha £25. Mr. Shampa Amukua £10. The Government appointed Chief and his tribal secretary were provided with sixteen rifles with which to carry out the Government order. This is the so-called Bantoe of the Union Government's Native policy which is design to make trouble amongst the African people in S.W. Africa.

The houses of the people who were deported were destroyed and their families were left homeless and their cattle were taken by the Government appointed chief. When the deportees went to the Welfare Officer to report their difficulties they were told to go and obey the instructions of the government appointed chief and his tribal secretary.

On the 8th. December 1959 the police force arrived back from Ukualuzi. Then on 10th. December; the same police force under the command of Maj. Lortrd shot the African inhabitants of the Windhoek Location because they refused to move to a new location called Katutura which is built without the consent of the African people.

On the 14th. December 1959 Mr. Nathanael Mbaeva, Organizing and Propaganda Secretary of S.W. Africa National Union and Mr. Jacob Kuhangwa were issued with deportation orders to leave the Windhoek urban area within 72 hours. Mr. Nathanael Mbaeva left for the Epukiro Native Reserve and Mr. Jacob Kuhangwa

was escorted by six armed policemen who took him to Onanakunde in Angola. He was brought before the Portuguese Officials and the South African Police told them that Mr. Kuhangua was a politician and was not wanted by the S. African authority in S.W. Africa. The S.A.P. then asked the Portuguese authority to keep Mr. Kuhangua in prison there in Angola but Mr. J. Kuhangua opposed them stating that he was born in Ondimbo in Ovamboland and was therefore not a Portuguese citizen. Then the Portuguese officials told the S.A.P. to take Mr. Kuhangua back with them to S.W.A. as they do not need him there either. On their way back to S.W.A. the police threatened to kill Mr. Kuhangua for refusing to remain in Angola. Mr. Kuhangua is under house arrest now and sleeps with his legs and arms tied together.

On the 28th. December 1959 the police went to search the house of Rev. Hamutumbangela and that of Mr. Ja-Toivo in Ovamboland. They took all correspondence from the U.N.O. and friends. They used these correspondence at the commission of Inquiry into the disturbances in Windhoek on night of December the 10th. In the house of Rev. Hamutumbangela, the police broke one suitcase and when Rev. Hamutumbangela asked them why did they not ask for a key, one of them called Steyn, stationed at Grootfontein sprang up and drew a revolver. Pointing it to him he threatened to shoot him if he continues to talk what he termed nonsense.

On the 15th. December 1959 Mr. Sam Nujoma, president of the Ovamboland People's Organisation and Batholomew Shimbama were issued with deportation orders. They appealed against their deportation orders; on the 30th. December 1959 when they appeared before the court they were told that their case have been withdrawn, only to be rearrested again for the same case on the 3rd January 1960. On January the 19th. 1960, they appeared in court and were informed that the case against them have been withdrawn. They have been served with other deportation orders for the third time and the case is pending. These cases will cost these men about £250 in all without being ever certain that they will not be served with other deportation orders again.

Since the riots last December, more than one hundred Africans have been deported from the Windhoek urban area. One of the deportees Mr. Kureva Nunuhe was told to go and find work at the United Nations. Mr. Jackson Kashikuka

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a member of O.P.O. was discharged from a local Boer firm after they have learned that he is a member of the O.P.O. When he went to the registration office to ask for permit to seek work, he was served with a deportation order.

At the boundary between Angola and S.W. Africa, especially at Oukuanjama and Ombandja, in Ovamboland, the S.A. Police are shooting the cattle and goats which are grazing near the boundary. They are also robbing the properties and belongings of the Africans who cross over the boundary. The Africans who live near the boundary of S.W. Africa are living in dangerous conditions. This boundary has divided the Oukuanjama people into two parts.

We appeal to the United Nations to take the territory of S.W. Africa from the Union Government and place it directly under the United Nations Trusteeship system forthwith. We are further requesting the U.N.O. to send a commission to S.W. Africa to investigate the shooting, killing and removals of African people from their lands as well as their living conditions.

(Signed) Louis Nelengani - Vice-President

(") L.H. Nepela - Secretary

REPORT

During February 1960 a young contract labourer Mr. Ashimbanka Absalom was severely beaten by his employer on a farm in the Aus District. On the 6th February 1960 he was brought to the Luderitz hospital still unconscious. The doctor sent Mr. Absalom to the Windhoek Native Hospital where he is lying in a serious condition with a wound in the back. On the temperature chart is written that Mr. Absalom's employer is not known and that he is suffering from mental illness. On the 22nd February 1960 four contract labourers who resigned from their employer because they were being ill-treated and because their pay of ls. 3d. was too little to live on, came to Windhoek Municipal Native Affairs offices. They were told by Boer clerks of that office to first go and clean the clerks' cars if they are to get permits to seek work or otherwise they shall not be issued permits to seek work. They were Messrs. Fendura Simeon, Zachaeus Simon, Ushona Muandingi, and Lazarus Hindengua.

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On the 22nd February 1960 Mr. Izaaks was served with a deportation order. Mr. Izaaks has a wife and a baby living with him in Windhoek and was employed by a local firm when he was deported. When Mr. Izaaks wanted to know why he was deported to Rehoboth where he could not get a job, he was told to leave the Windhoek urban area or else he would be arrested. On the 22nd Mr. Gert Diergaard, was served with a deportation order and told to leave the urban area of Windhoek within 72 hours. No reason is given in this cases.

The Government is deporting the Africans to the so-called Native reserves because this areas have been severely touched by the drought and will be reservoirs of cheap labour as there are no means of making a living there. Every young Ovambo without a certain pass called the identification pass or if he resigns employment for whatever reason, he is arrested and thrown into gaol for forty days and when he leaves gaol, he is force to pay £1 for a three months permit to seek work granted him. After the expiry of the three months he is escorted to Ovamboland by the Police and is never allowed to come back except as a recruited labourer, whose pay is ls. 3d. per day, his ration is one gallon per week of melie meal. No fruit or vegetables is given. Mr. J.G. v. de Watt, the man who represented the white settlers in S.W.A., and told the U.N.O. of the fair treatment given to Africans by the whites had a contracted labourer during 1956. This labourer, Mr. Samuel Angela Mauru, never got a blue penny during the term of contract expect £10 at the termination of the contract when he was to go home. He worked for eighteen months but all he got was a ration of one gallon of melie-meal a week and some salt.

On the 22nd February 1960 a staff nurse employed in a local clinic, Miss Rutse Ntshona, was served with a deportation order and was told to leave the Windhoek urban area within 72 hours. No reason was given.

These all are the injustices of the Union Government over the mandated territory of S.W. Africa. We once more ask the United Nations to take action immediately and place this territory under international mandate this year.

(Signed) Louis Molengani - Vice-President
(") L.H. Nepala - Secretary

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Enclosures

(i) Extract from The Windhoek Advertiser, 29 February 1960

OVAMBOLAND DROUGHT CAUSED CONCERN AT WALVIS

Walvis Bay

The influx of Natives from the drought stricken Ovamboland Reserve caused grave concern at Walvis Bay during the past year. This is reflected in the annual report of the local Chief Magistrate.

Large numbers of Ovambos were sentenced for entering the area without permits during the past year. Once they had served their sentences they were placed in work for a period of 3 months, but, because some of the firms were paying these natives as much as 14/- a day, there was much dissatisfaction among the contract Ovambos, who were earning much less.

Steps

In an attempt to stop the influx the Magistrate reports that he negotiated with the Local Authorities for a fixed wage of 1/6 a day plus food and lodging, or 5/- a day without food and lodging, for the non-contract Ovambos. During the past year portion of the earnings of these non-contract Natives was paid to the Pass Office, so that they could buy their train tickets home after their period in the area had expired.

Not Going Home

Despite these measures, many were not returning home because there was a lack of co-operation from some employers who insisted on paying higher wages to the non-contract Natives.

Peaceful

The Magistrate also reports that there was a peaceful relationship between the various racial groups under his jurisdiction during the past year. There were no signs of disturbances and the transfer of the Natives and Coloureds to the new location was carried out without any incidents.

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Health

Referring to the health of the community the Magistrate reports that tuberculosis has caused most concern during the twelve month period. Most of the Ovambos, who were repatriated during the period, were sent back home because of tuberculosis.

The main causes of death were tuberculosis, heart attacks and pneumonia.

(ii) Extract from The Windhoek Advertiser, undated

HE OUTLIVED TWO OF HIS SUCCESSORS

Chief Kuaia Nashilongo of the Ukualuthi tribe in Ovamboland died last month at an estimated age of between 90 and 100 years.

He became Chief of his tribe in 1908.

In 1947, his blindness and deafness prevented him from taking an active part in tribal affairs. An acting Chief was appointed, but Kuaia outlived him.

In 1957, another acting Chief was appointed and Kuaia outlived him.

In 1959, Shikongo Taipopi was appointed acting Chief and he is now likely to be appointed as successor to Kuaia.

48. Petition, by letter dated 7 July 1960, from Mr. Sam Nujoma, President, South West Africa Peoples Organisation, and Mr. M. Kerina, New York, to the Chairman of the Committee on South West Africa

Enclosed find copies of latest communications received by your petitioners from the members of the South West African Peoples Organization.

Your petitioners in the course of their hearings referred to several cables received from South West Africa which indicate the seriousness of the situation in the Territory, especially in Ovamboland. These cables are contained in document marked Nujoma (SWA 131)/Add.1).^{40/}

Your petitioners are convinced that the situation in the Territory of South West Africa is fraught with danger. We therefore request a United Nations Commission to be sent to South West Africa, forthwith, before more innocent African blood is shed by the South African Police and troops in the Territory.

(Signed) Sam Nujoma

Mr. Sam Nujoma, President
South West African Peoples Organization

(Signed) M. Kerina
Mr. M. Kerina

^{40/} See above, No. 5, footnote No. 11.

Enclosures

(i) Copy of letter submitted by petitioners

LETTER DATED 28TH JUNE 1960 RECEIVED
BY MR. SAM NUNJWA, PRESIDENT, SOUTH
AFRICAN PEOPLES ORGANIZATION FROM A
MEMBER OF SWAPO. THE NAME OF THE WRITER
IS WITHHELD DUE TO THE STATE OF EMERGENCY
WHICH EXISTS IN THE TERRITORY AND IN S.A.

We received your letter of 23rd June 1960 on the 27th. I was very happy to hear that you are getting on very well.

With regard to the letter we addressed to the Chief Native Commissioner we have not as yet received any reply from him. The Government does not wish to negotiate with us on the question of contracts and other matters.

Another development in the Territory pertains to the problem of cattle and the veterinary doctor in Ovamboland. The Government has built a kraal for cattle at a place in Ovamboland called ONGHALA. All the Ovambo cattle found grazing 12 miles from the border between Ovamboland and Angola are confiscated by the South African Government Police and thrown into the above-mentioned kraal from where they are transferred to the Native Commissioner at Oshikango who then decides what is to be done with them. Upon his decision the cattle could be returned to the ONGHALA kraal. If the owner demands them he is given half of the total confiscated.

On the 1st of June, 1960 Mr. Nghijalua who lives at Onana had his cattle confiscated and taken to the kraal. He went to demand his cattle and the veterinary doctor in charge told him to go to hell. The oldman then asked the doctor as to whether he has come to help them or to deprive them of their cattle. The doctor simply informed the oldman that he would kill his Bull and a calf. He then took a rifle and shot them and told the oldman to do what he liked. The oldman walked away very depressed.

On the 24th June two military aircrafts left for Ovamboland. We do not know the nature of their operation. All that we know of is that the South African Government carries on military operations between Kunene in the North of Keokoveld and Ombandja.

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We have also been informed that Mr. Ja-Toivo General-Secretary and Mr. Tunandeleni Assistant-Secretary of OWAFO have been arrested. The situation is very serious. Please ask for urgent help from the United Nations.

(ii) Extract from a local Afrikaans newspaper, South West Africa

TRANSLATION:-^{41/}

FREEDOM DAY - MILITARY AIRPLANES TO OVAMBOCIANT

Two military Dakotas flew over Windhoek today and later landed and during the week-end armed men of the Special Service Battalion moved around the airport.

Instructions were issued at the airport for 24 hours service. In between one of the military aircrafts left for the North and the other one on Sunday carried on flight inspection over South West Africa.

On Sunday afternoon at 2:15 Capt. du Freez, Head of the local Special Branch, and a number of airforce men walked around the airport. Four men of the Special Service Battalion - stationed at Bloemfontein in S.A. - stood near by a military aircraft carrier. Near the engines of the aircraft stood cartridges holder and four other military weapons.

These events are a result of incidents which occurred in the far North. In between is understood that an urgent meeting is scheduled of the highly placed officers of the army, police and the Special Branch.

Members of the local police force have in the mean time been hurriedly conveyed to Ovamboland.

It is believed that the so-called "South Africa Freedom Day", which took place on Sunday and echoed in the remote corners of the world, has brought unrest and disturbance by a certain local tribe in the North - the Cukuanjama tribe - after an attempt to secure arms failed.

CONSPIRACY

Information received so far, points to a dark conspiracy in the North. Government Officials were not prepared to disclose this. It is understood

^{41/} Translation submitted by the petitioners, together with the original newspaper clipping.

that unlawful obtaining of arms is the cause of the concern. There are rumours of an underground movement.

Man-power of the Special Service Battalion as well as the airforce men were on Friday evening on their arrival in Windhoek completely unaware of the motive behind their mission.

The two Dakotas which arrived from Pretoria, had 16 men aboard.

It is not known how many members of the South West Police have been conveyed to the North, but they are all armed with automatic weapons.

Strict secrecy is being kept over the absence of the two Harvard-military aircrafts. It is known that they are not in Windhoek.

Employees who are busy with the construction of a canal in Ovamboland, disclosed of a military air base on the border where these aircrafts have been seen. These particular military aircrafts are engaged in reconnoitering work.

Sunday's reconnoitering flight covered different native reserves of South West Africa. The route of the Dakota to the North is unknown.

(Signed) Sam Nujoma

(Signed) M. Kerina

Mr. Sam Nujoma, President
South West African Peoples Organization

Mburumba Kerina

(iii) Extract from The Windhoek Advertiser, 28 June 1960

ARREST OF PRIEST DENIED BY NATIVE AFFAIRS

On Friday two South African military air-craft landed in Windhoek and then proceeded to Ovamboland. One of the passengers on the aircraft was a topranking Security Official. The flight has caused speculation and left many rumours doing the rounds.

Yesterday the "Advertiser" interviewed Mr. Grobler, Native Affairs Information Officer in Windhoek and he said that as far as he knew the rumour that the Rev. Hamatumbangela of the Anglican Church in Odiho was arrested, was not based on fact.

Also Denied

He also denied the rumour that the flight had been made in connection with arms and ammunition smuggling in Ovamboland.

Mr. Grobler also did not know of an airfield which had been built on the border between Angola and South West Africa.

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PETITIONS RELATING, INTER ALIA, TO THE
HOACHANAS NATIVE RESERVE

49. Petition, by letter dated 13 August 1959, from the Rev. Markus Kooper, South West Africa, to the United Nations

At Hoachanas, my legal birth ground from which the Union Government so malignantly removed me on the 29th of January, 1959 just like an animal my physical life was gravely endangered and threatened with insecurity from inside and from outside, but I at least feel the sense of comfortness by being aware of the fact that I was founding myself among my own tribe and on our legal traditional property birth land.

At this stony, clumsy and absolutely grassless, waterless, lifeless and in fact from all mentionable sides comfortless acid clay plains to which the Union Government so intentionally and purposefully threw me and other people away just for the sake of white Supremacy, the land whereof the nature is such that even in good years of heavy rains it did not and shall not produce grass (and I am so informed too in addition to my own observations by the real owners and best knowers of this unproductive land for all practical purposes of life, both for human beings and animals, the Hersebanians and by those few Rooinasie people whom the Union Government by obtaining the two-thirds majority of the two houses of the Union Parliament removed (Mr. Blignaut has personally said this) quite ignorantly that he has removed them to serve as spies of the Rooinasie people about this land my life is more insecure and exposed to any and every thinkable and unthinkable form of cruel acts, such as the one at Hoachanas 29/1/1959 and of death through assassination, I cannot and shall not neglect to mentioned that fact. I have absolutely no protection whatsoever from the administration or the Union Government at this place. It only seeks how to make me to cross the Great Divide. There is no difference between my death and the death of a fattened pig to be slaughtered at any time in the sight and consideration of the Union Government, and I fearfully expect to be slaughtered during and if that not succeed immediately after the adjournment of the 14th Session of the General Assembly of the UNO.

The question of our removal from unquestionably and irrefutably our legal traditional birth ground followed the transfer of the Department of Native Affairs of SWA into the Department of Native Affairs of the Union, in April 1955. In October 1955 Mr. Allen said that it is the bordering farmers round Hoachanas who wants that you should be removed, so if you be removed you must not say it is the administration who has remove you.

I am enclosing herewith a translated copy of the Union Nationalist Party's Election Manifest of the past three victorious general elections, viz. 1948, 1953 and 1958, all of which ended in favour of the Nationalist Party.

This manifest was drafted in 1947. Although the entire content of the Manifest is of utmost importance for the black South West African on which and in whose well-being SWA was entrusted as Mandate to the Union Government as a Mandatory I inter alia wants to draw your most respectful attention to the following most deadly principles.

(a) TRANSFER OF NATIVE DEPARTMENT OF S.W.A. TO THE UNION DEPT. OF NAT. AFF.

Sirs, with the transfer of the Native Affairs Department to the Union Department of Native Affairs in April 1955 without our consent for what is called the uniformity of action with applying or seeking to apply the Union Bantu Authorities Act, the Union Bantu Education Act, and the Union Bantu Tribal Fund Act as foundation laying and outset stepping-stone measures to this Mandate of SWA, the Union Government has one-sidedly yet truly incorporate SWA into the Union... These illegal activities of the Union Government thus only means to us the indigenous inhabitants of SWA that the Union Government is only attempting to find a good tomb to bury his purposefully and intentionnally neglected International statutory as well moral obligations towards us the indigenous inhabitants of SWA as a Mandatory which he undertook 39 long years back in the grave called, the BANTU ACTS just to get rid of the Mandatory status of SWA so cheaply and to run away with SWA as a fifth province of the Union and then to proclaim the Union Republic and to brand out to the ash all the petitioners one of whom I am. From last year Mr. Blignaut the Chief Native Commissioner is alluding with the Nama delegates in the unconstitutional Nama tribal meetings

that any portion of any of the Reserve (traditional) lands will be alienated without our consent if only the two/third (2/3rd) majority of the two houses of the Union Parliament has been obtained to do so. (This alienation of our Tribal Traditional Reserve lands without our consent by only obtaining the (2/3rd) two/third majority of the two houses of the Union Parliament is already true in as far as the Hoachanas Rooinasie traditional tribal Reserve with 50,000 inalienable hectares of land by proclamation of the German Government is concerned. (For the proclamation of Hoachanas as an inalienable Reserve and Property of the Rooinasie tribe with 50,000 inalienable hectares of land to it please consult the German book called "Th. Leutwein, Elf Jahre Gouverneur in Deutsch - Südwest Afrika. Berlin 1907 and open immediately on page 272 and ascertain whether it was not truly declared as above stated).

(b) CHURCH PERSECUTION CLAUSE

We, the members of the A.M.E. Church actually did not know before why the Government was so discriminatively exercised so much pressure on the Great A.M.E. Christian Church in SWA, but after having discover the Unti-Christ principles as drafted in the Nationalist Election Manifest we now know that the Government will persecute and go against churches and denominations which may be regarded to undermining the APARTHEID policy of the Government and as propagating considerations which may be strange? to the nation.?

(In as far as the A.M.E. Church at large in SWA and in particular at Hoachanas is concerned this Church and Denomination persecution policy has been literally, practically and undenyatly executed during the past 14 years. Particularly since we the Nama people of SWA joint the Church in 1946. The Union Government has even gone so far as to use his military forces against this innocent Christian Church. It is as a result of this Union Government's using its military forces against this innocent church that the blood of my innocent Christian brethren were shed at Hoachanas and that I am writing this petition from this grave of living people.)

Why, sirs! The A.M.E. Church is nearly 200 years old and practise her Christian calling in nearly all and every part of the globe. It is predominantly a Negro Church but allows any and everybody who may desire to join to her membership irrespective of colour, language, social or traditional differences,

except of course a slave holder. The African Methodist Episcopal Church is a protest against segregation in religious worship. Its Motto is "God our Father, Christ our Redeemer, and Man our Brother". From its devout and distinguished leaders, and indeed of high Christian ideals and reputation to her loyal members, even those of Hoachanas and of the whole SWA we believe the above to be scriptural for St. Paul said, out of one blood God made all nations to dwell on the face of the earth. The policy of the A.M.E. Church is thus as old and tried as the Church itself. It promotes brotherly love and discourage brother hatred. Its government is democratic and not dictatorial, despotic, tyrannical or monarchical. Any government thus formulating her policy (and any church too) on motives of brother-hatred because of colour, and on dictatorialism, despotism and monarchism will always find it indispensable to hate, to oppose and to persecute the A.M.E. Church even up to the heights of going against it and using against it the country's armed military police forces as happened at Hoachanas on the 29th of January, this year. (the A.M.E. Church was founded in America in 1787 A.D.)

On the above stated principles of the A.M.E. Church sirs, we the indigenous peoples of South West Africa are thus committed to the thought that it is great to be a black indigenous inhabitant of SWA, great to be an A.M.E., and still greater to be a Christian. To us thus, a Hoachanas without a Rocinasie tribe, and without an A.M.E. Church - and a Rocinasie tribe without their traditional tribal land of 50,000 hectar by proclamation of the German Government and without an A.M.E. Church - and an A.M.E. Church without a Rocinasie tribe, and a Hoachanas Rocinasie traditional tribal land of 50,000 hectares means that God has create us before He was able to provide us a suitable place like Hoachanas as our habitation. Surely the Union Government is making God Himself the greatest fool of this age. The time has really come that the United Nations Organisation must help us.

(c) TRUE FATHER-LAND:

Sirs, how deep this exploitative principle of expecting us the black indigenous inhabitants to whom all the whole CWA and in fact from its atmost North

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to its South and from its Eastern to its Western boundaries are collectively and universally the true Fatherland to regard the simple reserves as our True Fatherlands are touching is too difficult to describe adequately while we are expected to regard (knowingly that it is not true) the fortune-seeker white settler farm community who only came to this country in such great numbers only long after the territory has been declared a Mandate and entrusted to the Union Government as a Mandatory as people to whom all the rest of the country is the True Father-land. (What kind of diplomatical murder and robbery?)

The white people in this country call themselves EUROPEANS, which we believe is true. With this calling they tell us that they came from EUROPE, and that Europe is their True Father-land. They call us NON-EUROPEANS, which is not true. We are not MONS of EUROPE, We are Africans of this Mandated black South West AFRICA. South West Africa is only a part of the whole continent (mainland) of AFRICA entrusted to the Union Government by the League of Nations in 1920 to administer it as a Mandatory. It was and still is South West AFRICA and not South West EUROPE. The entire South West Africa is thus our (AFRICANS) True Father-land and of nobody else'. We the black Africans of this black South West Africa can never be expected to regard ourselves as Non-originals of this country. We shall as long as we live regard the entire South West AFRICA as our True Father-land and if we die we shall die regarding always the whole South West AFRICA as our True Father-land with the knowledge that it is a land whose children has been murdered and slaughtered directly and diplomatically and whose land has robbed directly and indirectly by fortune-seeker's family. No normal child can ever have two physical fathers or two physical mothers unless such child is a super-humanbeing or a ghost, and normal people generally fear ghosts. The True Father-landship of the unproductive kraals, called reserves for us the true Africans of SWA is a serious set-back of our high aspirations, outlooks and hopes. It is a total and eternal slavery on our side and a total victory and an eternal dictatorship on the side of the white fortune seeker European settler farmer community and Government.

Our people will stay on farms and in towns as slaves only, because in consequence of this Union Nationalist Party Election Manifest they will be regarded only as visitors in the towns and farms situated on the land of SWA

which our Heavenly Father gave to our dear ancestors as their inheritance with no alternative people to claim the true childship of this our Father-land SWA. The True Father-landship scheme of Reserves is only a means of creating a legal source of cheap labour. While this Mandate has been entrusted to the Union Government with two Official languages, viz. English and Afrikaans only, Afrikaans was and are used as a taught Medium. This is irrefutably true in as far as the African schools are concerned. The black Africans can never be able to express themselves satisfactorily in English which is so essential and indispensable for the modern day demands. While he has already so wrecklessly violate our education the Union Government now seek through the Bantu Education Act to even totally crucify our already existed education-like mockery. They would anchor our education in our Vernaculars. Sirs, we love our mother tongues, because we love our mothers, but what will our mother-tongue education mean for the present day demands?

(d) BLACK SPOT REMOVAL ON RURAL AREAS:

As the honourable members will be noting under this title the devisers and compilers of this deadly manifest recommend a principle of drafting a simple schemes through which it must be decided who the so-called registered Native-owner of such land (called Black Spot) situating between Europeans farms was or is. Was it not due to the discovering of the Union Nationalist Party Election Manifest we would have never been able to find out that the writing down of the names of people who were living in German time, not actually only the members of the Roonasie tribe, but who were on that day living at Hoachanas, like Mr. Herman Afrikaner and some few others, and afterward most falsely alleging that those were the people to whom an unknown German Government grant a temporary grazing rights to an absolutely unknown Hoachanas, was the malignantest Native-owner registration scheme in consequence of the Election Manifest of the Union Nationalist Party. Sirs, the Union Government is exploiting us rapidly and so harshly and is swallowing SWA in an extra ordinary high speed of 120 miles per hour. (vehically speaking).

Sirs, Mr. Blignaut, the Chief Native Commissioner said on the 14th April, this year in the Nama meeting at Perseba that the Union Government did not come to SWA to rectify or to put straight the nonsense committed by the German

Government. I was present in that meeting. The 39 years of Union administration over SWA has taught that what Mr. Blignaut said in the meeting is true, but why do the Union Government use the name of the German Government if he for the benefit of the fortune-seeker stranger to the detriment of the black true owner of SWA wants to make nonsense out of the German Government's sense?

Hoachanas has been truly the tribal headquarters of the Roonasie tribe, the fountain which according to tradition found by the Roonasie hunters in about the year (1700). The German Government proclaimed Hoachanas as an inalienable Reserve and property of the Roonasie tribe with 50,000 hectares of land, and has never withdraw that proclamation even after the war. (The proclamation was in 1902 and the war was in 1904).

The Union Government partially acknowledge and partially ignore that Hoachanas was proclaimed as a Roonasie inalienable reserve with 50,000 hectares of land, by the German Government. They have no fact whatsoever to ratify their groundless allegations about Hoachanas. All they are taking as bridge is the war of 1904, but it is not only on ground of their agreements with the tribe and the proclamation of Hoachanas as an inalienable Roonasie reserve and property that the German Government did not reverse the reserve even after the war. It was also the generous and magnanimous act of the Roonasie Captain to gather all the peaceful farmers while he has actually decide to fight against the German Government to give them protection at Hoachanas and to hand them over safely into the hands of the German Government at Windhoek which help made it impossible for the German Government to reverse the reserve of the Roonasie tribe. The Union Government dont want us to tell him all these unquestionable truths about Hoachanas. From the 50,000 hectar inalienable Roonasie reserve land and property the Captain never sold any portion of the land to any body. The German Government was never in all its regime in SWA up to 1904 and now the owner of the Hoachanas Reserve. What actually happened is that the Union Government in or about 1925 arbitrarily deprive us the real owners from Hoachanas our legal property by putting a fence round Hoachanas. This the Union Government did as a measure of punishment because the tribe refused to moved to the present Animuis Reserve when she was asked to do so by the Union Government. What further happened is that the live-stock of the Roonasie people was actually grazing, quite free

from any disturbance on the same land on which the bordering farms round Hoachanas is today situating untill they were cut off and limited to the present 14,000 hectar of land of Hoachanas Kooinasie Reserve by the Union Government. Majority of the present remnants of the Kooinasie people who were already 7 years old and older at the time the fence was put round Hoachanas know that the live-stock of Hoachanas were grazing on the land on which the adjacent farms is situating. Most of them were shephards and goatherds of their fathers. The world must know that the Union Government is using the fact that our people were uneducated and was not able to write down themselves the events and agreements which took place between them and the German Governments as his golden chance to rob and to murder. The traditional method of keeping our history alive was and is by telling and re-telling the same event from generation to generation. By this method the Union Government is forcing us to help bury our true history.

In addition to the above mentioned arbitrarily depriving us from our property the Union Government has again arbitrarily deprived us from the remaining 14,000 hectar of land through the so called false and unjust Union Bantu Native-owner simple registration scheme.

Sirs, with this arbitrarily depriving us from our legal property of the 50,000 hectars of the Hoachanas Kooinasie traditional tribal land the Union Government has wrecklessly broken and violate article 17 (1) and (2) of the Universal Declarations of Human Rights as adopted by the United Nations Organisation on the 10th December 1948.

It is not yet late and the United Nations Organisation can easily adjust this matter of Hoachanas. The Union Government cannot do that alone, and is also not prepare to do it.

On my question why the government postponed his former attitude of first to obtain our consent to be removed and is now using force to deprive us from our legal property the Welfare Officer at Tses Nat. Reserve Mr. Moller said that if the Government requests a thing continually and the people keep on to refuse to comply to that request, then the Government's request automatically becomes law and the Government can use force methods.

That the Union Government is only waiting on what the United Nations Organisation with Hoachanas Rooinasie traditional reserve shall do or shall decide is unquestionable true and the remaining people shall be forced, because Mr. Blignaut in replying to the questions asked to him by the different delegates to the Nama meeting affirmatively said inter alia that "It will not help to talk any longer about Hoachanas, because even if we talk until Christmas about Hoachanas, the remaining residents will surely be removed, and there is only one way open to them, and that is the way through which their Headman Markus Kooper has been removed." This means that the consent of the two-third majority of the two houses of the Union Parliament has been obtained to deprive us and our deprival from our traditional tribal Hoachanas Rooinasie Reserve land has become law.

Surely, the sacrifice for South West Africa is visibly big to be offered and its pill evidently too bitter to swallow, but if it is the divine will of the only Just and Great Ruler in Heaven and over the Kingdoms of this earth that I in my simplicity should go for the ransom of this black SWA of ours, I being an African, then surely is it my strongest conviction that he who has chosen me to offer the heavy sacrifice and to swallow bitter pill of the so called white man's Supremacy in this Heaven-granted black man's country shall help me as he ones did with the God-fearing young Shepherd Psalmist David of old, to be prepare to lay my life, how difficult it is and may be, readily, either through direct death or assassination on the altar of the Union Government's so called white man's supremacy, formulated as a policy to be carried out by the enstrangered African man and woman of South West Africa, and termed APARTHEID for the liberation of my wrecklessly and horribly neglected and down-trodden black race of this black SWA of ours for 39 long years. I because of the sake of justice prefer for direct death but if the Union Government see fit to assassinating me, well it is up to the Union Government. Forms through which death comes may differ but death is death. Through his 39 years of office as the Mandatory the Union Government has only seek ways and means to exploit us the poor uneducated black South West Africans. This statement is irrefutably true in as far as the Rooinasie Reserve is concerned. The strain of this exploitation has become more stringent in the recently past years. In order to silent the petitioners at Hoachanas they removed me from my legal birth ground and say now that I will

never again see Hoachanas, but having not discouraged me with this removal to write petitions to UNO, the present very serious consideration of the Government is to limit my movements to only the immediate area in which I am founding myself with imprisoning me as an alternative step and if all fail, to kill me.

"WHERE ONE MAN IS ENSLAVED SO HORRIBLY, AND PARTICULARLY FOR HIS RELIGIOUS BELIEVES, SURELY ALL ARE IN CHAINS"

THE HIGH COURT PROCEEDINGS AND DECISIONS LAST YEAR:

It is actually peculiar that the News paper which published the proceedings and verdicts of the High Court last year about the Hoachanas Rooinasie reserve has for some obscure reason or other neglect or omit to published the name of Mr. Herman Afrikaner who was giving the witness about Hoachanas in the High Court proceedings, while I although I was never appearing in that High Court was recorded to have given the witnesses about Hoachanas. What violation of truth? Mr. Herman Afrikaner was the onliest nama man who was giving witness in the law suit of Hoachanas in the High Court last year.

On a certain day in June Mr. Moller, the Welfare Officer came and took Mr. Afrikaner to go to Windhoek. The rest of the people do not know why, untill Mr. Afrikaner after his returning from Windhoek told them that he was giving witness about Hoachanas in the High Court.

Inter alia Mr. Afrikaner told the people who again told me that the whole attention of the High Court was concentrated on the four farms, vis. Judea, Bitterwasser, Blankenese and Gomchanas and on and about me (Rev. Markus Kooper) and the statement read by Mr. Johannes Dausab in connection with the proclamation of Hoachanas Rooinasie Reserve by the German Government with 50,000 hectar of land.

All through the petitioners at Hoachanas as well I in my former two petitions have not specifically mentioned those four farms

(a) Because the land on which those four farms are situating is also included in the inalienable 50,000 hectar Rooinasie traditional Reserve land.

(b) Because the German Government never reversed or altered the proclamation of Hoachanas as an inalienable Rooinasie reserve and property with 50,000 hectar land wholly or partially.

(c) Because the Captain of the Rooinasie people or the tribe herself has never even after the war sold any portion of the 50,000 hectar of land to anybody.

What the Captain and his successor with the approval of the tribe was doing is that he grant temporary grazing rights to the Missionary of the Rhenish Mission who was serving among his tribe and to some various individuals European farmers settlers sucessively and at different intervals with pauses between in. Some of the farmers have made little improvements like buildings, hand-wells just for their protection against wind, rain and sun etc., and for farm purposes, but no single one of the frams were sold, either to the Missionary or to one of the different farmers. It was the reserve right of the Captain and the tribe to withdraw the grazing rights but they did not do this because the farmers have not disturb the sheep and goat herds of the tribe. This was so untill Mr. Mining, the Magistrate at Rehoboth at that time as a measure of punishment for the refusal of the tribe to move to Aminuis said and also carried out as he said "that he shall fence the tribe in and if they get or experience difficulty and asked help from him he shall shut for them his ears". The Union Government has fence us in and has with greatest accuracy or punctuallity kept that shutting of his ears for us the Rooinasie people of Hoachanas since that day up to this day.

Mr. Afrikaner told the people that he was asked in the High Court whether I (Rev. M. Kooper) am a member of the Rooinasie tribe, when I have born and how old I am, and whether I was present at German time and also whether I was present at Hoachanas in 1952 during the time the temporary permits were issued, and whether he (Herman Afrikaner) saw me taking the temporary permit with my own hands Herman's replies to the above questions as he told the people were that I am a member of the Rooinasie tribe, that I should be about 40 years of age (in comparison to the ages of his own son) about my equal, that I was not present in German time but that I was present at Hoachanas during the time the temporary permits were issued, and that he did not saw me taking the temporary permit with my own hands He was further asked whether Mr. Johannes Dausab was reading the statement in connection with the proclamation of Hoachanas as an inalienable Rooinasie reserve and property with 50,000 hectar

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from a book or whether he was reading that statement from a paper... Herman's reply to this question was that Mr. Johannes Dausab was reading from a paper.

With regard to the four farms Mr. Afrikaner was asked in the High Court whether he know the farm Judea and whom he saw on that farm and whether he saw on that (person) farmer on that farm ... Herman's reply to the above questions was that he know the farm Judea and that the onliest(person) (farmer he saw on that farm was Mr. Von Milkau ... Herman was asked whether the land on which those four farms is situating belongs to the Hoachanas Reserve ... Herman's reply to this question was that he has been told by the people that the land on which those farms is situating belongs to the Hoachanas Rooinasie reserve, at this juncture the judge instructed Mr. Afrikaner to limit his answers only to what he personally saw and know about Hoachanas and not on what other people told him about Hoachanas... The same questions and answers were asked about each of the remaining three farms with only difference in farmers ... Summarising the whole the judge asked to Afrikaner that he has thus seen the farms only as European farms? And or whether that the position was of the present Hoachanas from which the Government removed them in 1956?

Herman's answer to the last questions was that he saw those farms only as European farms and that it was the position of the present Hoachanas from which the government removed them in 1956.

Mr. Herman Afrikaner is from no side a member of the Rooinasie tribe. From where he came to Hoachanas, and who his parents are and where he has born no single member of the Rooinasie knows. All the Rooinasie tribe know about Mr. Afrikaner is that he came in 1908 to Hoachanas as a German servant.. The tribe never gave him the authority to speak or to decide or to wit ness on their behalf and on behalf of the Hoachanas Rooinasie traditional tribal land. The tribe thus wholly ignore Herman Afrikaner's witness about Hoachanas. The tribe also ignore the validity of the High Court's verdict about Hoachanas arising from the above unauthoritative witness and also express her discontentness about the procedure followed by the High Court in this suit if however it was a High Court.

Mr. Afrikaner told the people who again told me that he was describe by the "Groot Boere" big farmers composing the High Court that he was describe

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as the best witness they ever met. They made the following remarks "Man like Herman Afrikaner must be your witness" Mr. Afrikaner told the people again after his returning from the unconstitutional Nama meeting held at Driehoek-Warmbad December 1958 that the Chief Native Commissioner Mr. Blignaut said to him "Herman! people hate you and wants to kill you but you need not to fear, because the Government is holding his hands over you (is protecting you) so you must stand firmly where you stand because we shall stand with you as far as we can manage it" Another strange feature which arosed the people's suspicion about the misterious movements and activities of Herman is the shaking of hands in an entirely strange family like friendship between Messrs. Blignaut, Allen, Moller and Herman Afrikaner, because this was never the case at Hoachanas... On the 12th February Mr. Moller, the Welfare Officer at Tses Nat. Res. told me that all efforts of the Government to find water at this place was unsuccessful. From the two successful drill-holes two bottles of water were sent to the laboratorium at Pretoria for analysing and recommendation.. Mr. Moller told me quite frankly that Pretoria found the water useless and consequently recommend that it should not be used... But most surprisingly Mr. Moller and Mr. Afrikaner quite alone on their own consult each other and decide to put a windpump on one of the salty water purgative drill holes just to force the people who are still remaining at Hoachanas... Mr. Blignaut said in the nama meeting held at Berseba this year on the 14th April that the people of Hoachanas themselves knows that Hoachanas is not reserve because they asked in 1953 and again in 1955 that the government should proclaim it as their reserve. That they asked that it should be declared as their reserve is true, but that they asked that because they know it is not a reserve is not true. They asked that it should be proclaimed as their reserve from pure desperatedness, because since 1952 just after the Black spot Native-owner simple registration scheme of the Union Government was made they told Mr. Balt t'at Hoachanas has been proclaimed as a reserve of the Rooinasie people by the German Government, but the Union Government dont want to be told that. That is why the people were asking in their desperatedness that it should be declared as their reserve.

At the day of my removal Mr. Rev. Fritz Mayer of Evangelical Lutheran Church (Rhenish Mission) said at Mariental in presence of the members of the A.M.E.

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Church to his enslaved member that the A.M.E. Church is but just a thing which was just think out by people, it is not a Church. Another new-comer Missionary or Pastor of the same church alleged that only by being a member of the (Rhenish (Mission) Evangelical Lutheran Church can the black indigenous inhabitant of this country claim for heirship of this country ... In 1950 the government commissioned the Rev. Z. Thomas, Vice President of the A.M.E. Church to Windhoek and asked him whether we should not have chose another church and attempted vainly to induced him to go back to the Rhenish Mission. Mr. Van Zyl, the first Sergeant at the police station of Derm contemptibly said to me that the A.M.E. Church is not a good church and that it learned the people wrong, and tried to tell me what one of the educated minister of the Union origin should have said and done. I said to him that was the minister and not the A.M.E. Church, etc.

The strain and implications of the daily speeches and actions of the Union Government's officials as well of the Officials of SWA are too alarmed than can adequately be describe or explained, but the fact remains that the situation is beyond ones capability or incapability of expressing it. During last April with his Parliamentary by-election campaign Mr. J.G. Vander Wath expressly said that he no longer dont want to see SWA as an arm (SWA) on the body (UNION) but that he rather want to see it very soon just like the heart (SWA) in the body (UNION), that is totally incorporating it into the Union. He said that he any further dont want people talking of SWA and South Africa as if it is two countries while in fact it is only ONE South Africa... Sirs, the Union Nationalist Government is swallowing SWA very trecherously and on a too swift rate, and we, the black Africans of this black SWA are not only unquestionably against incorporation, but we totaly do not want SWA any longer than 1959 under Union Govt.

Sirs, my first and for most urgent petition on behalf of the Roonasie tribe is not to give any consideration whatsoever about SWA which the Union Government may submit for consideration as a possible measure through which the question may be solved before the United Nations has hear from us the petitioners that we are satisfied with the way in which the question of Hoachanas has been solved.

(a) I must be returned to go with my Spiritual obligations at Hoachanas and to be among my own tribal association on our legal ground.

(b) The 36,000 hectar of Hoachanas Roonasie Reserve land must be returned to the Hoachanas Roonasie Reserve land.

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(c) The amount of £6000 :--: must be paid to us by the Union Government for the profane she wilfully and intentionally inflicted upon us the A.M.E. members of the Rooinasie tribe.

(d) I urgently on behalf of the severely oppressed black inhabitants of SWA petition to the United Nations Organisation for the immediate putting back of the Department of Native Affairs of SWA to the Legislative Assembly of SWA, and that a reformed new constitution immediately be drafted by the UNO for the new Legislative Assembly for SWA in which an unqualified representation of all inhabitants, irrespective ones colour, language, national, social, religious or sexual differences shall be solicited.

Sirs, on behalf of the Rooinasie tribe I am asking the UNO to demand the Union Government to submit the German archive or book in which the reversal of the proclamation of Hoachanas Rooinasie reserve and property with 50,000 hectar of land is recorded.

Let the Union Government please submit the German archive in which it is recorded that the German Government gave grazing rights to individual members of the Rooinasie tribe at Hoachanas in which the names of those individuals are appearing and what year and by whom that so-called grazing rights were granted on the table of the United Nations Organisation.

Let the Union Government further submit the German archive in which it is recorded that the German Government some portion of the Hoachanas Rooinasie 50,000 hectar reserve land to some German settlers and how the German Government arrive on such rights to sold any portion of a land which do not belongs to him on the table of the UNO.

Let the Union Government also submit to whom the whole land of Hoachanas was belonging before the proclamation of the 50,000 hectar as an inalienable reserve and property of the Rooinasie people of Hoachanas.

Since 1956 the Nama people have decisively refused to accept the Bantu Authorities Act and the Bantu Tribal Fund Act. In the meeting held in April this year at Berseba they even request the Chief Native Commissioner that they even don't want to see the title "Bantu" being written on papers in Offices.

The Chief Native Commissioner told them that he has already became the "CHIEF BANTU AFFAIRS COMMISSIONER" and that the Welfare Officers have also just become "BANTU COMMISSIONERS". On articles sent to the reserves the address goes as Bantu Reserve. While the people are keep on refusing the Union Government

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is pressing it through the throats of the people. That is apparently the way Mr. Van der Wath is wanting SWA as a heart in the body.

Sirs, if I had the voice of seven thunders today then I would readily stand while I am writing this petition and make the ends of the earth to hear me that we the Nama, the Herero and others dont want the Union Bantu Authorities Act, the Bantu Community Education Act and the Bantu Tribal Fund Act. SWA is one country and we the Nama people want the partaking and enjoiment of SWA's common administrative acts for all citisens equally and alike, common education act for all citisens, and common funds for all citizens. The heaven will grant the inalienable, unrestricted rights of me, of my seriously down-trodden race of SWA... Justice, sirs is the great doctrine taught in the Bible, and God's Eternal Justice is found upon Truth, and any man who steps from Justice steps from Truth and cannot surely make his principles of slavery and Injustice to prevail. I am further of the firm conviction and the oppressors and my persecutors have to remember, that there is a just God in Heaven in whom I am firmly believing, whose All-Seeing Eye beholds our acts alike, the oppressor and the oppressed, and who despite the machinations of the wicked never fails to vindicate the cause of Justice and the sanctity of his own handiwork.....Please help us by concrete actions and not only by dispised words. Word-help only sharpened our inhuman treatments. Please stop South Africa's Rule over SWA. I have specifically called the whites as fortune-seekers for the following reasons: They found the black people of this country uneducated, illiterate and in ignorance. They make their fortune out of this by keeping them in that position, and took their land with all its resources of productivity, such as cattle, sheep, mines, etc., through education. They used us as cheap labourers and after we have build up the country has introduced machinery to replace manpower. Has kept us in position of poverty.

The tribal differences and variations between the different Nama tribes is a very delicate and entrenched tradition of the Nama tribes because that tradition has to do with founding, situating, development and history of the particular tribal traditional area. No single tribe had the right to take decisions on or for the other tribes or tribes. Any government thus broking or attempting to so wrecklessly broking this traditional delicate tribal institution for his

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fortune, benefit and tradition stands totally condemned in our eyes and minds. The Nama tribal meeting which exist since 1953 under control of the Union Government is but an ordinary meeting. It is not a Registered Nama Tribal Organisation to which the various tribes have subscribed for membership. It has no constitution and no single tribe is or can be compelled or bind to the decisions taken by that meeting in his presence, because he has made no pledge of loyalty to that meeting and is only responsible for what he has decide for herself.

Sirs, the black people of this country, the Herero, the Ovambo, the Damara and of course the Nama people are looking with greatest of suspicion to how the UNO is going to solve the problem of Hoachanas.

The Nama people have and are refusing the Union Bantu Authorities Act, the Union Bantu Education Act and the Union Bantu Tribal Fund Act for the following reasons:

By accepting that Acts they would empowered and legalised the Union Government to do with them just what he wants just as he is doing with the Union Bantus, because that would be the final deadly of annecesation with our approval.

They refused it because to accept that Bantu Phenomenon would mean that they have sold their first birth to the fortune-seeker white settler farmer community.

With the accepting of the Bantu Phenomenon they would also accept to be pressed into the unproductive reserves of SWA.

The greatest aim of the Union Government with the Bantu Phenomenon is to describe sweet sounding things in order to persuade the United Nations to give her South West Africa as the fifth Province of the Union to proclaim the Republic.

Another weightiest reason why the Union Government so haphazardly is introducing the Union Bantu Phenomenon to this Mandate SWA without our consent is to keep our eyes and attention away from the developments of independence in the Northern Territories of this continent of Africa... Sirs, but we see God has given us ears and eyes to hear and see.

Having visit my wife who was so seek and has even undergc womt operation in hospital at Mariental I was arrested for what was called an offence of entering and staying in the location without first obtaining the permit of the Location Superintendent. But my arrestation really follows the following questions and an answers. The Supt: I have read in a News Paper that the Rooinasie people

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say they are not Namas and that they will not move from Hoachanas to stay along Namas. I am asking you what are the Rocoinsie people.

My answer: The News Paper may say what he wants but the Rocoinsie people will never say that they are not Namas, because they are Namas. All they can say is that they are Rocoinsie Namas and will not go to sit along other Namas. Question: Why were you removed from Hoachanas? Answer: I dont know. What nonsense have you been doing there? Answer: I am sorry sir, I am not ready to answer to questions of that type any further. You called me for something different and attack me with another subject... The Supt. Mr. Vlok: ... Well, Markus I have arrest you in the Office. I was brought to the charge office where the Chief Sergeant asked me that he hear in the air not from particular person that you are inciting people against each other in the location. I said to the Seargeant that I cannot deny or acknowledge the truth of such stories before I know the two people whom I have incite, otherways I would be a liar... I was instructed by the Location Superintendent to report at 9'00 a.m. at his office, to which instruction I promptly attended. Due to the Union Government's ill-treatment on the day of 29th January this year and her unsatisfactory life since that day the pregnance of my wife during the past seven months was pure blood. She was nearly dead and should have died if only she has stayed a little longer here.

We the members of the Rocoinsie tribe accused both, the Union Government the administration of SWA, including the slavery practising churches and Mr. Afrikaner to have purposefully through act of joint conspiracy commit a high treason against me, my and our protestant church (A.M.E. Church) and against my tribe of Hoachanas with the purpose of committing murder and enslaving which we believe to be an ugly crime expressly forbidden by the holy word of God and sufficient to exclude a person from the Kingdom of Grace and Glory;.. For this particular act of high treason and all the related acts we humbly yet most urgently appeal to the United Nations to accused, judged and condemned the Union Government for having act so brutally by broking and so wrecklessly violating the Universal Declaration of H. Rights, the moral principles of Christianity and of the True Democracy and Civilisation, and also for having illegally neglecting to execute the UNC resolutions, the verdicts of the I.C.J. and our repeated petitions.

Humbly submitting on behalf of the Rocoinsie and all oppressed.

(Signed) Rev. M. Kooper

Enclosure

Translation of the Nationalist Party Election Manifesto^{42/}

APARTHEID

Has the Promises been Executed?

APARTHEID

1. Are the Promises being Fulfilled?

The Nationalist Party's colour policy, and thus promises in connection with apartheid has been laid down in the Election Manifest issued in 1947.

The steps which the Nationalist Government achieved since 1948 are the ones which are set forth as prospects in that manifest, and for which the Government has received a mandate from the voters corps in 1948 and again in 1953.

GENERAL PRINCIPLES

The following general principles has been laid down in the manifest.

Purpose: Apartheid aimed at:

- (a) the preserving and protection of the white population of South Africa as a pure white race, and
- (b) the preserving and protection of the indigenous racial groups as different national communities with possibilities to develop in own territories as a self providing national units, and
- (c) the advancement of national pride, self respect and mutual esteem by the different races of the country.

2. SECURE FUTURE:

Apartheid must be applied in such a manner so that the character and future of each race be protected and be safe with full opportunities of developing within own territories except that the interest of the one come into conflict with that of the other, and except that the existence and development of the one be feeled as a defiance against himself by the other.

3. European Continual Existence:

The white race will be effectively protected against any policy, doctrine or a blow which undermines or endangered his existence. Any policy of oppression

^{42/} English translation from Afrikaans submitted by the petitioner.

and exploitation of the Non-Europeans by the Europeans on the other hand are reputiated as being in conflict with the Christian foundation of our national life.

4. DEVELOPMENT:

Each race must be guided to develop in accordance with his own national nature, talent and profession.

5. In Non-European Territories:

Non-European racial groups will get full opportunities of development in their own territories in as far as their own institutions and social services are concerned, and the powers of progressive Non-Europeans will be exerted toward their own national upliftment.

6. FINAL IDEAL:

The final ideal of total apartheid must be promoted on a natural wise. In this way the principle of territorial segregation is accepted.

7. CHRISTIAN FOUNDATION:

Non-Europeans must be guided to accept Christian religion as the foundation of their life. To this end churches will be assisted, but churches and denominations which undermines the apartheid policy and propagates considerations which are strange to the nation will be opposed.

8. ETHNIC GROUPS:

In as far as possible the distinguished ethnic groups or sub-groups of the Bantu must be gathered in own territories so as to develop toward self providing units.

9. TRUE FATHERLAND:

The Native Reserves must be the true father-land of the native.

HAS FOLLOWED THE COURSE

With his legislation which has been accepted so far, the Nationalist Government has punctually kept him to the direction which was indicated in 1947. The foundations which were held in front of the people at that time has been followed faithfully. Allegations that the Government in connection with his apartheid policy were coming to front with new shiverings in recent times are decidedly untrue. In the light of these principles the Nationalist cannot be

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frightened with the Bantustan ghosts or the Church-clause agitation. Separate territories and their development, and the opposing of undermining of apartheid by churches were both parts of the original obligation.

SPECIFIC THEORIES

The 1947-manifest has also laid down the following specific theories as clear as crystal.

1. Marriages between Europeans and Non-Europeans will be prohibited.
2. Further ground, as confined in the 1936-legislature will be allotted on a judicious wise.
3. Regaining of ground and steps against scurf building, for which native powers self will be exerted shall be the policy.
4. Bantu Education-institutions and the main services to the Bantu must exactly be availabled in the reserves rather than in the European territories, e.g. the Municipality locations.
5. In order to get recognise a proper stimulating organ for the Bantu, the prestige and esteem must be given to the natural native leaders in the reserves.
6. Greater economic productivity and variety of activities must gradually be brought about in the reserves.
7. The European character of towns in urban areas must be preserved by controlling the influx of natives and particularly by establishing separate residential areas.
8. Natives in Urban areas will be regarded as "visitors" without the right of claiming for political or equal social rights with Europeans in their area.
9. Outflux control from the reserves and influx control into the towns must be applied.
10. Superfluous natives must be sent back to the Rural Areas or Reserves from whence they came.
11. A simplified theory of characterising and effective control must be applied.
12. The principle of apartheid in Factories and other labour-centrums will, as far as practically possible be effected.
13. The State shall, because the Native Trade-Unions are opposed, the interest of native labourers as guardian have at heart.

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14. Labour arrangement and labour control will be applied through country wide Labour Bureau system.
15. The State shall through the Department of Native Affairs exercise the control of Native Education, which will be base on the Christian and National foundation, taking into account the necessities and the standard of development, and will anchor the Native in his own National Life.
16. The Natives must be guide to assume constantly more and more the responsibility of the management and costs of their education under the supervision of Europeans.
17. Social, health and welfare services in the Reserves must gradually be build up by the Natives with own strengths.
18. With the State always as guardian, and at first under guidance of European officers, the Native headmen, assisted by the Bantu advisers will be gradually linked up in an own system of local management in their territories. In this way the developed Native must be exerted in national service to his own people in own territories.
19. In Urban locations in European territories Native Boards will be composed which however never can develop to independent bodies.
20. The Native Representative Boards must be abolished.
21. All Native-interests and concerns must be cared for by the Department of Native Affairs in order to give instructive guide and purposeful administration to the Bantu.

EAS ADVANCED FAR

The Nationalist Government has done much and has advanced far in as far as the execution of all these specific stipulations of the 1947-manifest are concerned.

A government is test on whether he has execute his election promises. Splendidly hath the Nationalist Party Government pleased to what the Apartheid's manifest had promised and on ground whereof he came to power.

II. ARE RACIAL SEGREGATION PROMOTED?

- YES _____
- (a) by developing the Bantu territories.
 - (b) by an intelligent Bantu-education Act.
 - (c) by protection of Europeans.

A. The Development of Bantu Territories.

Racial segregation is promoted by developing the Bantu Territories.

The starting point of Apartheid or separate development is that separating on each sphere of life between European and Bantu must be brought about gradually on a realistic wise which will give satisfaction to both racial groups. Basically the European wants to see his home in his own territory and there he wants to be the ground possessor. There he wants the political might in his hands and wants to arrange his economic and social life there so that his European inheritance be in safety. Likewise the Bantu must see his territories as his home in which he can live out his ambitions.

Political and other rights.

When the Bantu is working in the European area, he is doing it for his own benefit and he ought not to seek political and social rights there. Likewise when the European works in the Bantu territories he may not possess ground nor expect to have joint authority in the Bantu administration.

WORTHY HOMES.

The Native territories must thus be build up as worthy homes for the Bantu. They must feel that there are good prospects for economic progress and own administration developments. Although the European guardianship is indispensable, the Bantu must so develop so that he more and more serve and guide his own people. He must be proud of his own Bantu community and must not yearn to be taken up in the European community.

Steps achieved.

The Nationalist Government has on this sphere already achieved the following:-

1. The Reserves has been extended by procuring open territories as well as other lands which were situating within the Bantu territories, and by enclosing adjacent Native property. It is but in the interest of all that they can take up the Bantu gradually.
2. Bantu-Authorities has been instituted in accordance with the Bantu Authorities Act and determined juridical powers are in accordance therewith dedicated to suitable Captains.

3. In order to prevent that the Natives from the Reserves inundate the European territories the human bearable estate of the Bantu-Territories must be raised. Therefore the ground reservation, based on Bantu self-help has been instituted successfully. Other development schemes, such as bush and fibre construction, irrigation, production of milk and other agricultural products for Bantu markets are developed. Subdividing of ground in uneconomic units are now being controlled.
4. The Reserves are not open to Europeans, and therefore the industrial possibilities like further agricultural possibilities are reserved for the Bantu until when they will become riper and increased numerically. In this wise another dangerous form of economical integration, as may be existing in the European territories are prevented.
5. Lands within the Reserves which belongs to Europeans must gradually be bequeath to the Bantu, while a system of temporal occupation rights made it possible for the Europeans to reside there as long as they are wanted.

Thus precisely just as the ground possession right in European territories is limit to Europeans, so it is limit to the Bantu in the Bantu territories.
6. Bantu are encourage to have the trade at heart in their own territories, and they are thus protected against Indian intrudation.
7. The development of Bantu towns in the Reserves with the right to own plot is encourage for the Natives. Markets for their products, works and opportunities to be taken up in their own professions are established for them there. These must be the grow points in own territories, which gradually will curb the longing to the European cities.

In view of effective segregation such Native towns are situated far from the territorial boundaries.
8. A begin has been made with the development of European Industrial centra near the Bantu territories, so that Bantu workers in near territories, e.g., towns can reside there with their families while they are working in the Industries within the European territories. In this way the increase of Bantu is kept in own territories where an own Bantu community on this income can be build, while the normal industrial development can continue without being accompanied by a defiance for the European community.

9. In the Reserves the State make use of the Bantu powers in as far as possible for the execution of the necessary services.
10. Educational Institutions for the Bantu, such as the training schools for teachers and also welfare services for the aged, blinds and orphans, as well for the training of Captain's children are now primarily instituted inside the Bantu territories. This gives the latter mentioned the necessary status, markets for own products and general grow points, as well as new Bantu working circles in own service.
11. Prospecting and mining rights within the Reserves are managed in the interest of Native accounts, instead of the former price gift to the European interest. With that it is build on toward the ultimate goal, namely that the Bantu more and more will finance his services from own sources.

GOOD ADVANCEMENT

The above mentioned proves that good advancement has been made with the one essential foundation for racial separation, e.g. that desirable conditions are develop for the Bantu in his territories, so that he too would long to the advancement of Apartheid, because it brought about the necessary opportunities in his territories which is essential for the living out of his own ambitions on all spheres of life and without any racial conflict.

B. AN INTELLIGENT BANTU EDUCATION ACT

Racial segregation is also advanced by an intelligent Bantu Education Act.

It is also necessary:- that the Bantu must be equiped with knowledge to serve his own people, and to make him realise that he must remain a part of the Bantu community with own traditions and laws. The Bantu Education Act has helped herein, inter alia in that the Bantu Authorities and Parents have got a joint-account-ability in School Boards and commissions, also for so far as the educational issues are concern and the costs of building of schools. Mother-tongue instruction in the schools anchored the children further in the National-innate. Thus proper Bantu Education works against national estranging, and advance separate development. Starting measures have been already fall in with

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to effect segregation and in the meantime promote own Bantu community by means of separate University Training.

POSITIVE POLICY

Frequently it is alleged that the Apartheid policy has not a positive, that is to say an advantageous side for the Bantu. He should only be oppressed through it. The above description disprove this accusation. These are all great positive actions in his interest where it is right, namely under his own people and in his own territories. In this way the racial segregation is advanced by helping and protecting the Bantu in his sphere.

C. PROTECTION OF EUROPEANS

Racial segregation is also advanced by giving the necessary protection to the Europeans.

Just as the protection is given to the Bantu in their territories, the similar protection must be given to the Europeans within the European territory.

(a) Gradual limitation of numbers in European territories.

The gradual limitation of the number of Bantu to what is actually necessary for the services in the European territories must be applied.

The following steps have been taken in this connection:-

1. Illegitimate strange Native immigrants has been reduced from approximately 800,000 to approximately 400,000.
2. Outflux control from the Reserves and the High Commissioner's territories has been instituted.
3. Single running labour, particularly in the Western Province has been encouraged and steps have been taken to prevent the uncontrolled afterward following families.
4. Unemployed and work-timids are being returned to the Bantu Reserves, among many, by arranging Youth Camp and Labour Colonies.
5. Undesired Natives can now be repatriated to the High Commissioner's territories.
6. Aged and help deserving ones will be transferred to Institutions in the Bantu territories.
7. Young Natives are sent back to the Reserves for different kinds of training.

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Hundreds-thousands of Natives have been reduced in this manner from the European territories in accordance with the Apartheid policy. It is true that increased labour-demands is covering these removals by increasing lump sum numbers but without these steps the present increases should have been fairly big. No United Party Government should have act like this, because it should have been in conflict with the policy of the integration and free movement of this Party.

(b) Limitation of Numbers in Cities.

The following measures which promotes the relative limitation of numbers in Urban Areas have been instituted:-

1. Outflux control from the Rural Areas.
2. Influx control in the Towns.
3. Placing in service by means of Labour Bureaus of the workless in Urban Areas on the Farms at a scale of more or less 6,000 per month at present through the Union.
4. Limitation of Industrial extension territories to an ample supply which already exist.

These steps makes it easier to apply other forms of segregation in larger cities where the biggest problems are laying.

(c) Residential Segregation in Urban Areas.

Residential segregation is strongly applied by farmers on farms. The scheme as maintained on farms is an example of what is necessary in cities. That is why the Nationalist Government has done so much for residential segregation in the cities. Due plans of locations have been undertaken in almost all cities and towns in the Union to ascertain that residential segregation shall not be interfered with in the future.

In this connection the following has been done:-

1. Regional-and Group Areas have been devised to determine the proper situation of the locations.
2. Large and sufficient grounds have been beaconed to prevent the repetition of seeking to new location grounds or re-boubling the location plots.
3. A buffer-strip policy has been drafted to ascertain the distance between the European and Bantu residential areas.

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4. Roads and Transport have been drafted to a minimum limitation through the European residential areas.
5. Outlaying plans have been so drafted as to satisfy to the health, safety and other demands for order and peace (including own Churches and amusements).
6. Housing and Research Organisations with the view on cheap but effective housing has been drafted, and cheaper building methods with a Native-Builder System has been worked out.
7. Service levies has been instituted to help solve the finance problem.
8. Old Subsidised housing schemes has been substituted by economical hire- or residing right-owner schemes.
9. Available funds are spread and controlled on reasonable basis between local managements. A scheme against wasting has been instituted.
10. Schemes according to which the Natives in European Areas are to pay houses within 30 years, instead of 40 to 99 years as before when the Bantu was regarded as a resident of a mixed father-land has been instituted.
11. The enorm smeared and dangerous paper-hangers' camps near and between European residential quarters has been already cleared out to a great extent.
12. A Plot-and Service Scheme has been drafted as house building scheme for swift action.
13. Ethnic grouping has been imported to inter alia solve the problems in connection with effective management and the institution of Vernacular Schools.
14. Native-residential quarters, such as Sophiatown, stick fast between European residential quarters are cleared out under special schemes and legislature.
15. Better control has been instituted with regard to situation of Mining camps near cities and of Boarding-houses for alone goers in the towns.
16. Intruding of superfluous Native residents in European back yards and on the uppermost storeys of big buildings (locations in the air) are prohibited, and for their re-establishment the necessary power per law has been obtained.

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Not less than 37,000 Natives have been already removed along this way from European cities throughout the entire Union to their own residential quarters.

17. Native hospitals and Bantu-Institutions are, where however possible planned alongside the locations.
18. The principle has been laid down that the Bantu in European territories (inter alia in the Bantu residential quarters which belongs to the European cities) has no plot or cannot be a ground possessor - just as the Europeans might not have it any more in the Native territories.

These steps gave a death-blow to the muddle residing in South Africa. The plans and schemes are there - only the time is necessary.

(d) Blackspot - Removal on the Rural Areas

Residential Apartheid on the Rural Areas is promoted by removing the Natives from their Property Farms between Europeans to adjacent farms of Native territories in which their new land can be incorporated.

Not less than 13,000 morgen has already exchanged from owner in this way and with a further 28,000 morgen it is now handled. This is Farm-Apartheid and it is advancing, but much preparation is needed to draft simple methods in order to decide who the registered Native-owner of such land was or is.

Proper isolation has also been ascertained for the first time with regard to married residential quarters and housing for single Natives at Rural activity.

(e) General Segregation Measures.

- (1) Separate facilities are instituted by different State Departments, which has to deal with the Bantu, e.g. with regard to Offices and situation of new buildings.
- (2) Public and private undertakings are also desired in increasing measures for providing of separate facilities.
- (3) In European territories the Bantu are taken more and more in service for work among his own people to release Europeans for work among, and in service to their own Co-Europeans, where the demand for European men power is high.

- (4) Non-Europeans Traders and Professional people, who, before were wrongfully allowed to settle them in European residing-trading-or industrial areas or has done so themselves illegitimately are prohibited, but similar chances and protection are offered to them in Bantu territories, as well as in Bantu quarters in European territories so that segregation without damaging or unfairness but rather advantages because working spheres are reserve for them under their own people.
5. Because of uniformity of action the Native Affairs in South West has been entrusted to the Union Department of Native Affairs.

(f) Opposing of Economical Integration.

Different steps were taken whereby segregation on Economical sphere was brought about. Some has been mentioned already.

The mere presence of the Native does not essentially brought about integration. If he however becomes the partner of the employer, or be a manager over the Europeans or be a Co-Trade-Union member with the Europeans-then it would effect integration.

Thus these steps were aimed against such into-one weaves.

Inter alia, the tension to what actually brought about integration are opposed as follows:-

- (1) The colourbar are maintained in labour circles.
- (2) Work reservation for different races are being introduced.
- (3) Mixed and Native-Trade-Unions are opposed, and the interest of the Bantu-worker is undertaken, inter alia by the State in another way.

(g) Segregation on Social Sphere.

Also Social integration are opposed by the Government, as the recent legislature clearly confirms.

- (1) School integration between European and Bantu is prohibited even in private schools.
- (2) Apartheid in Universities has been accepted in principle already.
- (3) Mixed Nursing Organisations has been already prohibited.

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- (4) Mixed Clubs, disturbing mixed dances, dining parties and meetings which are aimed at social integration or to undermine the State policy can be prohibited while Assemblies in service of essential and effectively controlled contracts for work, good services or good relationships are not to be touched.
- (5) Against mixed amusements which take place to the nuisance of European community, it can be act right now.
- (6) Mixed or Native Assemblies within European territories including those arrange by churches, which leads to the disturbance or nuisance of European Community in the neighbourhood, can be opposed in co-operation with the local authorities.
- (7) Just as in public hospitals, the taking up of different colour groups in the same halls of private hospitals is now prohibited. Emergency instances naturally be attended to.
- (8) Separate welfare services for the Bantu by the Bantu are gradually being encouraged by the Department of Native Affairs.

All forms of social integration are practically opposed by the Nationalist Government in the above mentioned wise. On the other hand the United Party stubbornly fought against the legislature which empowered for the opposing of these forms of to becoming one.

(h) Brought About Political Apartheid.

Also has the Nationalist Government taken important steps to opposed political integration.

- (1) U. P. Legislature in connection with the Indian franchise right and representation has been repealed in 1946.
- (2) Coloureds were placed on separate voters rolls.
- (3) European domination are continually plead for, and any step, which somehow affects the White man's authority or endangered it, will be convict and fight against with great accuracy, such as the U.P.- explanations that the 1936-legislature failed and must be revised, inter alia in so far as it abolished the Native franchise right from the common voters rolls.

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These three steps proves that the Nationalist Government rejects political integration with hide and hair, (completely) has ascertain European political domination in the Union Parliament, while it provides separate provisions for the Native rights in the Bantu territories.

In contrast to this clear standpoint of the Nationalist Party the United Party fought for:-

- (a) Preserving the Indian franchise right.
- (b) Preserving the Coloureds with Europeans on the common voters rolls and now; to place it back, and
- (c) To get the 1936-legislature revised with regard to Native franchise right.

The United Party has also frankly acknowledge that the economical integration for which he stands inevitably must lead to political integration.

Thus: Racial segregation are, and is as a result of the Nationalist Government's action promoted by protecting the European's right on all spheres.

APPRECIATION

Not withstanding the fact that the United Party has exerted his utmost strengths to sabotage the Nationalist Party Apartheid policy, each step there of are witness with great appreciation through the whole country for the extensive, purposeful and continual action of the Government.

Homages to the Government for the execution of the National Commissions of 1948 and 1953. Admiration to Dr. H.F. Verwoerd, Minister of Native Affairs which executes the Nationalist Party's Manifest of 1947 step by step. Never has an election manifest so promptly been carried out. It is a great work with which in a few short years a far advancement has been made. The importantest foundation stones has been completely laid down. IT IS A TREMENDOUS ACHIEVEMENT!

Composed by Sen. M.P.A. Malan, Voortrekker Street 79, Bloemfontein and spread by the Information Service of the Nationalist Party from the same address. Printed by Merino Printers, P.O. Box 402, Bloemfontein.

50. Petition, by letter dated 23 January 1960, from Mr. J. Dausab and others, Hoachanas, South West Africa, to the United Nations

It is with daily becoming urgency that we are writing this petition and hope only that you will give to it your most honourable and undivided attention.

In the first instance we wish to inform the UNO that we the members of the Rooinasie tribe have brought back the deported Rev. Kooper to Hoachanas from where he was so illegally and with intimidation and violence deprived by the South African black man's blood over-thirsty police on the 29th day of January 1959.

We brought him back by our own expences and costs. We brought him back because we regard it our duty to do so. By bringing back the Rev. Kooper we had not in mind to defy the South African administration as the South African spokes man in the UNO probably may argue. We brought him back to make his illegal deprival undone, but we did it without any bloodshed, defiance, intimidation or violence as it would have been probably the case if the South African police would have been dealt with him.

Our bringing back the Rev. Kooper to his legal home at Hoachanas had make his persecution more harsher from the white people in general.

At Windhoek he was asked by the South African police to one of the residents of Hoachanas who was there for a medical treatment as a headman named Petrus Kooper whom the administration has removed from Hoachanas to Itsawisis. This was during December, 1959.

On the 7th of January a member of the Rehoboth Advisory Board was instructed to come to Hoachanas and asked for some land for his animals.

We told him that we have not sufficient land for land leasing purposes. Afterward we learned that he was sent by the administration so that if we give him help the administration must take that chance to enter into the field of Hoachanas Reserve and do her plans with it. On the 20th of the same January month two detectives passed through Hoachanas but they avoid to come in contact with the men and rather chose to contact the women, quickly asked to a woman where Markus Kooper is staying and whether he is present at Hoachanas. The woman told them that she knew nothing about all the questions they are asking her.

At Derm Mr. Mullard, the police sergeant was asking to Rev. Kooper whether he is present at Hoachanas and where he sleeps. The sergeant was told that Rev. Kooper is present and that he sleeps in the house from where the administration removed him on the 29th January, last year.

Following this inquiry of the Derm Sergeant last week a police patrol was today sent out to Hoachanas inquiring so slyishly to the presence of Rev. Kooper. It was two police cars. One of Derm and one of probably Dordabis.

Having not succesful in their search they departed for Woliputz, the seat of Mr. Jan Badenhorst, the chief organiser for our removal from our family tribal land.

We asked the United Nations to voice immediately against the persecution of Rev. Kooper and that Rev. Kooper practice his spiritual work undisturbed at Hoachanas.

We further asked that the United Nations very strongly in quite certain terms speak to the Union government to stop the inhuman practice of depriving us from our homes and lands.

It must be point out that the police seek Rev. M. Kooper to shoot him to death to bring the noise about Hoachanas in the United Nations to an end. This they do on the instruction of the tax-payers who is situating on the land of Hoachanas Reserve. Our people working on the farms have clearly near the farmers saying that the headman Markus Kooper and one another short person (probably Mr. Honas Nakhom) must be shoot to death.

From the above description it is clear that Rev. Kooper has been declared fowl-free by the South African administration over South West Africa to be killed by any european who may meet him anywhere.

Sirs, the unendurable situation of our life in South West Africa is loading by the day and will not help for the United Nations to seat so motionless at New York and just argue the question of SWA. We urgently pry for help. The incident of 10th December 1959 is an ample evidence of the truth we have speaking about in our former petitions as well as this petition.

Please do sent United Nations Security troops immediately to Hoachanas reserve, Aminuis reserve, Kransplaas reserve, Rehokoth and to all the places where there are

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permanent petitioners. We are regarded as animals and there is no denying of that truth. Please remove this blood-thirsty Union Government whose police shows so much delight in shooting people who have no guns.

If the United Nations keep on treating this thorny problem of SWA in the way she has until today nothing will be reached and we the African inhabitants will blame the UNO.

We further and most urgently ask the United Nations Organisation to insist on the Union Government that the Union Government give us the amount of £6000.--. for the horrible slander she has imposed upon us in 1956.

We also ask very urgently to the United Nations to exercise pressure on the Union Government that the Union Government give us back the 36,000 hektar of land which they illegally and cunningly alienated from the Hoachanas reserve land of 50,000 hektar.

In our next petition we shall explain more about the general living conditions so we stop writing this petition for the urgency of Rev. Kooper's persecution. Please help us immediately without any further delay.

We are sirs your humble servants on behalf of the Rooinasie-tribe and on behalf of all the oppressed black victims of South Africa.

(Signed)

J. Dausab
B. Pienaar
Simon Kooper
Metusalach Noeteb
Timothy Dausab
Efraim Afrikaner
Daniel Dausab
Jacobus Nuganab
P. Nakhom
Frans Goagel
Johannes F. Kooper
Frans Nakom
Matheus Kooper

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51. Petition, by letter dated 16 May 1960, from the Rev. Markus Kooper, Serowe, Bechuanaland, to the United Nations

No reply until my further advice or reply to Mr. J.D., Hoachanas, SWA

I am writing this petition while I am experiencing special hardships with regard to the Passport. I am therefore urgently requesting the United Nations to take all such necessary steps and means to secure my way to New York via London.

We greatly appreciate the work the UNO is doing for us but are strongly of the opinion that unless the United Nations send an impartial Commission of investigation to the situation at Hoachanas and in whole of SWA the situation will only continue to become worser and worser.

After returning from the UNO Assembly last year Mr. Van der Wath in his opening speech said to the Nationalist Party Congress at Windhoek that "There are only two things to be done with South West Africa. We must annexed it to the Union of South Africa or we must place it under the Trusteeship of the United Nations" but we cannot do that. So we must incorporate SWA. After this speech the administrator Mr. D.T.D. Viljoen call upon the European public and said or advised them to do their work themselves and not to hire Africans to do their work. They must leave those Africans who are in their employment.

They must reduce the already useless wages ... Sirs, these authoritative speeches formed the ground of the work to be done in 1960 as far as African treatment are concern.

I used to be the onliest father, the head, helper and comforter of a totally neglected and outcast helpless African family of 6 souls, who always needs my presence.

In the face of fresh dangers which hunts for my life I fearfully left (O God forgive me for that) these helpless 6 poor souls behind in an undune haste, souls for whose care I solemnly promised before my Heavenly Father to stand and care for as long as I live, and they live, headlesss, helpless, fatherless and comfortless, and so did I do with my congregation and my father tribe, not because I wanted to leave them alone or not because I wanted to go away from them but in an attempt to reach the United Nations to explain the graveness of the situation... I cross the border by way of escape in an effort to request for a British Passport from the B.P. government to enable me to come to New York to give oral evidence before

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the UNO. I had no pass, no Dr's medical certificate, no birth certificate, no marriage certificate, neither have I one to recommend me for an issuing of passport, thus although I applied for a passport with only very few details I am nearly quite sure that I have only gave myself into the hands of the Union Govt. instead of getting a passport.

Thus I write this petition only with the expectation that at the time you receive this petition I will be already or may be already in the hands of the administration of SWA whom I fearfully fled... Sirs, please think of it, what is going to take place to me once I come into the hands of the Union Govt. or the administration of SWA... I may even be killed... Then Sirs, Who? Sirs who is going to be expected to give the account? Who is going to be expected to answer for the innocent poor souls deprive from their father and Pastor which God has entrusted to my care in my simplicity and in this eternally guilty black colour of my skin before the throne of Justice? Please! Please! Sirs help me and help us immediately, help me to reach the United Nations or secure my way homeward if the United States tour fails.

We of Hoachanas are said to be the ring leaders of the other inhabitants of SWA. It is said that we have taught them to disobey government's orders and commands. It is said that if it was not we of Hoachanas the people of Windhoek location would not refused to move and there would have been no shooting of people, so Hoachanas must be punished.

Sirs, help us before it is late... Hoachanas did not start to refused to be removed from Hoachanas for the first time in 1956. We have repeatedly bring that fact under the honourable attention of the UNO, and there is really no ground whatsoever to allege that Hoachanas taught other people. Each case and place has reasons while the situation affects the best interest of all Africans equally and similarly. The situation is so heavy and worse that it is even hard for one to explain it fittingly by merely writing.

Please do something concret immediately to our help. We of Hoachanas reserve have been earmarked particularly since 1956 by the administration of SWA with the approval of Union Govt. for adroit methods of endless and visibly continuing most merciless inhuman forms of persecution... We sincerely appreciate the work UNO is doing but are much, (I am afraid to say that) concern at the same time

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about the way the United Nations is handling some very important matters... In order to constitute a ground of persecuting us endlessly as offenders the farmer settlers in the vicinity of Hoachanas together with the administration and some European churches conspire together that we make our living at Hoachanas by stealing the property of the surrounding settlers who sits on the land of Hoachanas... It is in order to support this plan and to persuade the United Nations also to believe and support this plan that Mr. Van der Natth falsely alleged that the people of Hoachanas are paper-hangers who do not work which is absolutely not true.

The administrator's call upon the European public not to give work to the Africans, and to leave those who are already employed and to reduce salary received an immediate echo and reply as far as the farmers who employed the residents of Hoachanas are concern. Without notice people were release from employment. This was done so that the position of the residents of Hoachanas at the first eye-glance to a strange observer must appear that they are really paper-hangers... Sirs, I fear but it is our general feeling, and I want to stress it humbly but urgently that as far as the karakul-pelt thievery of the residents of Hoachanas is concern the United Nations had not dealt with the matter as we as people who directly suffer under this horrible affair want it to be dealt with, and it is, I fear, as a result thereof that the administration and all the conspirators continue to persecute us as thefts.

With that karakul-pelt steal polittle we have been ear-marked as habitual and professional thefts who make our living in no other way than by stealing European property which, I say that with all the force we are not doing... The karakul-pelt thievery has now bear cattle thievery... On the 15th December 1959 the police of Kub, Rehokoth district came at Hoachanas and made the usual type of investigation after one, just one (1) cattle of Mr. H.L. Jansen of Panama... Sirs, think of it one cannot express the graveness of this thievery as adequately as possible merely explaining it through writing... As from 15th December 1959 the police of Kalkrand district of Rehokoth came and investigated Mr. H.L. Jansen's one missing cattle as follows.

They came to one of the residents of Hoachanas who several times brought Mr. Jansen's cattle to Panama and told him that Mr. Jansen directed them to him.

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Police: Are you so and so? Resident: Yes. Police: Are you the man who always bring Mr. Jansen's cattle to Panama? Resident: Yes. Police: For how many times did you brought his cattle? Resident: Thrice. Police: Mr. Jansen is missing one cattle haven't you show that cattle here? Resident: No. Police: Mr. Jansen also told us that you people of Hoachanas also sold cattle to Mr. S.F. Theron of Judea Ost, is that so? Resident: It is so, but we sold only our own cattle. Police: ho of you people sold cattle to Mr. S.F. Theron? Resident: Mention some names. Police: How many cattle did your father sold last time? Resident: give the number... The Resident to the Police. Has Mr. Jansen telling you that I am and that we are stealing his cattle and sell it to Mr. Theron? Police: No, he did not tell us so, I am only asking. The police went to Judea Ost and came back and told the man that they saw only Mr. Theron's cattle... After the police left Hoachanas the resident immediately direct at went to Mr. Jansen and ask for explanation of the cattle. Mr. Jansen said that he did not report any missing of cattle at this time to the police. He said that he report the missing of cattle to the police for some months back but at that time he ask the police to lock those cattle at the Railway loading-kraal at Kalkrand Railway station where cattle speculators truck or load cattle, because his suspicion is that his cattle may have been taken by those cattle as his cattle generally graze along the highway from via Hoachanas-Kalkrand. He said he never directed the police to investigate cattle at Hoachanas... Sirs, this theft politic just goes in this way. The police says that a certain farmer report the missing of such and such thing and if the resident of Hoachanas inquire that particular matter the farmer which the police mentioned he shall totaly ignore the knowledge of such thing but the police shall just continue with such plan as if it is a real thing, only because to drive away the peace from the people and to accused them for hostility, to fight them and to drive them away from Hoachanas.

It is marvelous, Mr. Olivier, the police at Derm police station came on his way from Derm-Kalkrand at Hoachanas on the 11th April this year and said that Mr. H.L. Jansen of Panama is missing some (8) eight head of cattle, and because Panama falls in the police area of Derm police station the matter has been transferred to Derm station. Asked by the resident of Hoachanas whether they mean that we, the resident of Hoachanas steal Mr. Jansen's cattle and sold them

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to Mr. Theron the Kalkrand police said that they do not mean so, and yet the way were asking clearly shows that they mean that we steal Mr. Jansen's cattle and sold it to Mr. Theron... Asked by the resident of Hoachanas what is the real back-ground and what actually is meant by investigating Mr. Jansen's cattle at Hoachanas since December in a way as it is done Mr. Olivier replied quite frankly and said on the 11th April 1959 - "I tell you it is a deep politic.

Sirs, let me emphasise this statement of Mr. Olivier which disclose the onliest real and true back ground of the whole distasteful experience in our life and in which the germ, the micro-organism of our merciless, endless persecution lay buried with all the force to my command that unless the United Nations take definite and concrete steps against this politic, against which we are totally powerless there will be no change of the situation at all... I therefore urgently request the United Nations to send immediately without delay an on the spot investigation impartial UNO Commission to Hoachanas to investigate to the situation.

Year in and year out the United Nations has adopted resolutions, draft resolutions, calling upon South Africa to amend its policies and treatments of the indigenous inhabitants of the territory, but the situation has rather aggravate yearly and will I am sure continue become worser and worser year after year... Just at the same time Mr. Olivier said that the investigation to Mr. Jansen's cattle at Hoachanas is a deep politic we heard from different sides that some of the farmers told their employes that a number of 13 police will come to Hoachanas on the 23rd of April to fight us, and sirs, these are the days which was supposed to have been set aside to be the days of reverence, which used to be the church festival assembly days of the Lutheran Evangelical Church... The police have decide to make use of these assembly of people for worship purposes to fight against Hoachanas.

We also notice at the same time the usual misterious movements and co-operation of the Evangelist of that church and the police of Derm after which and which generally precedes these cruel police activities... If this has not been done as it was decided, surely than that is only due to my disappearance.

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Honourable members of the great organization of world governments, I fully recognise that by crossing the border without pass or permission I openly broke the state law an action which I myself do not approve, but I really would have never done it in normal circumstances, so I did not broke the law willfully, I only broke it because there was absolutely no other alternate way to take.

Please help me if this petition reach you while I am still here, to reach the United Nations... I will be treated horribly by the administration of SWA at this time for all the petitions and the stand I took in this treatment... Please help me to the administration of SWA, and those who helped me... I was proceeding to the UNO and not to Bechuanaland Protectorate but I am in the Bechuanaland Protectorate, not yet actually aware of what is going to take place with me and what to do... It may also be that I shall request the government of B.P. to try me and to impose the penalty it may judge fit upon me rather than to send me back to SWA in the existing atmosphere, but if the B.P. government refuse to that request I shall be compelled to return to SWA... I only think of my responsibility.

Sirs, let me emphasise and re-emphasise the fact that by saying that we refused to move after the government has made all improvements at Itsawisis Mr. Van der Wath was only misleading the members of the UNO... The people whom the government removed on the 13th December 1956 told me that when they were brought to Itsawisis on the evening of the 13th there was even no cup of water to drink. It is even the case now. The Welfare Officer transport for them water from Tses. After he stop to bring them water they have to beg for water from the people of Berseba reserve, so that drawing water by donkey carts from a place called Bobejaan-kran, but after all their donkeys nearly died and those which remain go astray they were compelled to used that little acid purgative water which they got by getting only one pail after sacrificial efforts... A dam where rain water is arrested was only made long after they were there in June 1957. That dam is full of animal manure and all dirts and dead animal dirts. It is useless. The wind-mill I already told about was put up while I was already there March-April 1959. There is thus absolutely no such thing that we refused to move after the government has made all improvements. Moreover, Itsawisis will never be improved even by the best type of improvement.

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Even if the nature of the land of Itsawisis was of such type that could be improved by improvements we still would have the right to refuse to move from Hoachanas with ground-laying reasons. Not only that, the government has to consult us first before any improvement is undertaken and we must first give our consent to a particular matter wanted.

What Mr. Van der Wath really mean when he say that we refused after the Govt. has made all improvements is thus nothing else than the "Temporary residence Permits" of 1952 issued to us in a most mislledious way... Even those temporary permits are the work and plan of more beter as Mr. Olivier call it so fittingly a politic of the same who constitute the politic of thievery against us... It is quite clear from what the later Mr. Herman Afrikaner told the people at Itsawisis after his returning from the alleged high court that to have taken such a temporary permit with ones own hands is regarded by the government that he/she has legally recognize that Hoachanas is not his legal birth place and that the government has the right to remove him/her at any time he wants.

I did not received that temporary permit with my own hands. My old brother Mr. Moses Kooper received it in my absence.

The alleged high court in which Mr. A. Afrikaner have witness against me and Hoachanas was based on these "Temporary residence permits".

For this temporary permit constitution I humbly yet very urgently request the UNO to send a UNC impartial on the spot investigating Commission to investigate the origin of these Temporary permit to which Mr. Van der obviously refers.

I was officially ordained in January 1954 as Deacon and in Nov. 1955 as an Elder at Windhoek according to the Usages of the A.M.E. Church. Since my entry the ministry I was assigned to the Pastoral charge of Hoachanas.

Officially, moraly and spiritually my record was officially examined and passed up to 1959 when I was last appointed to the Pastoral charge of Hoachanas... Only his Lordship, the Rt. Rev. Bishop F.H. Gow may thus know for what reascr he told the administration before my removal that my Pastoral appointment at Hoachanas was not recognised while my appointment was never altered or reversed. After issuing us with the temporary permits in 1952 the administration build a small house in April, about 12ft x 12ft and a lavatory about 5ft x 3ft at

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Hoachanas. These two small houses are the first buildings the Union Government has put up at Hoachanas, but without consulting us and getting our consent thereto. It was build to keep the books of the reserve there and to accommodate the Welfare Officer when he visits the reserve...

Since 1956 Hoachanas has ceased to be a place of governmental services except for fighting purposes... In 1957 after removing me from Hoachanas a telephone line running from Kalkrand and joint to the Mariental-Uhlenhorst telephone line at Hoachanas was constructed... An automatic telephone exchange apparat was installed in that house which makes Hoachanas a Telephone-Central. The A.M.E. applied for telephone service since 1952 but without result and yet instead of granting that service the government is only busy to consolidate his position at Hoachanas... We also learn that a european dwelling house is also going to be built on that place... Sirs, I urgently request on behalf of the Red Nation tribe that this telephone apparat immediately be removed from that house to be installed at a euro-house, and that the two houses immediately be transmitted to the posterity of the Red Nation tribe as their property as it has been built on their ground but without consultation and their approval, and that the required telephone services be granted to the A.M.E. Church.

Sirs, whatever the Union Government say about Hoachanas and whether it take Hoachanas so hard-handed as it did the cruel truth about Hoachanas is that it is the legal traditional property of the Red Nation tribe including myself, and we want it as ours... After the people brought me back from Istawisis the position at Hoachanas became so worsed that the people advised me to slept in the church, because they thought that as a christian government the government may perhaps not fight in the church. I slept in the church for one and a half month...

Mr. Van der Wath said that we base our claim on a writ of a German book in 1902, yet we base our claim on our own knowledge about Hoachanas and used that writing of the German government as confirmation of our statement and knowledge, because it rhyme and supports our own knowledge about Hoachanas.

If one carefully note one will observe that the reserve of Hoachanas proclaimed in 1902 but that the book to which Mr. Van der Wath refers was written only in 1907, thus 2 years later than the Colonial Blatt of 1905, the content of which we eagerly want to know.

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Last but by no means and very very urgent I herewith attached two "Native Stock Brand Registration Certificates of the same person to prove how and with what dexterous and neat-handed methods the Union Government has deprived us and still continue depriving us from our own legal traditional tribal lands and rights for the sole purpose of allocating our best tribal lands to white settlers... Ever since the Branding of the Native Stock was started in about 1926 our animals at Hoachanas were Branded with R and the identification figures, in this case 123. This Brand continues until 1952. With this R it was indicated that Hoachanas was just an ordinary farm like any other farm in the Rehoboth district which was and is not the case.

Surprisingly the Brand changed in 1953 and the symbol R was replaced by the symbol RC which means that Hoachanas is an independent reserve and not merely a farm in the district of Rehoboth. Now, this peculiarity simply means that throughout its administration, the Union Govt. knew and know very well just as much as we, the members of the Red Nation tribe do that Hoachanas is as truly as truth is truth a German government proclaimed in 1908 a 50,000 hectar reserve and property of the Red Nation tribe, but it hides this fact all the time knowingly and purposely only long enough until Dr. Verwoerd, the present Prime Minister's 1948 and 1953 general election manifest was drafted and endorsed by european votes in which SWA was also included for the future uniformity of action, the uniformity of action upon which we were issued temporary residence permits based on what is called in the manifest "The True Native Owner Registration Scheme". After this this untrue and false registration scheme in as far as Hoachanas is concerned was carried out in 1952, the long hided truth that Hoachanas is a proclaimed reserve silently appear automatically just like the sun... Mr. Rossouw, who preceded Mr. F.R. Balt in Welfare Officership at Hoachanas openly and frankly said to us during his short period of office that "Hoachanas is an independent reserve and not a farm in the district of Rehoboth and it must have its own Branding Iron". It is after this speech of Mr. Rossow Hoachanas get its proper brand of RC with the identification figures, in the enclosed certificate RC.63...^{43/}

^{43/} The petitioner enclosed two stock brand registration certificates, one issued in 1953 showing the brand mark as RC 63 and another issued to the same resident of Hoachanas, showing the brand mark as 123/R.

Please finalised, and the unnecessary noise about Hoachanas immediately by taking concrete steps to assure the returning of our land of 36,000 hectar by the administration of SWA to the Hoachanas Reserve.

Instead of attending to the call of the United Nations to investigating to our claims two of the bordering farms has been sold on public auctions namely farm Gemini on the 8th of March and farm Wolfputz was scheduled for sale on the 11th of May.^{44/}

The farms are now sold to new owners while we are claiming that land... Please take all necessary steps and let our land be given to us.

Let South West Africa without further hesitation please be placed under the Trusteeship of the United Nations Organisation.

The people of Hoachanas have started an agricultural project and request the assistance and help from the individual member governments of the United Nations through their Africa Assistance Organisations. We want financial as well material help of agricultural tools... We have no government to help us for 5 years.

Please help us.

Let the UNO also press the Union Government to give us the £6,000 for the slander of Karakul-pelt theft she imposed upon us.

These I submit on behalf of myself, Rooinasie and on behalf of all the oppressed of South West Africa.

(Signed) Rev. M. Kooper

^{44/} The petitioner enclosed a newspaper clipping advertising Wolfsputz for sale on 11 May 1960.

PETITIONS RELATING, INTER ALIA, TO GENERAL CONDITIONS IN THE REHOBOTH COMMUNITY^{45/}

52. Petition, by telegram received on 26 January 1960, from Messrs. G. Deklerk, W. Van Wyk, H.C. Beukes, and T. Bezuidenhout, Rehoboth, South West Africa, to the Committee on South West Africa

ASK TRUSTEESHIP UNDER UNITED NATIONS ORGANIZATION DISPOSSESSION OF INDIVIDUAL AND PERSONAL RIGHTS UNBEARABLE SITUATION GOVERNMENT MANUFACTURING ALARMING CIRCUMSTANCES WE SUPPORT WITNESSES WHO PETITIONED BEFORE YOU IN THE NAME OF THE BURGHERS

G. DEKLERK, W. VAN WYK, H.C. BEUKES, T. BEZUIDENHOUT

53. Petition, by telegram received on 2 February 1960, from J. Beukes, Rehoboth, South West Africa, to the SWA Committee

RESPECTFULLY ASK FINANCIAL HELP RATHER URGENTLY STANDARD OF LIVING VERY HIGH MANDATORY POWER TAKES CARE OF WELFARE OF WHITES ONLY NON WHITES ARE LEFT TO FEND FOR THEMSELVES ANSWER AWAITED IN THE NAME OF THE WOMEN OF REHOBOTH

54. Petition, by letter dated 16 February 1960, from members of the Advisory Board of the Rehoboth Community and others, Rehoboth, South West Africa, to the South West Committee 46/

We, the undersigned citizens of Rehoboth empower herewith the three persons: Hans Beukes, Kerina Gertzen and Koenigszi to speak on behalf of a hungry and miserable community, including Nama, Bantu, Herero and Ovambo, in order to get help and support for us from any organization willing to help the above communities.

It is well-known that the South West Administration only gives assistance to the European community, and the Non-Europeans are left to their fate. For example, we do not even receive certain pensions, like old age pension, disability benefits, veterans allowances, pension for the blind, cripples, orphans and widows. Not even the pensions which are applicable to Non-Europeans in the Union of South Africa are available to us over here. For all these years people who are in dire need have to live on charity. They do not even get that now with the severe drought. Our people are exposed to a death from hunger, which is not

^{45/} Originals in Afrikaans.

^{46/} Transmitted to the United Nations by letter dated 16 May 1960 from Mr. Mburumba Kerina.

far off. And to cap it all, one hears continually on the radio or reads in the newspapers of assistance given to the Europeans, who are economically much better off than we. We hear very little about anything that is being done for us.

Furthermore we empower the three persons named above to confirm the petition of the indigenous inhabitants to have South West Africa placed under the U.N. Trusteeship System. We herewith include copies of petitions to the U.N. from Rehoboth for their information.

Herewith, the undersigned wish to make a very urgent request to the U.N. to consider the position of our Advisory Board. Under the pressure exerted on them by the South West Administration and the magistrate of Rehoboth, this body is not even able to lay our case, in all the seriousness that it deserves, before the world organization.

Board members:

(Signed) F. Beukes

J.G. Diergaardt

(Signed)

R.A. Alcock (X patient T.B.)
H.C. Beukes
J. de Klerk
Eva Alcock (blind mother)
A.J. Beukes
A. Saens
A. Bezeuidenhout
Mrs. A. Bezeuidenhout
Mrs. K. Bezeuidenhout
Mrs. A. van Wyk
Mrs. Sara Bezeuidenhout (orphan)
Mrs. Maria de Klerk (invalid)
Mr. H.J. Beukes
G. Diergaardt
Hendrik Diergaardt
Sophia Beukes
J. Koorman
Pauline Beukes
P. Beukes
H. Beukes
H. Diergaardt
Neels van Wyk
Piet van Wyk

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55. Petition, by letter dated 2 March 1960, from Mr. Jacobus Beukes, Rehoboth, South West Africa, to the United Nations

Allow me to present an urgent message to you:

1. Constitution 1870-1872-1874:

The Advisory Board is contracting land-bank loans illegally; it has no legal authority, is violating the Constitution and is contravening article 22; Rehoboth matter not yet settled. Matter known to the United Nations. Stop loan. Get in touch immediately with the Administrator of South West Africa. Our humble wish is for drastic action in the matter.

2. Our national economy is very weak. Our country is suffering from a severe drought. Our animals are dying in large numbers. Nevertheless, we cannot accept the land-bank loan. If we are compelled to do so we shall lose our land, since the welfare of the people is threatened by a critical criminal dictatorial danger. We therefore ask the United Nations to provide help as quickly as possible and at the same time to safeguard our country's mineral resources, which under the previous Government of His Majesty were estimated at several thousand million.

3. I report that in the 1914 War we lost several million through destruction but have received no compensation.

4. The military action taken against us by the Union Government in 1925 caused us a loss of several hundred thousand, but no compensation has been received. We urgently request that the United Nations and the four great Powers should take drastic action as quickly as possible, so that we may be placed once again under the protection and Charter of the United Nations and that we may be able to retain our hard-won country and rights. In conclusion I report in the latest communication that I have not received "a copy of the report of the Committee on South West Africa to the fourteenth session of the General Assembly (A/4191)". I have referred the other documents to the Union Government. I shall continue to wait for the report. The wilful contempt shown by the Union Government towards the United Nations is making great inroads on our national existence, as has been pointed out in the previous communications, and in addition, the Union Government is violating our freedom of religion solely for the purpose of accomplishing its ends. We hereby conclude in keen expectation of our deliverance.

(Signed) Jacobus Beukes

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56. Petition, by letter dated 18 May 1960, from Mr. Jacobus Beukes, Rehoboth, South West Africa, to the United Nations

I hereby humbly make an urgent appeal to the United Nations as well as to the Four Great Powers as follows:

1. In the first place I wish to make mention of a letter sent to the Secretary-General on 19 March 1960, followed by a telegram on 8 April 1960 - New York, a later telegram on 28 April 1960 - London. My humble requests were for to know whether my above-mentioned letter and telegrams were received. Still awaiting answer.
2. I acknowledge with great esteem the receipt of the Report of the Committee. It is with great regret that we the people of Rehoboth have not been handled in accordance with the advisory opinion of 1950 of the International Court of Justice, and that the obligations which the Union Government undertook on 17 December 1920 are not being honoured as shown by the fact that a letter which I wrote to the Union Government was returned to me by the Secretary of South West Africa. Which I further sent to the United Nations.
3. In this connexion, my long standing dealings with the old League of Nations and subsequently now again with the United Nations, I make an urgent appeal for the Rehoboth affairs to be handled in accordance with the mandate principles. I hereby make an appeal to set up a conference in which Ghana will take part, so that His Excellency the Prime Minister of Ghana, and all the other delegates to discuss our complaints, so that they may free the people of Rehoboth and all the people of South West. So that we also may again make a living in our own land, and our people's ideologies and ideals can find a solid ground from which to stand. In conclusion: The latest steps as already mentioned to the United Nations. The action in connexion with our church and school matters which are in danger of being abolished by our exploiters. Our plea is that these steps must be stopped immediately, that we should be reinstated in our old well-founded conditions of life. Our profound hope is that the year 1960 should be known as the "YEAR OF FREEDOM", and that we should protect the population of South West from oppression, with the re-establishment of the mandate over South West Africa.

I hereby close with great expectations.

(Signed) Jacobus Beukes

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57. Petition, by letter dated 12 June 1961, from Mr. Jacobus Boones, Rehoboth, South West Africa, to the United Nations

As an old pioneer in the interests of the people of Rehoboth, I would respectfully draw your attention to the following. There is no concealing the fact that as a result of the course of events every effort is being made at all costs and by various means to distort and interfere with our basic existence. I enclose two newspaper cuttings.

(1) The people of Rehoboth were placed under an unalterable mandate by the former League of Nations with a view to preparing them for their coming of age. The present United Nations is the League's successor, and now serves in Rehoboth as Captain and Volkstraad, and it is to the United Nations that we must turn now that our lawful Captain and Volkstraad have been taken from us through Proclamation No. 9 and replaced by an Advisory Board which is absolutely worthless.

(2) The cable sent by H.C. Beukes⁴⁷ and supported by others originated with a deputation of women who lodged their protests with the Captain and the members of the Advisory Board, but to no effect. It is therefore obvious that these protests must be taken further to the higher authority placed over us, namely, the United Nations which, as stated above, has now become our only substitute for the Captain and the Volkstraad.

(3) I ask old burgher then, what is wrong? From his accusation it appears to me as if old burgher is a newcomer who knows absolutely nothing about the interests of Rehoboth and who chooses to remain anonymous. I therefore ask old burgher who his forebears were, and if they toiled with our forebears for the rights on which our homes and our way of life are based. I ask him if he will be able to justify himself if the question of Rehoboth is investigated by an impartial investigator.

Accusation against the United Nations

(4) Old burgher who circulates such shameful accusations and coarse remarks about the United Nations among our people, as I have already related in my previous communications, has now made a public statement in the Press. As stated above, I who know our people well, do not believe that anything like this could be done by any descendant of the old pioneers, for in such matters our people are

⁴⁷ See No. 52 above.

extremely cautious. If I were to give old burgher my frank opinion, I should say that he was playing with fire in circulating such falsehoods.

In conclusion, I address an extremely urgent appeal to the United Nations to get in touch immediately with this anonymous old burgher through his box No. 33 in order to prevent further damage. As far as I am concerned, the stand taken by our people is well known; we support the United Nations under whose care we have been placed until we attain our coming of age.

(Signed) J. Beukes

Jacobus Beukes

Foot-note

H.C. Beukes, who sent the cable, is the father of the H.J. Beukes who is a student at Oslo.

Inclosures

(i) Extract from Die Suidwester, 11 June 1960

Reader's comment

"OLD BURGHER" WANTS TO COMMIT SUICIDE
WHEN HE THINKS ABOUT UN TRUSTEESHIP

"Old Burgher", P.O. Box 33, Ashoboth, writes as follows:

I would ask you to allow me the use of your columns in order to reply to H.C. Beukes' letter of 4 May in which he accepted my challenge to explain to the burghers that he and his henchmen want to place the Ashoboth gebied under UN trusteeship. This challenge was never accepted for he has never presented his position to the burghers. Not one word was said about this matter.

In reply to a number of questions and statements, I would like for the last time to answer him as follows.

1. Where did I come by the cables? This is just none of your business, and you have never denied that you did something like this. It is strange that you want to find out about things, but that someone else may not. How is one to understand the kind of democracy that you advocate? You say I say how far this accords with democracy. I recognise the present Government as my Government

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and also the Captain and the six members of the Board. Who then is your Government? Surely no one else than the UN, to whom you and your companions send cables in order that our territory might be placed under trusteeship.

2. You say that the money lent to the burghers by the Administration does not come out of the Administration's pocket or from Administration officials, but from the pockets of the taxpayers. Are you and your henchmen also taxpayers? Your knowledge of Administration affairs is extremely faulty ... Better to be as silent as the grave in this regard.

3. Another untrue statement that I am supposed to have made, to the effect that laws are made solely by the baster Raad, merely goes to show how some democratic persons read and interpret things. Please read my communication again.

4. You ask, in conclusion, whether this conduct of an Administering Power after forty-five years is not alarming. Come now and tell us whether your mighty world Organization, the UN, has not since its establishment in 1945 also given cause for alarm by allowing other member countries to interfere in the domestic affairs of other countries. Who is responsible for the recent disturbances in the Union and South West? Surely the agitators in the UN.

5. With regard to your complaint concerning the white magistrate who serves as captain, I should merely like to ask you whether you have any pretensions to the captaincy or whether you perhaps have someone in the UN in mind.

I challenge you and your UN countries to show me whether their Governments are better than that of South Africa, giving full particulars of what they are doing for their people. Look at all that is going on in the independent African States. The very thought of being placed under UN trusteeship is enough to drive one to suicide.

(ii) Extract from Die Suidwes-Afrikaner, 10 June 1960 (Note by the petitioner: The same threat hangs over Rehoboth and is already having an effect. J. Beukes)

NON-WHITES IN SOUTH AFRICA WILL BE DEPRIVED OF ALL RIGHTS

GENEVA. Mr. FREDERICK ALWYN JONES, member of the British Parliament (Labour Party) and a special member of the International Commission of Jurists stated Monday that if the emergency regulations continue in force and the proposed legislation on censorship becomes effective, "twelve years of Nationalist

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domination in South Africa will deprive the non-whites of all human rights and fundamental freedoms as set out in the United Nations Declaration of Human Rights".

The whites of South Africa, according to Mr. Jones, will suffer from the breaking-up of those rights and freedoms. South Africa will then be a police State. The Union is a gloomy scene for a solicitor who has been brought up in the tradition of English common law. The Nationalists regard the rule of law as an unfortunate outcome of the British colonial domination of the nineteenth century.

Mr. Jones, who earlier in the month undertook a ten-day investigation in the Union on behalf of the Commission, presented his report at a press conference held on Monday. In his introduction to the report, he said that his purpose had been to inquire into conditions affecting human rights and fundamental freedoms in the Union, "I regret that I found despair and anxiety among those with whom I spoke".

INDIFFERENCE

He says in his report that this does not mean that there is a great deal of indifference or unconcern among the whites. He found not only among the non-whites but also among the whites that there was an awareness of what was going on.

The report also states that Mr. Jones had an interview with the Secretary of the South African Department of Justice. He asked Dr. C.J. Greeff when the state of emergency would be lifted. Dr. Greeff replied, according to the report, that twenty-seven leaders had escaped and that twenty of them were in the British Protectorates. Until such time as the British authorities surrendered them, "We shall be in a stalemate". Even if the stalemate should continue, that would not, according to Dr. Greeff, mean that the state of emergency would continue indefinitely.

Mr. Jones informed the press conference that he had been present at the investigation into the disturbances at Sharpeville and the treason trial at Pretoria. He also talked with the judges who were dealing with those matters and was on all occasions received by them with great courtesy.

The report by Mr. Jones is part of a general report on South Africa that is now being prepared by the International Commission of Jurists. It is expected that this will be published within a month.

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PETITIONS RELATING, INTER ALIA, TO THE IMPRISONMENT OF MR. TOIVO JA-TOIVO^{48/}

58. Petition, by telegram received on 10 August 1959, from the Ovamboland Peoples Organisation, Windhoek, South West Africa, to the Secretary-General ^{49/}

TOIVO HERMAN JA-TOIVO THREATENED WITH DEPORTATION TO ANGOLA STOP HIS HOUSE WILL BE BURNED BECAUSE HE PETITIONED UNO STOP KINDLY TAKE IMMEDIATE ACTION

59. Petition, by letter dated 25 September 1959, from Chief Hosea Kutako, Windhoek, South West Africa, to the Secretary-General ^{50/}

I sent you a cable yesterday in which I informed you that the Reverend Michael Scott is still our representative at the United Nations and am asking that he should be authorized to speak for and represent us.

I further request the United Nations to make means so that he can return to South West Africa to give us a first hand account of what has happened at the United Nations.

I am also sending you a statement on Mr. Toivo Herman Ja-Toivo's imprisonment in Ovamboland. The charge against him is that he petitioned the United Nations but he was put in prison without trial.

We ask the United Nations to demand his immediate release.

(Signed) Hosea Kutako
Chief Hosea Kutako

Enclosure

MR. TOIVO HERMAN JA-TOIVO'S IMPRISONMENT

Mr. Toivo Herman Ja-Toivo was born in August the 24th, 1924 in Ondangua Tribal area. As a child he attended the Onajena primary school where he studied up to Std. III. He then attended the Onguidiva Training School where he received lessons for carpentry during the years 1939-1941. In 1942 he joined the army and returned to Ovamboland in 1943. In 1944 he was recruited in the Police Zone as a contracted labourer and worked for a year on a farm.

^{48/} See also No. 11 above.

^{49/} By letter dated 9 September 1959, Mr. Sam Nujoma, President of the CPO, identified himself as the sender of this telegram.

^{50/} A copy of this petition was also presented to the United Nations by the Rev. Michael Scott.

On his return to Ovamboland in 1945, he decided to go to the St. Mary's Mission Training School to be trained as a teacher. He did so and completed his Std. VI examination as well as the training course in November, 1949. He was appointed as a teacher at the St. Mary's Mission School in 1950 and resigned as a teacher in 1951 on account of being dissatisfied with the salary.

On November the 26th, 1951, with two others, he started a journey to Okavango on foot with the aim of being recruited as a contracted labourer to work in the Union of South Africa. At Runtu in Okavango, they were recruited as contracted labourers to work on the mines in Johannesburg. They went there and worked on manganese mines in the Kimberley district for six months.

On the expiry of their contract, they decided to proceed to Cape Town where he served for one year as a Railway Policeman. Here he worked without proper documents and later, as the authority demanded him to return to South West Africa, he resigned from the Railway services and luckily got permission to seek work in Cape Town. He then got employment at a furnisher's factory where he worked since 1953 until towards the end of 1954 when he was departed from Cape Town to South West Africa.

While in Cape Town he found the Ovamboland Peoples' Congress (now the "Ovamboland Peoples' Organisation"), which authorised him to petition UNO on behalf of the Ovambo people of South West Africa. In 1958 he sent a tape-recording message to the United Nations describing the situation in Ovamboland and the evil treatment meted out upon the Ovambo people by the Government of the Union of South Africa. This resulted in him being discharged from his job and prohibited by the Department of Native Affairs to get work in Cape Town any more with the result that he was then instructed by the Government to leave Cape Town and to return to his homeland South West Africa. On his ejection from Cape Town, he was told by the authority that the Chief Native Commissioner for South West Africa sent a message to the authority in Cape Town that all Ovambos residing in Cape Town must be sent home because there was a shortage of workers in South West Africa.

On his arrival in Windhoek, his reference book was removed from him by the officials of the Native Affairs Department of South West Africa and he was provided with a travelling pass to Ovamboland.

Imprisonment begins

Mr. Ja-Toivo arrived in Tsumeb on the 22nd December, 1958. On the 23rd while he was sitting in the waiting room a S.A.R. & H. police sergeant came in the waiting room and said to him, "Hallo John!" Mr. Ja-Toivo kept quiet and the sergeant started to look on the labels on Toivo's luggages and asked him where he came from. Toivo told him that he was coming from Cape Town. The sergeant then demanded his pass. As the sergeant was not in a Uniform, Mr. Ja-Toivo asked him as to what he wanted to do with his pass. The policeman went on to say, "I just want to see it because I am a Policeman."

Mr. Ja-Toivo asked for his pass as a policeman. The sergeant told him that he left it at the office and that Toivo should accompany him to the office to see it. Toivo accompanied the police and at the office the police produced his pass and then Toivo showed his to the policeman, who took some notes of his pass. The Policeman then told Mr. Ja-Toivo that he wanted to search Toivo luggages. Toivo asked him why. The Policeman told him that it was the custom that everybody who was passing the borders would have his luggages searched in Tsumeb. Toivo replied, "You have no right to search my luggages because my goods are going to be searched at Namutoni." The Policeman told him that there was a new regulation of agreement between the S.A. Police and the S.A.R. Police which says that all passengers' goods must be searched at Tsumeb.

This appeared to be a true and satisfactory story to Mr. Ja-Toivo and he allowed the Policeman to search his goods. One case could not open, and the police tried to force it and Mr. Ja-Toivo warned him not to break it. He appeared to be scared and said, "You look smart, eh? want to go and try me in a court?" Toivo said, "Yes, just as you want to go and try me, that is why you are searching my goods." The Policeman then said that he would go and look for some keys that would open that case. Toivo asked him what time he would be back because he wanted to go out to buy some articles in town. The Policeman told him that he would come back as soon as he got the keys, and went off. Mr. Ja-Toivo went to the town and at about 12.45 p.m. he walked to the mine office to see some friends of his and found them left for lunch to the compound. One of them was still on his way cycling down to the compound and requested him (Toivo) to follow him while he was going to inform the others of his coming to the compound.

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Mr. Ja-Toivo walked and came in the compound enclosure, quite near the entrance, there are some trees under which an old man whom Toivo knew and who was also on his way to Ovamboland was sitting. Toivo set by him and they were conversing about the compound regulations that they were strict because somebody the old man wished to see was due to return to work again.

After a short while some of Mr. Ja-Toivo's friends came and they had a chat for a short time because his friends were in a hurry to go back to work. When some of them left for work, they left him with one of them who was working in a compound office. When this one returned to the office, he heard the compound manager telling another European that he was told by the Police that there was a certain man in Tsumeb who should not enter the compound and that the mine worker would not be allowed to speak to him.

This guy came back soon and told Mr. Ja-Toivo about the whole story and went back again to the office leaving Mr. Ja-Toivo on his own. When he got to the station waiting room, he was informed that four policemen came there to see him. Later two African Policemen came to see him again and the Railway sergeant came back again. His friends sent someone to warn him not to leave the station at all, and he stayed at the station for the whole afternoon.

This was on the 23rd December, 1958, and the following morning the 24th, he went to ask the tickets clerk as to when they would get the buses for Ovamboland and he was told that they would get the buses on Monday the 29th December, 1958. Mr. Ja-Toivo then thought that it would be unsafe if he would stay there for a long time without reporting himself to the Native Affairs Department. He therefore went to report himself and was permitted to stay until the 29th. From the office a friend asked him to go to the compound with him; they were following return workers who were also at the station with him. They all came and sit under the same tree where Toivo and the old man sat the previous day. After a while, a compound policeman arrived there. He greeted Mr. Ja-Toivo and told him that his (the police) boss wanted to see Mr. Ja-Toivo. Mr. Ja-Toivo asked him if his boss knew him and from where. The Policeman then said that Mr. Ja-Toivo would go and hear for himself. Mr. Ja-Toivo went with the Policeman to the compound office.

When Mr. Ja-Toivo came, the said boss said to him, "Hallo Toivo! What are you doing here in the compound, have you got a permit?" Mr. Ja-Toivo told him that he came to see his friends and that he did not know whether one would get a permit

to see a friend in that compound. The said boss then said that there was a board at the gate on which there was a writing that "Transgresses will be prosecuted". He said that he is arresting Mr. Ja-Toivo for entering the compound without a permit.

Mr. Ja-Toivo said, "As you please". He then told Mr. Ja-Toivo to wait for the police to come and fetch him. The police came and took Mr. Ja-Toivo to the charge office together with the traitor the so called compound policeman. The police ordered Mr. Ja-Toivo to go outside while they were taking the statement from the traitor. Then they took Mr. Ja-Toivo to the station to fetch his luggages and then he was locked up.

On Saturday the 27th Mr. Ja-Toivo appeared in court and was fined £2 or 20 days imprisonment. Mr. Ja-Toivo intended to pay his fine that day but the police refused, saying there would be another charge against him.

He was sent back to the cell and on Monday the 29th he was called to the office - the policeman on duty showed him a repatriation form signed by the magistrate; it stated that the magistrate ordered him to be kept in a cell till the day he was to be escorted to Ovamboland. The policeman then asked him to pay his fine, but Mr. Ja-Toivo refused to pay the fine because he first wanted to go to the magistrate. The policeman insisted that he must first pay his fine otherwise he would not be permitted to go to the magistrate and Mr. Ja-Toivo paid the fine an amount of £1 - 14 - 0. After paying his fine, he was then sent to the magistrate. Mr. Ja-Toivo asked the magistrate the reason why he would be escorted to Ovamboland though he was on his way to Ovamboland.

The magistrate told him that he was in Cape Town illegally as well as in S.W.A. and that is why he must be escorted to Ovamboland. He went on to say, "The Native Affairs Department had no right to issue you a travelling pass, you only got that pass from the blind and foolish clerks in Windhoek." He was then sent back to the cell. On Wednesday called him at 8.30 p.m. to accompany a policeman to the store to fetch his goods. Mr. Toivo did so. Early on Thursday morning the police fetched him from his cell because he used to stay in his own cell; by order of a self styled station commander Mr. Backer No. 31606, a young Boer whose age must be between 20-22 years. Mr. Ja-Toivo came in the office and the police asked him to sign a prisoner's property receipt which he refused to

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sign because his pass was not there. As his goods were written in Afrikaans and Toivo could not read Afrikaans, the police tried to deceive him that there was no entry about the pass, and that they would look for it and send it to him in Ovamboland.

Mr. Ja-Toivo said that he was not going to move unless they produce his pass. They told him that if he refuses to sign the form they would send back to the cell for another week. As Mr. Ja-Toivo refused, he was then sent again to the cell. On Friday morning the 2nd January, 1959, he was brought before the magistrate who asked him, "I understand that you are causing a lot trouble in the cell, the previous night you were kicking the gaol's door." A police sergeant immediately said, "Yes, Sir, he did!" Mr. Ja-Toivo was surprised to see a member of the police lying.

Mr. Ja-Toivo tried to explain the whole matter, that he was not causing trouble and that the only thing he did was to refuse to sign the F.P. receipt because his pass was not there. The magistrate then told him that he had his pass and sent it back to Windhoek and that he got the order from the Chief Native Commissioner for South West Africa that Mr. Ja-Toivo must be repatriated. He further told Mr. Ja-Toivo to sign whatever the police gave him to sign. He then ordered the police that if Mr. Ja-Toivo happen to refuse to take the bus, the police must handcuff him and throw him into the bus. He went on to say that if Mr. Ja-Toivo wanted to tape record that and send it to America he may do so.

Mr. Ja-Toivo decided not to go further with the case and did as he was told to do. On Monday the 5th January, 1959, he left for Ovamboland under an escort. On the same day the Welfare Officer of Ondangua also left for Ovamboland as a new Officer there.

On the 14th January, 1959 Mr. Ja-Toivo was brought to the new welfare officer Mr. C. Richter who told him that he has been told about him by the magistrate at Tsumeb and that as he was a new man he would forget the past and will never look at him as an enemy. He further said that he had a document that said that Mr. Ja-Toivo must never enter the Police Zone again or go outside Ovamboland.

The welfare officer then called Chief Johannes Kamonde in and Mr. Ja-Toivo did not hear all what he told the Chief except that he was later informed by reliable sources that he was telling the Chief a lot of false stories about Mr. Ja-Toivo such as - that Mr. Ja-Toivo's idea was to overthrow the chiefs and

headmen and that he also understood that Mr. Ja-Toivo has a lot of money and he had no idea of how and where he got such a lot of money from. He said that he was giving Mr. Ja-Toivo in the hands and mercy of Chief Kamtonde to see what he (the chief) can do with Mr. Toivo. The last portion was said in Mr. Ja-Toivo's presence.

The chief then told Mr. Ja-Toivo that he was taking Mr. Ja-Toivo to his (chief) kraal and teach him. He did so and when they arrived at the chief's kraal they started asking him a lot nonsense. Toivo explained to them about UNO and its functions and all about his expulsion which did not helped him because the chief could not listen to it.

The chief then handed Mr. Ja-Toivo over to one of his Senior Headman Mr. Kambuta to keep his eyes on him and asked the headman to take Mr. Ja-Toivo along to the Chief's kraal whenever he goes there. The chief went on to say, "This nuisance must not be allowed to hold meetings in Ovamboland. He must not be allowed to go outside Ovamboland and he must stop writing letters abroad. Wherever he wants to go you must follow him and if you happen to find him trying to cross the boundary of Ovamboland, just shoot him to death without any word." This the chief spoke to Headman Kambuta in the presence of Mr. Ja-Toivo himself. Headman Kambuta has been already provided with a rifle and he is allowed to carry it whenever he wishes to do so.

After this instructions Mr. Kambuta took Mr. Ja-Toivo away and as he was sympathised with him, he instructed him to go to his mother's place of residence to stay there and just to report to him every second day. This meant that Mr. Ja-Toivo might appear before Headman Kambuta three times a week. Mr. Ja-Toivo went home and did as he was told to do. He stopped writing to the United Nations. He did not attempt to hold a meeting of any kind and he reported himself to Headman Kambuta every second day. Of course he did write letters to his friends abroad, such as to Mr. Kerina in New York and others in the Union, South West Africa and some other places in Africa. He received letters and newspapers from friends all over South West Africa and the Union of South Africa because he was not officially prohibited from doing that.

Mr. Ja-Toivo thought it wiser for him to obey all the instructions of the authority and started to make plans for running a business which could occupy

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most of his time so that he might get it right to concentrate on the business and stop all political thoughts - but as he was fully aware of the fact that the authority would never allow him a licence, his young brother Mr. Veiyo Ja-Toivo took the matter over and applied for a General Dealer's licence, which he according to the procedure in Ovamboland applied to sub Headman Petrus Shikefeni who is a sub Headman in charge over the Ondjondjo area under Headman Kambuta where they planned to establish the business.

Mr. P. Shikefeni after his approval sent Mr. Veiyo Ja-Toivo and his messenger Mr. Jason Jacobs with a letter to Chief Kambonde. Chief Kambonde after a private meeting which took place in his kraal told Mr. Shikefeni's messenger that what Headman Shikefeni proved to be right in his area is right in the eyes of the chief and that Headman Shikefeni's will must be done. The chief then sent Mr. V. Ja-Toivo and Mr. J. Jacobs with instructions to the Tribal Secretary to issue the licence applied for by Mr. Ja-Toivo (Jn).

The Tribal Secretary wrote a letter to the welfare officer which he handed to Mr. V. Ja-Toivo to bring to the welfare officer at Ondangua, probably authorised Mr. V. Ja-Toivo to get the licence.

Mr. V. Ja-Toivo took the letter to the welfare officer who after reading it, told Mr. V. Ja-Toivo that the name of Ja-Toivo stings. "Your brother is a very bad man in the area and perhaps you are under the influence of your brother - but I am not against your licence," the welfare officer said. After this, the welfare officer provided Mr. V. Ja-Toivo with the licence for which he paid an amount of £5 and £1 for a special licence for selling medicine.

After the issuing of the licence Messrs. Ja-Toivo started erecting a business house immediately - a fine clay brick house with a grass roof and ordered goods which is being sold in a small corrugated iron flat roofed hut or some times outside while the business house is under erection. These cost Mr. Ja-Toivo approximately £500 altogether at the present moment.

On the 27th July, 1959 a messenger of the chief, Mr. Stephanus Edward came to Mr. Ja-Toivo's place and as Mr. Ja-Toivo himself was absent, the messenger told the people there to inform Mr. Ja-Toivo to make him ready to go with the messenger to the chief's kraal because he was sent by Headman Kambuta to fetch Mr. Ja-Toivo.

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The Chief's messenger then went ahead to fetch another man and came back later found Mr. Ja-Toivo there waiting for him. All three of them started immediately for Okaroko where the chief's kraal is situated, and arrived there at 11.40 a.m. Mr. Ja-Toivo waited there until at 5.00 p.m. when Mr. Kamtuta came to him and informed him that the chief wanted to talk to him.

Later in the evening the chief held a meeting at which he asked Mr. Ja-Toivo whether he was a shop owner. Mr. Ja-Toivo answered "yes". The chief asked him further where he got the licence since he could not recall when he permitted him to get it and said, "You did not get that licence neither from me nor from my office." He then accused Headman Kamtuta and Mr. Shikefeni to be responsible for the issuing of that licence without his consent.

Mr. Ja-Toivo explained the whole position to the chief, that he did not apply for the licence himself but his brother Mr. Veiyo Ja-Toivo has been here asking for the licence and that it was granted to him.

After Mr. Ja-Toivo explained the whole position of how the licence was issued, the chief told Mr. Ja-Toivo that he was informed by the welfare officer that Mr. Ja-Toivo was a very rich man and that he (the chief) did not worry about Mr. Ja-Toivo's money whether he stole it or worked for it, but he must stop writing abroad. Mr. Ja-Toivo asked the chief whether he meant the letters he writes to his friends abroad or which letters the chief demanded him to stop writing? The chief simply shook his shoulders and said that he did not know. He went on to say that if Mr. Ja-Toivo wanted to know that, the next day he must go with him to the welfare officer to be informed about that. Mr. Ja-Toivo is up to now still waiting for that day but it has not yet come.

The chief went on to say that he was fed-up with Mr. Ja-Toivo and that he had better deport him to Angola in order to get rid of him. He further ordered Mr. Ja-Toivo not to continue with the erection of his business house because it would be burned down within a few months time. This resulted in that Mr. Ja-Toivo's business house being incomplete; the doors, windows and the floor are not yet fixed and the walls are still unplastered. It is a pity that the most beautiful and expensive goods Mr. Ja-Toivo bought are being sold outside in the Ovamboland dusty wind and terrible hot days.

At the same meeting the chief told Mr. Ja-Toivo that from that day on he will stay at the chief's kraal but did not tell him why he must be kept there and the

time of his being there is also unknown because the chief failed to inform him about it either.

The following are the prominent people who attended that meeting:

Senior Headman Kambuta
Sub Headman Iputa
Sub Headman Akinda Kasita
Pastor Efraim Angula and many others.

On July the 22nd, 1959 another meeting took place at the office of the welfare officer of Ondangwa at which Chief Kambonde announced that he had decided to draw £250 from the Tribal Fund to pay his account there at a certain garage in Otjiwarongo where his truck has been repaired.

At this meeting the welfare officer Mr. C. Richter told an audience of about 80 persons that he was informed by his secret policemen that Mr. Ja-Toivo is still continuing to hold night meetings which was not true - because otherwise they should have arrested him. The welfare officer went on to say that Mr. Ja-Toivo is a man who want things to be done the way he likes them to be which is inconsistent with the policy of the Government. Mr. Ja-Toivo himself was present at that meeting because the chief brought him along with a view to show him to the people and to tell the people to have no relationship of any kind with him.

Later, the chief demanded Mr. Ja-Toivo to stand up so that all the people could see him and as Mr. Ja-Toivo stood up, the Chief told the audience that this was a nuisance here, all the people must see him very well and avoid to be seen in his company because every person who had been found to make friends with nuisance would be regarded as his follower and would be placed under the same position which Mr. Ja-Toivo had been placed.

Mr. Ja-Toivo has never been in Angola neither his parents. His mother, an old woman of the age of about 58 years was born in Ondangwa Tribal area and resided in the same area from her childhood up to these days. Toivo's father who died in 1935 in Ondangwa Tribal area was also born in the same Ondangwa area. But chief Kambonde, probably on Government instructions, thought it wise, justice and democratic to announce at a night meeting that he, a responsible man, the Ondangwa chief, would deport Mr. Ja-Toivo out of the land of his birth and send him to a completely foreign country without any reason and for which he had no grounds to do so.

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Mr. Ja-Toivo is now in a Tribal custody where he is suffering terribly. He has been removed from his mother's residence and away from his business place and is being kept in the chiefs Kraal where there is no proper accommodation for him, no toilet facilities at all and no feeding scheme provided by the authority. He is dwelling in a sort of hut with a grass roof hanging on poles, without walls. Inside or better under the roof are four poles planted in the ground and covered with sticks on top, imitating a bed where he uses to sleep with his own beddings.

He is not allowed to wander about further than a mile away from the chief's kraal, but he is expected to live at his own expences. He does not get any food from the chief or from the Government and his home where he could get food is about 14 miles away from the chief's kraal. He is not supplied with soap. There is no place for him to wash his hands or face or anything like a bathroom where he could wash his body. In all these things it is up to him to see how he can manage, though he is prohibited to go beyond a mile away from the jail.

When he wish to visit his business, he applies for permission and if such a permit has been granted to him, he is escorted on any day on which one of the chief's men decides to go to Ondangua so that he might escort him and does his work there at the same time. His return depends on when the chief's man would like to return - of course the chief's man must not spend the night outside the chief's kraal that day. He does some work, such as cleaning the chief's court-yard etc.

21 September 1959.

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PETITIONS RELATING, INTER ALIA, TO THE RETURN OF HEREROS IN
BECHUANALAND TO SOUTH WEST AFRICA

60. Petition, by letter dated 22 November 1959, from Chief P. Kaharanyo, Sehithwa, Bechuanaland, to the United Nations 51/

We the undersigned Herero people exile in Bechuanaland at Lake Ngami hereby authorize again the United Nations to help us in this trouble:

We previously asked for the permission to go to our Native land S.W.A. which the Batswana Administration issued.

N.B. Mbanderu people^{52/} are under the Chief Munjuku the original Chief of all Mbanderus.

And there is the Batswana tribal prejudice against the Herero people, they say, when I go to S.W.A. (removal) I should leave some of my people in the Bechuanaland as their free gift.

To our disgrace today we are recognised as prisoners in the District Commissioner's Office Maun on our removal.

I would be much appreciated if my request could be adhered to by the powers that being.

(Signed) Chief F. Kaharanyo

51/ Transmitted to the United Nations by letter dated 1 March 1960 from Mr. M. Kerina.

52/ The Mbanderu people are a branch of the Herero people (See The Native Tribes of South West Africa, 1928, "The Herero", by Dr. H. Vedder.)

Please I want to know how you ran the case in S.W.A.

There are some of my people who are cased of going to their Nativeland
(S.W.A.):

- | | |
|-----------------------------|-----------------------------|
| (1) Kaponi G. Ndero | (15) Mukuva K. Mbuende |
| (2) Gottilib P. Mbiva | (16) Uejamue K. Kavumendu |
| (3) Tjohuani K. Kahimuee | (17) Nccambo K. Hianangombe |
| (4) Alfeus J. Matundee | (18) Ndjoun E. Hianangonite |
| (5) Dick K. Tjitemisa | (19) Kaukoka K. Mbatara |
| (6) Kuhepa N. Tjinjeka | (20) Festus K. Mandaverirua |
| (7) Manase K. Tjitemisa | (21) Hiaondonko K. Mbaeva |
| (8) Kahiyo K. Tjitemisa | (22) Uahuha K. Kaenda |
| (9) Kaitusike H. Matundu | (23) Kavetjiere N. Kaenda |
| (10) Ngenaepi K. Tjinjeka | (24) Kurotji K. Hikuara |
| (11) Katjireo K. Katjiri | (25) Katuesekua K. Mtaeva |
| (12) Kainjapi K. Kandenge | (26) Edwin Kuazire |
| (13) Nicoraus K. Kamlazembi | (27) Kongange Tjeja |
| (14) Uandisa K. Zauara | |

61. Petition, by letter dated 1 January 1960, from Mr. Kamue David Kavaa, Sehithwa, Bechuanaland, to the Secretary of the Committee on South West Africa 53/

I am writing you this letter on behalf of the suffering Hereros of S.W.A. and Bechuanaland who request your help.

First of all, Sir, I would like to know the Nations who stationed the Hereros People into this matter of South West Africa or into this case of South West Africa; and who respected us for the freedom? What is the difficult for the United Nations to compensate the Country to the owners? or from unowners?

Between us and Dutches from the Germany, is an Herero chief gave our Country to Germany? or an body who signed a war to fight against the Whitemen? Between us and whitemen, who is from his country came to others owner country?

53/ Transmitted by Mr. Mburumba Kerina, by letter dated 7 January 1960.

Who the thief between the Hereros and the Whiteman one who thieved the Country from the owner?

We the Hereros people in exile in Bechuanaland at Lake Ngami hereby authorized the Rev. Michael Scott and Mburumba Kerina to be our spokesmen at the United Nations, but to-day they are increased with the others Mr. Jariretundu Kozonguizi, Mr. Toivo Ja-Toivo and the others our petitions those who are there at the United Nations.

I am sorry that I received a letter from Chief Hosea Kutako said the part on the beside of South West Africa it given to the Europeans as their farms and we want the United Nations to acknowledge us that to where we shall go? and where we see our Domicile country like South West Africa if the United Nations failed to judge or bring our traditional land into our hands.

I think is very earse for the international court of justice to be put the judgement because we don't know the difficult thing but we don't what is the desput between the owner and the thief who thieved the country to compensate to the owners.

When we are still waiting for the international court of justice to be judge the case of South West Africa we received a letter from Chief H. Kutako said that the piece of South West Africa land given to the Europeans to be as their country; and the some of Herero people killed. What is the pcsition of the United Nations or their treatment to us or to Hereros? who gave that piece of the land to the Europeans and signed it, but if that country given to the Europeans it meant that the United Nations stationed the Europeans not stationed for non-Europeans.

We thought that this is not a case which is come to the end of the matter as the case comes to the end of all cases.

(Signed) Kamue David Kavaa

PETITION REQUESTING A SCHOLARSHIP

62. Petition, by letter dated 23 February 1960, from Mr. A.L.M. Sibetta, Katima Mission School, Eastern Caprivi Zipfel, South West Africa, to the United Nations Secretariat

UNO RE- UNESCO Scholarship

I wish to be considered for a UNESCO scholarship tenable at an International University for two to three years.

I have not enough money to complete my studies abroad, (see my letter attached) because the University Colleges designed here for Africans only, neither offer higher degree courses nor research Junior degree courses. Those that cater for advanced studies are only open to whites. Degree obtained at the Universities by correspondence are of equally higher standard, though in reality would not give some graduates top-level scholarship as one would get at an international residential University.

My problem is therefore not of getting admission into an overseas University, but that of the cost of proceeding to and study there for two to three years. This is why I am writing to you, so that you review the matter accordingly, and should this my application meet with your favourable approval, or not please send me by airmail the current UNESCO Prospectus viz studies abroad, and in case of a successful appeal also the relevant forms of application.

(Signed) A.L.M. Sibetta

Enclosure

Letter dated 4 January 1960 from the Rectorate of the Freie Universitat Berlin, to Mr. A.L.M. Sibetta

Thank you very much for sending your application letters for the winter semester 1960/61.

For admission please send a copy of your matriculation certificate or the B.A. certificate. Proof of the knowledge of German also should be given. Referring to your letters I have to draw your attention to the following points:

After completing the B.A. degree you would have to study for at least 2 additional years in Germany before the M.A. degree may be conferred. You have to undergo a

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special examination and to write a thesis - both of this can be done only after the aforementioned 2 years of studies are completed. I am sorry to write that you cannot expect a scholarship in Berlin and that it is more than difficult to get work in Berlin for a foreigner. You would have to support yourself of your own funds.

Admission should not be expected before June 1960.

(Signed) Dr. Horst W. Hartwich

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PETITIONS RELATING, INTER ALIA, TO A DISPUTE CONCERNING
CHURCH MATTERS IN THE REHOBOTH COMMUNITY 54/

63. Petition, by telegram received on 27 August 1959, from Mr. Jacobus Beukes, Rehoboth, South West Africa, to the United Nations

AUTOMATIC TRANSFER FROM REHENISH TO LUTHERAN WITHHOLDING COMMUNION TAKING SERIOUS
TURN CONCERNING CABLEGRAM PETITION 7 MAY 1959^{55/} REPLY URGENTLY

BEUKES

64. Petition, by letter dated 15 September 1959, from Mr. Jacobus Beukes, Rehoboth, South West Africa, to the United Nations

I humbly bring the following matter to your attention, as set out in the enclosed document.

In connexion with my complaints which are already in the hands of the United Nations, I enclose the attached communication as a supplement to my previous petitions. It is apparent from this that the aim is now being pursued beyond its divine aspects. According to my own views, just as our Minister, the Rev. Mr. R. Vollmer, appeared last Sunday in our church service in order to call on the police for help. In order to compel us to change over from Rhenish to Lutherans. This is proof that this is no longer a matter of religion but a complicated political matter.

Our humble request is to be protected as a Trust Territory under the Mandate so that we may preserve our basic existence. The action gives the same proof concerning block number 212, as I have already reported.

We earnestly ask for an impartial inquiry so that we may be able to continue to live in peace and tranquility. My final request is for an acknowledgement of receipt so that I may be sure that this communication has reached you.

(Signed) Jacobus Beukes

54/ Originals in Afrikaans.

55/ See Official Records of the General Assembly, Fourteenth Session, Supplement No. 12 (A/4191), annex XXVII, No. 4.

Enclosures

- (i) Letter dated 7 September 1959 from the Action Committee of the Rhenish Baster Community, Rehoboth, South West Africa, to the Church Administration, Evangelical Lutheran Church (Rhenish Mission Church), Windhoek, South West Africa

If the language used in this letter is not clearly understandable, we suggest that someone who has a good knowledge of Afrikaans be consulted to that there may be no possibility of any misunderstanding.

With reference to the most recent letter from the Church Administration of the Evangelical Church in S.W.A. (Rhenish Mission Church) to the Church Council members of the Rehoboth Baster Community, we wish to express our keen disappointment in regard to the Reverend R. Vollmer. At the last meeting he asked for a chance to help us. Is this the way in which he is now trying to help us? We shall now take up this letter item by item.

Paragraph 1 of the Letter: On various occasions, that is, at large, well-attended meetings of the Community on 26 November 1958, 30 July 1959 and 22 August 1959, we have made it very clear that we do not under any circumstances intend to allow the name of our Church to be changed. We are surprised that you are only now realizing the need to explain your case to the Community. Why was this not done before? Spare yourself the trouble of explaining the 1952 agreement to the Community in any further detail, for we, the Rhenish Baster Community of Rehoboth, have every detail of this agreement at our fingertips. Your explanation of the 1952 agreement in this letter does not agree in any way with the idea contained in that agreement.

Paragraph 2, the first part of your explanation: This part differs completely from the statement made by inspector Mentzel at the Synod at Okahandja in 1957 to the effect that this is a NEW CHURCH. Should not Inspector Mentzel be fully acquainted with all the particulars of the case? The Reverend Bitzer also said, at the meeting of our Community on 22 August, that this was a NEW CREATION. If, then, the Church is same, why was it necessary for the Church Regulations of the Rhenish Mission Church to be abrogated and for new Church Regulations to be drawn up? Please explain what you mean by "We have now set up the Church?"

We refer to the second part of paragraph 2. How can a SUCCESSOR be the same thing as that which is being succeeded? In other words How can a successor be the

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same thing as that which is no longer there? Is this not, then, an irrefutable (not unmistakable) proof that the Rhenish Mission Church and the Evangelical Lutheran Church (Rhenish Mission Church) in S.W.A. are two different Churches?

With regard to your explanation of LEGAL successor, it is our opinion that a successor would be legal if the communities making up the most important part of a Church Organization had requested a successor or if they had at least been consulted on the matter and had given their approval. Now, however, a synod that had received no instruction at all from any community has arrogated to itself the right to change the Church's name even though the representatives of the Rehoboth Baster Community expressly requested that our name should not be changed, because "that would drive us apart". It accordingly appears that the Synod, along with other Church leaders, is unconcerned that this means a cleavage in the Rehoboth Community; they are merely concerned with achieving their goal of establishing a NEW CHURCH.

We just do not understand how, through the establishment of a new Church, you can uphold the tradition of our forefathers. Do not we, who have decided to remain the Rhenish Baster Community, have the right to insist that we uphold the tradition of our forefathers? For among our forefathers there was never at any time any talk of an Evangelical Lutheran Church.

You say further in paragraph 2 that you see no need for cancelling the new name. By the decision of three large meetings, however, you are aware that we of the Rhenish Baster Community see no NEED whatever for any change in the name of our Church that was established for us by our forefathers. This old Rhenish Mission Church is the sworn right that was left to us by our forefathers as a heritage.

If we had felt the need for a new name, we OURSELVES would have requested it, for we represent an INDEPENDENT community having the sovereign right to make our choice and decision concerning what is good and right for us, and we have not conceded that others should make our decisions for US.

With reference to your words "Anyone who today leaves the Evangelical Lutheran Church (Rhenish Mission Church) in S.W.A.", do you not realize that WE who have NEVER belonged to the Evangelical Lutheran Church are obviously incapable of leaving it? We would assume that you know that a person can LEAVE something ONLY if he belongs to it or was a member of it.

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With reference to the final part of paragraph 2, do you not realize that the Church Council of some other Church, for example, the Evangelical Lutheran Church, has no authority or power to take decisions on behalf of us, the members of the Rhenish Baster Community of Rehoboth? Do you not realize that that part of the Community which belongs to the Evangelical Lutheran Church here in Rehoboth DOES NOT HAVE ANY Church Council, because the elders who are still elders were chosen by the Rhenish Baster Community and NOT by the community belonging to the Evangelical Lutheran Church?

Therefore, any person who leaves the Rhenish Baster Community and joins the Evangelical Lutheran Church runs the risk of forfeiting his rights and privileges in the Rhenish Baster Community.

Paragraph 3 "... , namely, ONE CHURCH FOR ALL NON-WHITE TRIBES IN SOUTH WEST AFRICA. In this connexion we heed the PRAYER of the Lord ... John 17, 20 et seq. Do you mean by this that it is written in John ONE Church for all non-white tribes in South West Africa? If so, then please note that this is devoid of all truth. We recommend that you refer again to the Afrikaans Bible. Do explain to us whether it is the will of the Lord Jesus Christ that there must be ONE church for all Non-white tribes in South West Africa. Please explain to us further where the white Clergymen and Sisters fit into this picture of ONE CHURCH FOR ALL NON-WHITE TRIBES IN SOUTH WEST AFRICA.

"Each Church Council member is asked whether he will perform his activities in accordance with the Church Regulations". To the CHURCH COUNCIL MEMBER of what Church are you referring here? We ask further from the Church Regulation of what Church are you quoting? Do you not understand that if you are referring to a Church Council member of the Rhenish Mission Church, you are incapable of exercising ANY authority over that Church, and if you are referring to a Church Council member of the Evangelical Lutheran Church, please understand that WE, the Rhenish Baster Community, have NO connexion with that Church. If you are referring to the Church Council of the Rhenish Baster Community, please understand once again that you of the Evangelical Lutheran Church have no authority to tell us of the Rhenish Baster Community what to do in this matter. If you are referring to the Church Regulations of the Evangelical Lutheran Church, then allow us to impress upon you once and for all that we of the Rhenish Baster Community are NOT AFFECTED by the said Church Regulations" ... and accordingly can no longer

act as a church council member". Must we explain to you once again that the Church Council members of the Rhenish Baster Community are NOT AFFECTED by the Church Regulations of the Evangelical Lutheran Church? We once again emphasize more strongly that the so-called Church Council members of the Evangelical Lutheran Church CANNOT AND MAY NOT make decisions for US of the Rhenish Baster Community.

In accordance with the decision taken at the great mass meeting of 22 August 1959, we emphasize here once again that we of the Rhenish Baster Community have no desire whatever to discuss any questions with either a Synod or a Church Administration of the Evangelical Lutheran Church.

We are prepared to discuss this matter with the representative of the Rhenish Missionary Society at Barmen, who, as we have been informed, is the Reverend Mr. H.K. Diehl, on condition that we are allowed to send as many representatives as we of the Rhenish Baster Community decide upon.

Our plea from the beginning has been and still IS that the UNITY of our Rhenish Baster Community might be preserved now and in the future, but, as appears from the quotations in this letter of ours, that has never been the object of the 1957 Synod at Okahandja or of the Church Administration meeting of 27 August. It likewise appears that this was not the object of the translated letter that was sent from Germany.

In conclusion, we express regret that our mentality and our powers of thought and reason have been so disgracefully underestimated by you, as clearly appears from the communication of the Church Administration of the Evangelical Lutheran Church (Rhenish Mission Church) dated 27 August 1959.

Foot-note addressed to the Reverend Mr. R. Vollmer and for the information of the Church Administration and Church Leaders.

It is with deep regret that we of the Rhenish Baster Community must draw your attention to the fact that you have not acted in the community of Rehoboth as a TRUE SHEPHERD who looks after his flock. Instead, you, together with others, have helped to disperse and tear apart God's community in Rehoboth. You have never at any time attempted to point out to the other Church Leaders that they were tearing apart your parish in Rehoboth. From your behaviour, one gets the rather strong impression that you are in favour of this. You

must remember that you may have to give an accounting to God for this kind of behaviour.

Signed this day, 7 September 1959, at Rehoboth.

(Signed):

Chairman: R.A. Alcock

Secretary: G. Britz

J. Klazen

J. Beukes

Herman Olivier (Senior)

Johan C. Maasdorp

P. de Klerk (Senior)

J. Olivier

Action Committee R.B.C.

- (ii) Letter dated 27 August 1959 from the Church Administration of the Evangelical Lutheran Church in S.W.A. (Rhenish Mission Church), Windhoek, South West Africa, to the Church Council of the Evangelical Lutheran Church in S.W.A. (Rhenish Mission Church), Rehoboth Baster Community

The Church Administration of the Evangelical Lutheran Church (Rhenish Mission Church) and the Vorstand der Rhenischen Mission, meeting on 27 August 1959 at Windhoek, have been deeply grieved to learn that despite various negotiations and a detailed report from the Delegation of the Rhenish Missionary Society at Barmen (20 July 1959), the difficulties in the Rehoboth Community concerning the name of the Evangelical Lutheran Church in S.W.A. (Rhenish Mission Church) and the land have not yet been cleared up. On the contrary, the community meeting held in Rehoboth on 22 August 1959 has once again shown that the opposite is the case.

The Church Administration, together with the Vorstand der Rheinischen Mission, has once again carefully examined the criticisms expressed at the most recent community meeting, and has decided as follows:

- (1) The statement repeatedly made to the church council and the community and also expressed by the Deputation in its letter of 20 July 1959, is once more confirmed, namely, "that the Rhenish Missionary Society has no intention whatever of transferring at any time to any group outside the Rehoboth Baster Community the land of the Rehoboth Community which up to the present time has belonged to the Rhenish Missionary Society; this refers, however, specifically to that Baster Community which is legally connected with the Rhenish Mission Church that is officially registered as the Evangelical

Lutheran Church in South West Africa (Rhenish Mission Church)". This undertaking is a reiteration of what was laid down in 1952 in the Agreement between the Rhenish Missionary Society and the Coloured Community in Rehoboth, South West Africa, belonging to the Rhenish Mission, namely: "In the event that the Rhenish Mission completes its work in Rehoboth, it is prepared to make over the land and all the buildings to the name of the Rhenish Baster and Coloured Community in Rehoboth and not to any other Church or Mission".

(2) It has on every occasion been explained in detail to the church council and the community meeting that the Evangelical Lutheran Church in S.W.A. is identical with the Church thus far known as the Rhenish Mission Church, as is also clear through the addition in brackets of the "Rhenish Mission Church". We quote again from the letter of the Deputation as follows: "this mistrust is completely unreasonable, because the addition in brackets of the name "Rhenish Mission Church" makes it unmistakably clear that this Evangelical Lutheran Church in S.W.A. (Rhenish Mission Church) is none other than the legal successor of the Rhenish Mission in S.W.A." This name was adopted by the Synod of Okahandja (1-4 October 1957), and we see no need for abolishing it. By giving our Church this name, we are keeping faith with the tradition handed down to us by our forefathers, and we maintain the closest connexion with our parent church, the Rhenish Missionary Society at Barmen. Anyone who today leaves the Evangelical Lutheran Church in S.W.A. (Rhenish Mission Church) is taking a stand against the mother church, the Rhenish Missionary Society. We therefore ask the Church Council to adopt a decision whereby, in conformity with the entire Church, it will use the seal of the Evangelical Lutheran Church in S.W.A. (Rhenish Mission Church).

(3) We can see no way of departing from what has long been the tradition of the Rhenish Missionary Society, namely, one Church for all non-white tribes in South West Africa. By this basic principle we are clearly adhering to the prayer of the Lord as given in John 17, 20 et seq. The letter of the Delegation makes it quite clear how great is the interest of our Rhenish Missionary Society at Barmen in this matter. We shall, by virtue of this unity in Christ, respect and esteem the character and the particular traditions of each people as has always been done in our Church

in the past. This means that where, for example, the holding of separate services for each language group has so far been the custom, this will continue to be the custom in the future. (We refer also to paragraph 2, c, of the Church regulations: "The languages spoken by the community members must be taken into consideration.") To depart from this unity of the Church in Christ would for us mean taking a stand against the Lord Christ. That is something which we shall never be able to do.

The Church Administration is confident that the Church Council of the Rehoboth Community will stand by the above-mentioned basic principles of the Rhenish Missionary Society and the Evangelical Lutheran Church in S.W.A. (Rhenish Mission Church) and will by its decisions make this clear to the Church and to the Rehoboth Baster Community. Each Church Council member is asked whether he will perform his activities in accordance with the Church Regulations. If he cannot see his way clear to do this, he must then realize that he is opposing his mother Church, the Rhenish Missionary Society, and accordingly can no longer act as Church Council member.

The Church Council is requested to make its decision known through the Chairman to the Church Administration as soon as possible.

If there is a desire for further discussion of these questions, the Church Administration is prepared to comply with a request to this effect by receiving two or three representatives. It is our earnest prayer that the unity of the Rehoboth Community and that of the entire Evangelical Lutheran Church in S.W.A. (Rhenish Mission Church) may be preserved and that the Lord Himself may guide the thoughts and decisions of the Church Council.

(Sgd.) H.K. Diehl	(Sgd.) J. Beukes	(Sgd.) A. Kukuri
(Sgd.) J. Baurann	(Sgd.) H. Töttemeyer	(Sgd.) O. Milk
(Sgd.) E. Hoebed	(Sgd.) H.J. Isaak	

A decision on the above-mentioned matter will be taken at a special Church Council meeting in Rehoboth on Saturday, 12 September 1959, at 9 a.m.

(Sgd.) R. Vollmer
(sgd.) J. Beukes

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65. Petition, by telegram received on 18 September 1959, from Mr. Jacobus Beukes, Rehoboth, South West Africa, to the United Nations

CHURCH CASE LUTHERANS ACT WITH VIOLENCE SCATTER PEOPLE REFER ANNEX 21 PARAGRAPH 4
OF 3 DECEMBER 1957^{56/} STOP VIOLENCE CONTACT UNION GOVERNMENT LETTER FOLLOWS

JACOBUS BEUKES

66. Petition, by telegram received on 25 September 1959, from Mr. Jacobus Beukes, Rehoboth, South West Africa, to the United Nations

GOVERNOR-GENERAL CAPE TOWN REFER TO UNITED NATIONS NEW YORK NOTWITHSTANDING
OBSTRUCTION LUTHERANS GOD'S TEMPLE HOACHANAS SEEKING AVOID BLOODSHED.

JACOBUS BEUKES

67. Petition, by telegram received on 2 October 1959, from Mr. Jacobus Beukes, Rehoboth, South West Africa, to the United Nations

DISCRIMINATORY PROVOCATIONS AGAINST REHOBOTH PEOPLE IN FORCE. GET IN TOUCH WITH
UNION GOVERNMENT. CALL FOR PROTECTION UNDER THE MANDATE. SATISFY THE PEOPLE.
DIRECT REPLY URGENTLY REQUESTED.

JACOBUS BEUKES

68. Petition, by telegram received on 20 October 1959, from Mr. Jacobus Beukes, Rehoboth, South West Africa, to the United Nations

REHOBOTH FATHERS MOTHERS DAUGHTERS SONS ASK HUMBL Y FOR SUPPORT. HOW LONG MUST
WE WAIT FOR DELIVERANCE, OUR PROPERTY, BASIC EXISTENCE THREATENED, CHURCH DOORS
CLOSED, UNDER DICTATORSHIP. REPLY URGENTLY.

JACOBUS BEUKES

69. Petition, by telegram received on 30 October 1959, from Mr. Jacobus Beukes, Rehoboth, South West Africa, to the United Nations

REFER TO INTERNATIONAL COURT JUSTICE SOUND BASIS NOW EXISTS REHOBOTH UNDER THE
MANDATE CONSIDER ANNEX 6 OF 16 JULY 1956 AND 13 JULY 1956 INCLUDING A AND B^{57/}

JACOBUS BEUKES

^{56/} See Official Records of the General Assembly, Thirteenth Session, Supplement No. 12 (A/3906), annex XXI.

^{57/} See Official Records of the General Assembly, Twelfth Session, Supplement No. 12 (A/3626), annex Vi.

70. Petition, by telegram received on 4 November 1959, from Mr. Jacobus Beukes, Rehoboth, South West Africa, to the United Nations

REFER TO THE ACKNOWLEDGEMENT GENERAL BOTH NATIONAL AFFAIRS IN DANGER UNION
GOVERNMENT'S REVISED MANDATE STOP DISCUSSION WITH ADMINISTRATOR ON 11 NOVEMBER
ANSWER URGENTLY BEFORE 11 NOVEMBER

JACOBUS BEUKES

71. Petition, by letter dated 9 November 1959, from Mr. Jacobus Beukes, Rehoboth, South West Africa, to the United Nations

As an old fighter in the interests of the Rehoboth Community, I hereby request the four great powers, Britain, Russia, America and France, with respectful reference to the old League of Nations and its rightful successor the United Nations:

(1) Seeing that the people of Rehoboth were forced to join the Allied forces in the war of 1914, we ask respectfully what rights the Rehoboth people are enjoying under the Mandate by which the League was placed over us according to paragraph (22). As stated by the League, that continues to exist until our coming of age. The Union Government found us in our country as an independent nation under a Kaptein and Volksraad and under the Rhenish religion. Furthermore, in reference to paragraph (22), what rights does paragraph (22) give our people, we who already were established an independent, our independence having been recognized by a treaty of 1885?

It is known that the Union Government will not honour the moral responsibilities that it took over. What is to become of our people who were placed under Mandate?

a) The treatment under the Mandate was certainly not that we should be treated like animals as the Union Government is treating us; our rights are taken away according to their judgment without reference to ours.

b) We are administered under dictatorial exploitation. Our religious freedom and independence, property and buildings, guaranteed by our constitutional law, are taken from us by dictatorship, by the action of church leaders, in order to attain and perpetrate an unknown purpose.

c) Must we perish under the treatment of the Union Government?

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d) Is there no more leadership in our religious existence for right and justice? We, with wives and children experience sleepless nights in fear that we can be banished at any moment from our possessions and land. Our earnest prayer is that this time we shall not wait in vain for succour. "Our prayer: as soon as possible", closing herewith in expectation.

(Signed) Jacobus Beukes

Enclosures

- (i) Copy of letter dated 23 October 1959 from Mr. Jacobus Beukes, Rehoboth, South West Africa, to The Suidwes Afrikaner, Windhoek

Please grant me space in your respected paper for a few lines.

I as an old campaigner for the interests of the Rehoboth Nation, do not feel I can keep silent in reference to my previous publication of 25 September 1959. I wish to bring to the attention of the reading public something new that has happened namely the automatic transfer from Rhenish to Lutheran; shocking things have happened, quite new and unknown since the time of Christ; namely, that church leaders act dictatorially in forcing the population according to their aims. They also close the church doors to the members of the Rhenish congregation who do not want to accept the Lutheran Church.

About the notice that Rev. Diehl had published in the newspaper I wish to let Rev. Diehl know so that he can be convinced, as he had undertaken to visit the Community with two ministers, namely R. Vollmer and J. Beukes, that the congregation under no circumstances wishes to recognize and receive them as their ministers, because they want to convert the congregation with force to Lutheran. It was emphasized at large congregational meetings, as well as written letters, that the Rhenish congregation does not want to be converted to the Lutheran faith, under any circumstances. The dictatorial action has made it possible to refer this matter to the United Nations. The prayer of the Rhenish congregation is not to be persecuted any more by Rev. R. Vollmer and J. Beukes, as the congregation does not recognize them as their ministers. The situation of the church in Rehoboth is sad. As mentioned in this letter the Rhenish community, in the form of 4,900 church members elected an Action Committee to keep them together and to defend their rights.

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We, the Rhenish Baster Congregation feel happy because we haven't harmed anybody. We are not going to allow that we are kept from religious freedom, in the name of the Rhenish Baster Congregation, a right that our forefathers left us as a perpetual heritage.

(Signed) Jacobus Beukes

(ii) Copy of letter dated 9 October 1959 from The Women of the Rhenish Baster Community, Rehoboth, South West Africa, to the Magistrate of the Rehoboth District

We the women of the Rhenish Baster Community of Rehoboth protest re our church struggle as follows:-

Our first point is: to what extent can our legal property, which was left us as perpetual heritage by our forefathers, be taken from us? Therefore we ask your excellency not under any circumstances to allow that the name of our church be changed from Rhenish to Lutheran. If it should happen that the name of our church be changed we will hold you responsible. Rev. Vollmer has locked the church doors to us, and removed the clapper from the school bell, instead of setting a good sample to us, as our shepherd.

We ask your excellency how you can consider it as just that we who are in the majority have less rights in the church as the Lutheran party. Our feeling is that you must please correct the situation so that we can go to church willingly.

In case you do not give attention to this matter, we will refer it to Her Majesty Queen Elizabeth II. We ask once more that you will leave the church doors open to us. As this letter shows, we are referring the matter to Her Majesty Queen Elizabeth II, to which we will add prayer-requests to show to what extent we are being scattered in our religious existence. And then also the seriousness of the matter, that proves that our future existence is being taken from us. It does not occur to us to relinquish our hard-earned right, that was gained with blood. In this we also stand with Naboth. The same directives will be sent to Rev. Diehl and Rev. Vollmer, with further referral to the Rhenish Missionary - Barmen.

(Signed) Willemina Beukes
H.E. Welman
Maria Kassen

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72. Petition, by telegram received on 10 November 1959, from Mr. Jacobus Beukes, Rehoboth, South West Africa, to the United Nations

REFER NO. 4 GREAT POWERS BRITAIN, RUSSIA, AMERICA, FRANCE, VERSAILLES TREATY THAT OF REHOBOTH POPULATION SEE AFFAIRS LEAGUE OF NATIONS UNITED NATIONS.

JACOBUS BEUKES

73. Petition, by letter dated 22 November 1959, from Mr. Jacobus Beukes, Rehoboth, South West Africa, to the United Nations

Let the truth be told, I hereby inform you of the true state of affairs here in Rehoboth and enclose two communications as follows:

1. The church doors have been closed and will remain so for the 4,000 members of the Rhenish Community. We are holding our church services in the old meeting place of our former Kaptein and Volksraad under a tree. We have obtained an unassigned Minister of our own race from the Cape Colony to administer the holy sacraments.
2. The Reverend R. Volmer has acted aggressively towards us, the Rhenish Community, and even against our Minister with words to the effect that just as he has come, so must he go back again, that he has no right to hold church services here, and so on in the same provocative vein. As a peace-loving people, we are doing everything in our power to uphold and maintain peace. This continuing aggressive attitude threatens to lead to violence; we are receiving no help from the Government. The situation threatens to be the same as that of the Hereros at Windhoek.
3. We would like to know why the name of Luther is being forced upon us and what the change in name means for us. What support is being given to the Reverend R. Volmer who does not care what happens. We, the members of the Action Committee must be on our guard in order to keep the people calm. The Reverend R. Volmer has gone so far with provocative words and threats as to bring the police into our religious service. This matter has an unavowed objective, and it does not matter what happens so long as the objective is accomplished. It is not possible for us to throw away what for 113 years have been the basis of our existence and our principles under the name Rhenish Baster Community.
4. The reply from His Excellency, the Administrator, which is attached, says nothing at all about the objective being pursued. We were led to this place by our forefathers in the same way as Israel was led out of Egypt, and we established

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ourselves here in the year 1870 as a Christian people. It will be a shame for us as an old Christian people to enter such an irresponsible unknown church. We, together with our wives and children, are living in a state of great anxiety lest what happened to us in 1925 may happen again, or that we may be victims of the same events as recently happened at Windhoek with the Herero tribes, which caused innocent blood to flow.

5. The aforementioned Community of 4,900 church members elected an Action Committee, of which I am a member, to hold them together and defend their interests. Our profound desire is to be able, like every nation, to build up on its own soil an independent existence and to become a nation according to its own principles. That is why Article 22 was beneficial to us until we became of age. That was laid down by the old League of Nations under Article 22 and inviolable; we do not believe that we can be denied the right to insist on our basic existence and principles. This, of course, undoubtedly means that we must go along with modern conditions, but only gradually according to our ability. The objective being pursued by the Union Government is in conflict with world opinion. The Union Government is taking to itself the right to interfere in our church affairs and to apply pressure - something the Redeemer never did. We are profoundly confident that we shall come under the protection of United Nations Trusteeship as a peace-loving people until we become a nation. It is very regrettable that in the place where our building stands we must celebrate Christmas under a tree. This has happened before in time of war but not in time of peace. The means are disregarded so long as the objective is achieved. I sincerely trust that the members of the Committee on South West Africa will take drastic action in the matter of South West Africa so that we may be free from anxiety in our country under the protection of the United Nations. We should appreciate being informed by return post that this communication has reached its destination. We conclude with hope and expectation.

(Signed) Jacobus Beukes

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Enclosures

- (i) Copy of letter dated 2 December 1959 from the Women of the Rhenish Baster Community, Rehoboth, South West Africa, to the Administrator of South West Africa

Permit us, the women of the Rhenish Baster Community, to submit our remarks and complaints to you as the overseer under the Trusteeship assumed by the Union Government as Mandatory under Article 22 of the United Nations Charter. Permit us to bring to your attention our deep anxiety which causes us sleepless nights for the following reasons:

1. Our historical existence dates from 1870 when our forefathers achieved our independence. They came here from the Cape Colony and obtained for us at the price of their blood this independence which they have passed on to us, their descendants, as an enduring inheritance that continues from generation to generation. This is being taken away from us today without any reason or cause and even without regard for the words of the Bible; the meaning of this remains hidden and dark. We would like to know why our hard-won rights achieved through blood and sweat to set up our own schools are being taken from us and why, today, we have no rights as regards the church and schools throughout the Gebiet. As stated above, the Rhenish Baster Community has, with God's help, continued in existence through 113 years of oppression, war and drought. We sincerely ask why this serious effort is being made to compel us to adopt the name Lutheran. We have on no occasions submitted our difficulties to the Magistrate, but everything has been in vain. That is why we would like to find out from you, as the father of the country, what we have done to deserve being treated today with less consideration than is given to animals, for there is some demand for animals but none for us. We have thus realized and discovered that we are being abandoned and that we can expect no protection from any earthly power; the only recourse for us is to seek help from the Almighty. For this reason we shall continue to stand unswervingly by Naboth. We sincerely hope that Your Excellency will give full consideration to the seriousness of this matter and comply with our request so that we may again possess our church and property as we formerly did and that we may be able to honour the birth of our Lord and Saviour and again celebrate Christmas in our Church as we used to do. We conclude with the hope and expectation that our request will not be in vain. Wherefore we, the members of our Women's Association, sign our names.

(Signed) Jacobus Beukes

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- (ii) Letter dated 14 December 1959 from the Office of the Administrator, Swakopmund, South West Africa, to Mrs. W. Beukes, Women of the Rhenish Baster Community, Rehoboth

On the instructions of His Excellency, the Administrator, I acknowledge receipt of your letter of 2 December relating to your difficulties with the church question, and I take this opportunity to inform you that His Excellency, after carefully examining the matter, has come to the conclusion that this is the very same church as the one in Rehoboth. Only the name of the church has been slightly changed in order to comply with the decision of the Synod.

I can only say that the Nederduits Gereformeerde Kerk, to which His Excellency and most of the Afrikaans-speaking population of South West Africa belong, has undergone the same change in name. Although this was always the Suid-Afrika N.G. Kerk, it has, now that it is separated from the Synod in Cape Province, become the Suidwes-Afrika N.G. Kerk.

The same thing has happened with your church. With the separation from the Synod in Germany, to whose jurisdiction you have for many years been subject, the name has now been changed. This continues to be the same church, the same creed, the same ministry, the same Bible and the same Lord that we all believe in. The question, then, is why can the work of ministering to souls not continue in love and harmony in behalf of a Supreme Being who rules all things and all men? Look and see how sorely our country is suffering from drought. Is this not clearly a warning to you?

His Excellency wishes you and the entire Baster Community a Merry Christmas and a peaceful New Year.

(Signed) Illegible
Private Secretary

74. Petition, by telegram received on 27 November 1959, from Mr. Jacobus Beukes, Rehoboth, South West Africa, to the United Nations

HOACHANAS HISTORY REPEATS ITSELF IN REHOBOTH RELIGIOUS FREEDOM IS THREATENED GERMAN
MISSION AGGRESSIVE PREVENT BLOODSHED SEND IMPARTIAL COMMISSION IMMEDIATELY REPLY
URGENTLY ADMINISTRATOR MAGISTRATE TAKING UNILATERAL ACTION
ACTION COMMITTEE RHENISH BASTER COMMUNITY

JACOBUS BEUKES

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75. Petition, by letter dated 22 February 1960, from Mr. Jacobus Beukes, Rehoboth, South West Africa, to the United Nations

As an old pioneer in defending the interests of the people of Rehoboth, I hereby address an urgent appeal to the United Nations and the four Great Powers to turn their attention once again to a solution of the problems of Rehoboth as quickly as possible. We refer in this connexion to the course of events reflected in the attached documents.

It is regrettable that a church owned by us and built for our descendants by our forefathers has today without any reason been taken from us by an act of political dictatorial exploitation. Under the former Government of His Majesty, our ownership of this church was confirmed - in consideration of those who died in the service of His Majesty for the preservation and welfare of country and people - by a document that was inscribed in the church wall as evidence of inalienable ownership.

Our historical background from the time of our forefathers is a complicated matter which can be clarified only by a commission of enquiry. We therefore consider it a serious matter that the Union Government, which took us over with all our property and rights intact, is acting towards us in this way. Why is this? In my opinion, this is being done in order to annex the country as its own and to abolish the mandate.

A fair consideration of the matter from the inside and the outside fails to make clear what the Union Government means by acting so perversely towards our little community and, as appears from the attached documents, by continuing to do so without regard to our legitimate property, taking from us the church which we own and which has stood for 113 years. What can this mean?

We respectfully request that the United Nations and the four great Powers should bring about a solution of the problems of Rehoboth. I must remind the four great Powers that the Cameroons and the people of Rehoboth were placed under mandate at the same time. The Cameroons, which fought against the Allies, has now become independent, whereas Rehoboth, which took an independent stand and sided with the Allies, is being treated in the manner indicated in the attached communications. In conclusion, I inform you that our country is severely tried by drought, and I ask whether there is not some way to provide speedy financial aid

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for the development of our mineral wealth. According to a report presented by the van Zwereger land commission in the time of His Majesty, this mineral wealth is estimated to be worth several thousand million. We respectfully hope and trust, having appealed in vain in the past, that we shall not once again be appealing in vain now.

(Signed) J. Beukes

Enclosures

- (i) Letter dated 15 September 1959 from the Secretary of South West Africa, Windhoek, to Mr. J. Beukes, Rehoboth 58/

I enclose documents which were sent to His Excellency the Prime Minister earlier in the year. They have been returned with the request that you should be informed that the Union Government cannot recognize any right of petition to the United Nations on the part of the inhabitants of South West Africa nor any obligation on the Union Government to transmit petitions to the Organisation. You do, of course, like any other South African citizen, have the "right of petition", i.e., the right, as a subject, to direct petitions to the supreme legislative or executive authority of the country.

The correct procedure for exercising this right is to submit petitions to the Union Government through His Excellency the Administrator. Although this is the correct procedure, it would not be insisted upon if the petitioner chose to send a petition direct to the Union Government.

The Administration is in agreement with the views of the Union Government.

(Signed) C.F. Marais
SECRETARY OF SOUTH WEST AFRICA

- (ii) Copy of circular letter dated 4 February 1960 from the Evangelical Lutheran Church in South West Africa (Rhenish Mission Church), Rhenish Baster and Nama Community, Rehoboth, South West Africa, to members of the Community

We wish to report briefly on a few matters. It has been said by the "Action Committee" that our church has been registered as a Native or Bantu church and that

58/ The letter transmitted by the petitioner is an original signed letter, in Afrikaans, on the official stationery of the office of the Administrator.

therefore whoever belongs to our church is designated as a Native. This, however, is not true, as is proved by the letter that we have received from our attorney. This letter is reproduced below for your information.

We are not going to issue any itinerary this year but will announce in due time when worship and the Lord's Supper will take place in the outlying areas. This will be at about the same time as previously.

A fellow-workers conference of the ministers and lay-preachers of our church will take place at Rehoboth from 31 March to 2 April. In conjunction with this, the Synod will be held from 4 to 6 April. On Sunday, 3 April, Pastor Thomas Vries will be assigned to us, and Pastor Apollos Xamseb will be certified for his duties in Rehoboth. Pray, then, to the Lord that He will bless all the proceedings:

We greet everyone with the motto for this year (Revelation I, 17-18).

Your ministers, J. Beukes, Th. Vries, Apollos Xamseb.

R. Vollmer

(iii) Copy of letter dated 18 December 1959 from the Chief Bantu Commissioner of South West Africa, Windhoek, to Dr. W.H. Weder, Windhoek

Ref.: DIFFICULTY IN REHOBOTH GEBIET BETWEEN THE EVANGELICAL LUTHERAN CHURCH IN S.W.A. (RHENISH MISSION CHURCH) AND THE SO-CALLED RHENISH BASTER COMMUNITY

In reply to your letter of 5 December, I wish to inform you that the above-mentioned church is registered in my Office as the Evangelical Lutheran Church of South West Africa and is recognized by the State. The name Native or Bantu was intentionally omitted, because the Church Administration of the Rhenish Mission Church was fully aware that their community consists of both Bantus and Coloureds, this naturally including the Basters of Rehoboth. In no wise, therefore, are the Basters of Rehoboth, who belong to the said church, designated as Bantus. They retain their identity irrespective of the church to which they belong.

/...

Although a church is granted State recognition by my Department only in respect of its activities among the Bantus, this does not, of course, in any way limit its activities to the Bantus.

Bruwer Blignaut,
Chief Bantu Commissioner of S.W.A.

P.S. A copy of this letter has also been sent to the Captain and Board.

(iv) Letter dated 12 December 1959 from the Action Committee of the Rhenish Baster Community, Rehoboth, South West Africa, to Messrs. R. Vollmer and J. Beukes, Evangelical Lutheran Church in South West Africa (Rhenish Mission Church), Rhenish Baster Community, Rehoboth

In reply to your circular letter of 9 December 1959, the Rhenish Baster Community decided at a meeting held on 12 December 1959 to bring the following matters to your attention:

1. It surprises us and is at the same time ludicrous (the Community had a hearty laugh over this) that your community has suddenly ceased to be the Evangelical Lutheran Church in S.W.A. (Rhenish Mission Church) Rhenish Baster Community of Rehoboth and is now simply the Rhenish Baster Community Rehoboth. We wonder why your community has so suddenly become our Community, namely, the Rhenish Baster Community of Rehoboth. Even as early as 22 November 1959 the few persons siding with you still belonged to the Evangelical Lutheran Church in S.W.A. We have a fairly good idea of the reason for this sudden turn of events. Please note that this sudden change of name makes no impression on us. It is a rather unwholesome state of affairs when a community changes the name of its church so much and so often. Do you, perhaps, regard this as a wholesome state of affairs?

2. In your letter you address us as "Dear Community". How can you, the ministers of another community, address our Community as "Dear Community"?

We would have you understand once and for all that you must please put a stop to this sort of self-righteous rashness. If you do not understand this, we would point out to you that you are entitled to address only the members of your own church as "My Dear Community".

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3. In your letter you write, "Our church council, together with other persons from the community, met on Friday, 4 December 1959."

To the church council of what community, may we ask, are you referring? About what persons from what community are you talking? If what is meant is that the church council of the E.L.C. in the S.W.A. Rhenish Baster Community is meeting with persons belonging to the E.L.C. in S.W.A., we should like to point out to you that the members of another church cannot and may not and will not have any right to make decisions for us.

4. With reference to the words "Our community, which is recognized as a 'Lutheran' community", we would point out that in writing these words you have committed an almost unforgivable blunder, for the few persons siding with you are not recognized as the Lutheran community but in fact belong to the E.L.C. in S.W.A. You now write that they will take and keep the name Rhenish Baster Community. Give them back that name by all means; we do not object, for you are the ones who have the final say over that handful of people. You must, however, realize that unless those who have broken off from us and joined the new church return to our fold, they cannot and shall never become the legally recognized Rhenish Baster Community of Rehoboth.

5. You write. "The part of the community that belongs to the Action Committee". We are shocked that you are apparently so uninformed as to assert that a community belongs to an Action Committee. Our Action Committee was chosen by the Community, from the Community, for the Community; it therefore belongs to the Community, and it serves the Community.

We are only too well aware of why you are attempting to disparage us in this manner, but understand once and for all that this plan of yours will likewise not succeed. We strongly urge you to note that you may be laying yourselves open to the charge of wilful slander when you say that we of the Rhenish Baster Community of Rehoboth belong to the Action Committee. You have now been warned.

6. You say that we of the Rhenish Baster Community of Rehoboth will never be legally entitled to use the name "Rhenish". You can undoubtedly tell this to the few people siding with you, for they will be only too eager to believe this.

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7. We challenge you to proceed, on behalf of those few people to whom you have now given back the name Rhenish Baster Community, to register their church as the Rhenish Baster Church and at the same time to cancel their existing registration as the E.L.C. in S.W.A. When you have done that, come and present the proof both to us and to them.

8. FINANCES. Take note that we of the Rhenish Baster Community of Rehoboth are already managing our own finances. Believe us when we say that this is a fine privilege. We ask you too to give those persons who are siding with you the fine privilege of experiencing something they have never known.

9. SPIRITUAL SPHERE. You say that in the spiritual sphere you cannot be a community apart and will thus continue to be associated with the E.L.C. in S.W.A. We who belong to the legally recognized Rhenish Baster Community of Rehoboth say once again that we do not need to be associated with the E.L.C. in S.W.A. in order to assert our spiritual right of existence. We therefore have no objection if you remain associated with the E.L.C. in S.W.A.; that is your affair. Take note that we who belong to the legally recognized, existing and established Rhenish Baster Community of Rehoboth will never be associated with the E.L.C. in S.W.A.

10. CHURCH PROPERTY. You write that the church property at Rehoboth will be legally transferred to the community.

We ask what community you are referring to. We say further that you have no authority to have our property transferred to us. All that you are required to do is to give us back what you assert to be white property, and we ask that this should now be done forthwith.

11. SYNOD IN APRIL AT REHOBOTH. To the synod of what church does this refer? Is it, perhaps, the synod of 1957 that was responsible for the new, unwanted church and the accompanying schism in our Community? Take note that if this is the same synod, and thus also the synod of the E.L.C. in S.W.A., then it SHALL not and CANNOT and MAY not make any decisions for our Community. Let it merely make decisions for the handful of persons who are siding with you, for they are indeed associated with the E.L.C. in S.W.A.

12. USE OF THE SEAL OF THE RHENISH BASTER COMMUNITY FOR CHURCH DOCUMENTS AND BAPTISMAL CERTIFICATES. You may freely ask (and of whom, moreover?)

/...

whether this seal may be used for church documents and baptismal certificates for the handful of persons who are siding with you and for whom you are the ministers. We have no objection to this. This again is your affair.

13. USE OF SCHOOL BUILDINGS IN OUTLYING AREAS. The buildings referred to in your letter have never belonged to you two, nor to the Rhenish Missionary Society, nor to the E.L.C. in S.W.A. From where then have you derived the right to make concessions to us in respect of our LAWFUL PROPERTY? Are we therefore to understand that in the guise of so-called concessions you are perhaps appropriating some part of the ownership rights of these buildings? We are addressing this question to you because your attitude with regard to these buildings leaves us quite flabbergasted.

14. THE SO-CALLED TWO PARTS OF THE COMMUNITY. We would like to make very clear that you are VERY MISTAKEN when you speak of two parts of the Community. There is no question of two parts of the Community, but rather of TWO SEPARATE communities, inasmuch as the handful of persons who have sided with you have broken away from us and joined the new church.

15. SERVICES OF OUR MINISTER IN OUTLYING AREAS. Please answer the following questions for us:

- (a) Do you really propose to tell our minister how many services he should hold in outlying areas?
- (b) Are you perhaps the superiors of our minister with authority to prescribe certain rules for him?
- (c) Why do you concern yourself with the minister of a Community over which you have no authority whatever?
- (d) Why do you interfere with a Community which you and your leader have on various occasions rejected?

We recommend that from now on you should, if you please, attend strictly to the affairs of your own community and cease importuning us.

16. COMMUNITY LEADER. Who is the community leader of whom you write in your letter, and of what church is he the community leader? We do not allow any rules to be made for us by the community leader of another church. Take note that OUR Community leader is the minister whom we have called.

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17. YOU WRITE THAT YOU WILL WORK FOR PEACE

(a) Do you still remember the day of 11 September 1959 when the Action Committee was directed by its Community to enter into talks with you and your leader to achieve PEACE and find a SOLUTION of this MATTER? Do you still remember who on that day acted the great lord and master, slapped his chest and said, "This is MY house! I am the master here! And things will be done here just as I say!" We did indeed appeal for PEACE on that day, and you will remember who then said, "There will be NO APPEALS HERE NOW!"

(b) Do you still remember the day of 12 September 1959 when, on behalf of PEACE, we wished to hold conversations with the Captain and the Baster Board? Who were the TWO PERSONS that resolutely refused on that day to present their case in our presence to the Captain and Baster Board and in that way to preserve PEACE?

(c) Do you still remember the day of 12 September 1959 when you and your leader and still another minister held a meeting with the elders? On that day the schism became final by the fact that someone said to the elders, "Those who have decided to remain Rhenish Elders must leave the meeting!" Do you still remember who that PERSON was?

On that day we wanted to take effective steps to preserve the peace for which you are NOW FOR THE FIRST TIME pleading. You must now surely realize who the PERSONS were that did not want PEACE!

Can you now blame us for being very doubtful of the sincerity of your plea for PEACE at this stage? Your plea comes surprisingly late. We are completely in favour of PEACE AND LOVE, but we resolutely refuse to be dictated to by you, the ministers allied with the E.L.C. in S.W.A.

18. THAT RELIGIOUS SERVICES MAY BE PRESERVED FOR ALL. Is it not strange that there is ONLY NOW a realization that religious services should be preserved for all? (Do you mean by this freedom of religion?)

(a) Do you still remember the day of 13 September 1959 when you tried to expel the Community from its OWN church and later even called upon the police for assistance? Do you also call this conduct of yours THE PRESERVATION OF RELIGIOUS SERVICES FOR ALL?

/...

(b) Do you still remember the day of 27 September 1959 when the church doors of our own church were closed to us so that we were unable to hold any services on that date? Do you call this conduct of yours THE PRESERVATION OF RELIGIOUS SERVICES FOR ALL?

(c) Do you still remember the circular letters sent by you to the principals of schools instructing them to deliver the keys to the buildings to persons specified by you? Those persons, with one exception, were all members of the E.L.C. in S.W.A. Do you also call this conduct of yours THE PRESERVATION OF RELIGIOUS SERVICES FOR ALL?

(d) Do you still remember who said, "All those who do not want to join the E.L.C. in S.W.A. must LEAVE!" Do you also recall the conduct of THAT PERSON THE PRESERVATION OF RELIGIOUS SERVICES FOR ALL?

You must agree that this alone gives us, A VERY GOOD REASON to be VERY SCEPTICAL about your plea for THE PRESERVATION OF RELIGIOUS SERVICES FOR ALL.

19. YOU ASSUME THE RIGHT TO CONCLUDE WITH: "YOUR MINISTERS". As we understand it, you must mean the ministers of our Community. But you are wrong! You are, of course, very well aware that you are no longer OUR ministers but the ministers of that handful of persons who have broken off from us and joined the NEW church.

20. Reverend Mr. Beukes, do you still remember the day when a delegation from CLR Community went to ask you to continue to be CLR minister and what your reply was? If on that day you had decided to continue as CLR minister, you would have been entitled to end your letter with the words, Your Minister.

21. The Community has further resolved to URGE you to leave CLR minister alone. Please refrain FROM IMPORTUNING HIM ANY FURTHER.

In conclusion we URGE you to note that we have no interest whatever in your circular letters and their fine words. Please send your circular letters to the few persons who are siding with you. You must realize once and for all

/...

that you are wasting ENERGY, TIME and MONEY in sending your trivial circular letters to our Community.

Action Committee of the Rhenish Baster
Community

(Signed)

1. CHAIRMAN: R.A. Alcock
2. SECRETARY: R.G. Brits
3. ASSISTANT SECRETARY: Johan C. Maasdorp
4. TREASURER: J. Klazen
5. OTHER MEMBERS: A.J. Beukes
6. H. Olivier
7. M. Olivier
8. J. Olivier
9. J. Beukes

The letter from the two ministers, Messrs. Vollmer and Beukes, is attached so that you can read for yourselves what they have written. In this way you will have a better idea and understanding of our Community's letter and thus also of our Community's opinion of the letter of the two ministers and of the fine words which it contains.

(v) Circular letter dated 9 December 1959 from the Rhenish Baster Community, Rehoboth, South West Africa, to the Community

Christmas is at the door! Once again will the glad Tidings of the Angels be proclaimed to all nations: "Glory to God in the highest, and on earth peace, good will to men!" In the spirit of these tidings we wish today to direct a few words to everyone. This may perhaps also be helpful in bringing some peace to the matter with which our community is concerned. This, at least, is our heartfelt wish and desire.

With a view to achieving this peace, our church council, together with persons from the community, met on Friday, 4 December. We see a solution and would like to outline it here. Further details will be forthcoming later.

1. Our community, which is recognized as a "Lutheran" community, will take and keep the name "Rhenish Baster Community Rehoboth", without the addition of the name "Evangelical Lutheran Church" or any other name (Note: the part of the community that belongs to the Action Committee will never be

/...

legally entitled to use the name "Rhenish".) The change in name will be accompanied by other privileges such as independent management of the finances of the community, etc. in the material sphere.

2. In the spiritual sphere, however, we cannot be a community apart. We shall thus continue to be associated with our "Evangelical Lutheran Church" and our Missionary Society, for they represent our spiritual mother and ally.

3. As is already known, the church property at Rehoboth will be legally transferred to the community as soon as the necessary formalities have been completed. This will undoubtedly take place, on the recommendation of the Board of Missions, in connexion with the Synod to be held at Rehoboth in April.

4. We must, however, ask that we be allowed even now to use the seal "Rhenish Baster Community Rehoboth" for our church documents and baptismal certificates.

We also have something further which must be achieved peacefully, namely, the use of the school buildings in the outlying areas for religious services of the two parts of the community.

In consultation with the Captain and several members of the Board, we have, in relation to the community which is on the side of the Action Committee, made the following concessions until such time as the other matters are negotiated.

1. Church services or prayer meetings may be held in the various districts by the local elders. The arrangements in this regard must be decided upon in consultation with all the elders, and preference must be given to our community as regards the time of the services.

2. As a further concession to them, the minister called by them may, two or three times a year, conduct the Lord's Supper and church services in the outlying school but, of course, solely for this purpose.

3. The school buildings cannot be made available for any purpose other than the holding of purely religious services. Otherwise, special permission must be sought in writing from the community leader.

We appeal to everyone to view this matter in a way that will work for peace for us all and may preserve religious services for all. Meet one another

as brothers and sisters and seek not hostility. Let us walk in humility as did the Lord Christ and rather suffer injustice than do injustice. But we shall not depart from truth and justice.

With cordial blessings and wishes for Christmas and the New Year,

Your ministers,

R. Vollmer
J. Beukes

(Note: This is a copy of the letter which was signed and circulated by the two ministers, R. Vollmer and J. Beukes).

76. Petition, by letter dated 19 March 1960, from Mr. Jacobus Beukes, Rehoboth, South West Africa, to the Secretary-General

I am humbly addressing you as an old pioneer defending the interests of the Rehoboth people. Firstly, I am enclosing a letter, as the Administrator will be informed, with which this letter is concerned.

1. Our human rights have been violated and the sacred trust and moral obligations which the Union Government had assumed on 17 December 1920 have been repudiated. This has been emphatically condemned in our community.
2. The Administrator, the present Magistrate, the so-called Captain and even the Church leader, the Reverend R. Vollmer, have acted in a dictatorial and unlawful manner and have adopted an aggressive attitude towards our people, as stated below.
3. It was decided that on 30 March 1960 a Synod in our church, consisting of ninety representatives, was to decide on our fate here in Rehoboth. The Board and the whole Community sent a protest to the Administrator who has contemptuously rejected it. This may have serious consequences and lead to bloodshed. This attitude, which disregards our human rights to our own recognized property, is a violation even of the freedom of religion and of moral obligations, and flouts world public opinion.

Finally, we would humbly ask, as the contents of this letter and the attached documents^{59/} show, what is to happen if the Union Government

^{59/} The petitioner enclosed the original of a letter dated 11 March 1960, signed by Mr. H.C. Wessels for the Secretary of South West Africa, returning to Mr. Beukes documents which he had sent to the Prime Minister on 22 February 1960. In substance, the letter is identical to that reproduced in enclosure (i) under No. 75 above.

contemptuously disregards the United Nations and even scorns world opinion. Therefore, I would earnestly beg you to submit, without fail, the attached documents to the World Court. We urge you, as soon as this letter is received, to stop the Synod from making its appearance here in Rehoboth, as announced, on 30 March. We insist on this as a peace-loving people and at the same time we appeal for help to the Four Powers so that they should put a stop to the course of action which the Union Government has deliberately embarked upon.

(Signed) J. Beukes
Jacobus Beukes

77. Petition, by telegram received on 9 April 1960 from Mr. Jacobus Beukes, Rehoboth, South West Africa, to the Secretary-General

ONESIDED ACTION SYNOD ALARMED X OUR PEOPLE'S IDEA AND IDEAL ARE DEPRIVED
US X PRESS FOR FREEDOM FOR OUR BELOVED PEOPLE BEFORE BLOODSHED X WROTE
19 MARCH 1960^{60/} AND OUR PRAYERS CALL FOR IMMEDIATE HELP.

J. BEUKES

78. Petition, by letter dated 23 July 1960, from Mr. Jacobus Beukes, Rehoboth, South West Africa, to the United Nations

I hereby respectfully draw attention to the state of affairs concerning our church and school, which have been automatically changed from the name "RHENISH" to the name "LUTHERAN" contrary to the wishes of the people. This can cause complications and lead to bloodshed as well as to confusion among the people. This automatic transfer does not serve the pure Godhead but only some other purpose, whatever that may be. An attempt is being made at all costs to disrupt our national existence. I hereby attach a communication as follows:

1. Our church and school were built at the community's expense, the exemption for the church being an exemption for two farms (each comprising 7,000 hectares), one of which is now used for a white school and school hostel, and the police station was transferred from Kub to the aforementioned land. The two farms were sold in order to cover the building costs.

^{60/} See No. 76 above.

2. It is very serious, as mentioned above, that objectives alien to the pure Godhead and disruptive of the concord and well-being of the people are being pursued.

3. I hereby respectfully ask whether the Union Government is not mindful of the word spoken by God, viz., Give unto Caesar the things that are Caesar's, and to God the things that are God's. This is so because the church is the only trustworthy order that is free from politics. How can such a basic element for the attainment of man's goal be changed? This is what is happening here in Rehoboth.

4. Furthermore, the church leaders are being aggressive towards us in order to prevent us from having free access to our own building. This kind of conduct has grieved us deeply, and in this connexion we have received no help from the Government, which, as the Mandatory, assumed an obligation for the welfare of the people.

5. The automatic action in our church and school demonstrates that we have been expelled as slaves who have no right to property and no human rights either. The objective of our sovereign national existence is to establish ourselves as a nation on a firm foundation. We are a small people which by the grace of God have increased in the course of time until we now number 25,000. We respectfully ask that we be granted the privilege of becoming a nation as was stipulated by the old League of Nations.

(Signed) Jacobus Beukes

Enclosure

Copy of letter dated 18 July 1960 from Mr. Jacobus Beukes, Rehoboth,
South West Africa, to the Hon. H.K. Diehl, Windhoek

"UNDER THE INSCRIPTION - THE EXISTENCE FROM THE GODHEAD IS UNITY"

With regard to the Rehoboth church dispute, I wish to make the following explanation:

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"OUR CHRISTIAN EXISTENCE"

1. Our existence as a sovereign Christian nation is based solely on the grace of God.
2. The Christian existence of the people of Rehoboth, as, for example, the church and school, is based on mutual trust in Christ.
3. The building of the new church: When the building of the church was completed, a general meeting of the congregation was called. The speakers at this meeting were the late Samuel Beukes (Regional magistrate) and, on the other side, the Rev. Mr. A. Blecher for the Rhenish Mission.
4. The aforementioned speaker, S. Beukes, stated that the wish of the congregation was to obtain a written document to the effect that the church was the property of the Rhenish Baster Community. The Rev. Mr. Blecher then replied: "Samuel, a written document is a sign of mistrust; let us rely in this connexion on 'Mutual trust in Christ.'" The speaker then replied: "Good, but if this mutual trust is not pleasing to God, and if there is a defect, be it ever so small, this will become apparent in my time or after my time".
5. This did not subsequently turn out to be pleasing to the Imperial German Government. The Imperial German Government thus had a document engraved in the church wall, on which the names of those who fell in the service of His Majesty were inscribed. This substantiates the fact that the church is the legal property of the Rhenish Baster Community.
6. Our national existence was sovereign from the establishment of the community (1870) and was later declared to be extra-sovereign. This resulted from the fact that all landowners engaged in hostilities against the Imperial German Government.
7. The administration of our church and school was also sovereign, and even at the meetings of the Synod there was no interference from other member churches, for example, Gibeon, Hoachanas, Windhoek, Okahandja, Gobabis, Karibib, etc.
8. Our national existence during the past 113 years, which by the grace of God have been characterized by flourishing growth and have enabled various churches to expand, has been satisfactory.
9. As mentioned here, there are only two proper courses, namely, growth and expansion.

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In conclusion I would like to make clear to you that our rights are based on sworn rights that are unshakable. I therefore humbly request that the change in the name of our church and school to Lutheran be rejected. We also want you to know that we wish at all costs to preserve the name of Rhenish Baster Community.

(Signed) Jacobus Beukes

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PETITIONS RELATING TO THE RE-ENTRY OF THE REV. MICHAEL SCOTT
INTO SOUTH WEST AFRICA

79. Petition, by letter dated 7 June 1960, from the Rev. Michael Scott, London, to Chairman of the Committee on South West Africa

I have received a letter from Chief Hosea Kutako dated May 11th, 1960 in the course of which he says "... I hope that your God and my God will pave the way for your coming here so that I may see you for the last time while praying for the same". I would therefore ask you to treat as a written petition the request that I should be allowed to return to South West Africa to give a first-hand report to Chief Hosea and to consult with him and his people about the position regarding South West Africa and the next steps that can be taken towards a peaceful solution of these problems. I have made a request to be allowed to return and for the prohibition order against me to be rescinded but hitherto this has been refused by the Union Government. I have repeated this request in a letter to the Administrator of South West Africa as I feel moved to try again in view of the request from Chief Hosea which I have referred to above and also in the light of the remarks made by Mr. Justice Hall in the report of his Commission on the deaths resulting from police action at Windhoek location.

Furthermore, according to Article 5 of the Mandate, South Africa has an obligation to "ensure in the territory freedom of conscience and the free exercise of all forms of worship, and shall allow all missionaries, nationals of any State Member of the League of Nations, to enter into, travel and reside in the territory for the purpose of prosecuting their calling." I hope it may be possible to test the validity of what amounts to a claim to sovereign jurisdiction over South West Africa on the part of the Union Government, but whether or not this is possible I should be most grateful for the support of any recommendation by your Committee which would help me to fulfil the obligation which I regard as very sacred to Chief Hosea and those who originally asked me to go to the United Nations when they were refused permission to do so themselves.

(Signed) Michael Scott

Rev. Michael Scott

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80. Petition, by letter dated 4 August 1960, from the Rev. Michael Scott, London, to the Chairman of the Committee on South West Africa

Following my letter of June 7th, I have now received a letter from the Secretary for the Interior in Pretoria dated July 25th 1960 informing me that since I had been declared a prohibited immigrant the Department is not prepared to accede to my request that I should be allowed to visit Pretoria or South West Africa to accompany a deputation of Chief Hosea Kutako and others whom I represent in South West Africa.

In this connection I enclose a copy of a letter I have today sent to the Secretary-General. I hope there may still be time for your Committee to consider this refusal during its present session.

(Signed) Michael Scott

Enclosures

(i) Letter dated 4 August 1960 from the Rev. Michael Scott to the Secretary-General

I received a letter from the Secretary for the Interior in Pretoria dated July 25th 1960 informing me that since I had been declared a prohibited immigrant the Department is not prepared to accede to my request that I should be allowed to visit Pretoria or South West Africa to accompany a deputation of Chief Hosea Kutako and others whom I represent in South West Africa (as mentioned to you in my letter of June 9th). I feel it is right to transmit a copy of my letter to the Administrator of South West Africa. It was Chief Hosea Kutako's request that I should be allowed to visit him and discuss questions that have arisen in connection with their case at the United Nations and I am doing this in the hope that some way may be found of overcoming the continued objections to my return to consult with those who originally asked me to go to the United Nations.

There are many matters that require elucidation and I also wanted the South African Government to know that I was prepared to answer in person the allegations that were made against those who were petitioning the United Nations regarding the disorders and loss of life which took place at Windhoek at the end of last year. Allegations which were made in the report of the Commission of Inquiry by Mr. Justice Hall.

/...

I should like to make a request for an opportunity to make an oral statement to the Fourth Committee on this matter when it meets to discuss the question of South West Africa at the forthcoming General Assembly. I did not ask to speak to the Special Committee on South West Africa. I had made this request to the Administrator of South West Africa to be allowed to return there and have only just received the negative reply of the Union's Department of the Interior.

I am forwarding a copy of this letter to the Chairman of the Committee on South West Africa in case there is still time for that Committee to consider the Union Government's reply. I must add that I consider this refusal to be a violation of Article 5 of the Mandate which provided for free access to the Territory and I trust it will be considered by the Committee in this light.

(Signed) Michael Scott

(ii) Copy of letter dated 25 July 1960 from the Secretary for the Interior, Pretoria, to the Rev. Michael Scott

In reply to your letter of the 8th June, 1960 addressed to the Honourable the Administrator of South West Africa, I have to inform you that as you have been declared a prohibited immigrant the Department is not prepared to accede to your request.

R.C. Lindegup
SECRETARY FOR THE INTERIOR

(iii) Copy of letter dated 8 June 1960 from the Rev. Michael Scott to Mr. D.T. du P. Viljoen, Administrator of South West Africa

May I renew a request which I have made several times during the past few years to be allowed to visit South West Africa to discuss matters with Chief Hosea Kutako and those who asked me to go to the United Nations on their behalf. It is now twelve years since I was allowed to visit them and there is naturally much that I should like to be able to report to them and to receive their advice upon any matters which are of grave importance to them at the United Nations.

I received a few days ago another request from Chief Hosea Kutako in which he says: "My own health has not been of the best owing to my long journey but

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I hope that your God and my God will pave the way for your coming here so that I may see you for the last time while praying for the same".

I was distressed to read in the report by Mr. Justice Hall on the Windhoek rioting the suggestion that this was attributable to petitioners at the United Nations who had instigated this for the purposes of discrediting the South African administration. Since I was named in this connection I should like to repudiate this suggestion and to state emphatically that in all my dealings over South West Africa I have encouraged the use of non-violent methods and recourse to international law and other peaceful procedures.

Michael Scott

(iv) Copy of letter dated 9 June 1960 from the Rev. Michael Scott to Chief Hosea Kutako, Windhoek, South West Africa

Following my letter of yesterday's date and the copy of the cable you sent me addressed to the Secretary-General on May 12th, I am enclosing herewith a copy of a letter addressed to the Secretary-General expressing the hope that he will be able to see a deputation from you when he visits South Africa.

I hope very much that it may be possible for me to come with you if I can be allowed to return at that time, but if this cannot be arranged in the short time between now and then I do hope it will be possible for you to impress on him your wish that we should be allowed to meet very soon if this can be arranged at a time when he is going to be in South Africa as I think the report of Mr. Justice Hall should be challenged and the whole tragic background of those events in Windhoek brought to light rather than blame be attributed to people who are thousands of miles away.

Michael Scott

COMMUNICATIONS RELATING TO SOUTH WEST AFRICA

81. Letter dated 14 October 1959 from Mrs. Ada Patterson-Kuhn, Fort Victoria, Southern Rhodesia, to the Secretary of the Security Council

Now that the affairs of South West Africa have again come under discussion, may I - as a patriotic Rhodesian - make a suggestion, which in my opinion would be of lasting advantage to the Federation, should it materialize before the opportunity is lost forever.

It is concerning a wide strip of land in the north of South West Africa - including the Caprivi Strip - which I presume is of comparatively little value to that country and would be no great loss should it be forfeited and annexed to the Federation. This progressive but land-locked country would then have the lasting advantage of an outlet to the west coast, making it independent of our neighbours for sea trade and giving us a shorter route to the United Kingdom and America, thus saving vast unnecessary expenditure on international trade.

The suitability of a shipping harbour would have to be taken into consideration when detaching the northern section of that vast territory. This portion could then be developed with railways, roads, farms, mines, industries and towns reaching to OUR EAST COAST - a Rhodesian dream come true!

Knowing the restricted outlook of our southern neighbours, I should think they would have no objection to giving up the administration of this northern portion of South West Africa which is apparently of little value to them, in exchange for greater control over two-thirds of the country in the south. The African population too, would probably prefer to be under Rhodesian (or I should say Federal) jurisdiction.

Should this be considered a practical suggestion by the Great Powers, I trust it will materialize before the Union of South Africa succeed in gaining a stranglehold on that great country South West Africa with its long coast-line.

(Signed) Ada Patterson-Kuhn

82. Letter dated 26 October 1959 from Mr. Jariretundu Kozonguizi, New York, to the Chairman of the Committee on South West Africa

Attached find some comments on the statement made by Mr. J.V. der Wath^{61/} on conditions in the territory of South West Africa. I shall appreciate it if you would bring them to the notice of the members of the Committee on South West Africa.

(Signed) Jariretundu Kozonguizi

Enclosure

SOME COMMENTS ON THE STATEMENT MADE BY MR. J.G. VAN DER WATH

Many of the facts quoted have already been presented to the United Nations by the Committee on South West Africa and in this respect, the statement can be considered to have confirmed what the Committee has already reported on.

Economic Conditions

Mr. Van Der Wath spoke of difficulties in this field and gave as examples first: foot and mouth disease and lung disease in various Reserves; second, lack of communication, and third, the water situation in the Reserves. Not a single person in the Territory is unaware of all of these difficulties, which are due in the main to the natural physiognomy and the geographical situation of the country. But the difficulties should not be exaggerated until all possible sources of relief have been tried. In this respect, the specialized agencies of the United Nations could prove of great benefit. Mr. Van Der Wath did not touch on this very important matter: he particularly did not touch on the policy of the Administration of South West Africa and the Union Government towards the specialized agencies of the United Nations and the assistance they could put at the disposal of South West Africa.

Economic Conditions of the Africans

The income of the African in the Reserves has been given in totals, but the average has not been mentioned. Moreover, no mention of the average or total

^{61/} See A/C.4/427.

income of the Europeans has been made. Then again, no mention of the wages of Africans in towns was made, and the figures we quoted have not been refuted by Mr. Van Der Wath.

Conditions in the Mines

Facilities and accommodation for employees in the mines have been mentioned, but no mention as to cost has been quoted. Neither the quality nor the quantity of those facilities has been described. Mr. Van Der Wath has bluntly stated that there is work for all in South West Africa, but he did not go into details about the type of work that is available to the various racial groups in the Territory, and he did not even quote the regulations which are of Government creation and which specifically bar Africans and other non-white persons from appointment to certain categories of employment in the mining corporations. He refrained from mentioning anything about the non-European drivers, under the Windhoek Municipality, who were dismissed from their jobs in May of this year, to make room for Europeans.

Land

It is true that no European may purchase land in the Reserves. But neither may the non-European purchase land there. Mr. Van Der Wath has also said that alienation of land cannot take place without permission of the inhabitants of the Reserves, but it is very clear that this is taking place in Hoachanas. It is a paradox that some people in Hoachanas should possess inalienable rights to remain there, whilst others who were also born there, cannot enjoy those same rights.

Chief Hosea Kutako

As we mentioned before, it has been the policy of the Government of South Africa to depose and impose chiefs on the people. The statement that Chief Kutako is not the recognized head of all the Hereros in South West Africa can be regarded as indicative of a trend in that direction. The Administration knows very well that Chief Kutako is recognized by all the Hereros as the leader of all the Hereros in South West Africa. Moreover, it is not for the Administration to say who the Chief of the Hereros should be, but it is a matter for the Hereros themselves to decide. Today, the hereditary paramount chief of the Hereros is in

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Bechuanaland, and Chief Hosea Kutako is recognized in South West Africa by every single Herero, not only in the Aminuis Reserve, but also in the other Reserves and Kaokoveld, as the head of all the Hereros in South West Africa.

Hereros in Bechuanaland

It is not true to say that these Hereros left South West Africa permanently. They left South West Africa at the point of the bayonet. It is true that they have no cause for complaint and have enjoyed the hospitality of the Bechuanaland authorities and people. But they have always regarded South West Africa as their homeland. This is clear from the fact that before death, all Herero Chiefs who died in Bechuanaland, insisted that they be buried in South West Africa. In this respect, Mr. Van Der Wath should have explained why the Union Government took upon itself to bring the Boers from Angola back to the Union of South Africa and South West Africa in 1931, after they had left South Africa permanently. Even today, those who had remained in Angola are being brought back to South West Africa and the Union of South Africa. Why should not the Hereros at least long for their motherland?

The Rev. Markus Kooper and Hoachanas

The Rev. Markus Kooper is the appointed minister of his people in Hoachanas. If the Rev. Kooper was no longer recognized by the Church, then another minister should have been appointed. This has not yet been done. The headman in Hoachanas made it abundantly clear that the Rev. Kooper had nothing to do with their petitions; his role was not more than that of an ordinary resident of Hoachanas. The Rev. Kooper did not deny translating petitions, but they were not initiated by him at all. In fact, Mr. Van Der Wath has admitted that the quality of the land in Itsawisis is inferior, and that is why the Administration has postponed removal of the rest of the people. Mr. Van Der Wath has also admitted that force was used, but he did not disclose the nature of such force.

Windhoek Location Removal

No evidence of consultation before the scheme was launched has been adduced by Mr. Van Der Wath. He cannot quote a single man by name who supports the removal of the location, nor any statement appearing in the Windhoek press, or

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any press for that matter, even after many statements of opposition to the removal have appeared in the press. At the latest meeting in the Location, attended by the Municipal Police, the Special or Political Branch Police, and the South African Police, Mr. Potgieter, the Location Superintendent was told that the people would not move. Someone even quoted a passage from the Old Testament in support of the justness of their cause. Mr. Van Der Weth was perhaps revealing when he said that the displacement is inconceivable and impossible. A main point made is that the scheme is embarked upon to bring the African population into close proximity with the industrial area to be opened up in Windhoek. This confirms our submission that the African is, in the eyes of the Administration, a piece of labour first, and a human being last. His statement that the shortage of labour operates to the advantage of the Africans is also significant in this respect. What he meant by this he did not explain, but this pronouncement seems to be in keeping with the contemplated policy of the Government of the Union of South Africa to bring industry closer to labour reservoirs.

Medical Facilities

The main point which was made is that the total cost of hospitalization for all non-Europeans will amount to £1,400,000. This is to be compared to the figure of over £1,000,000 to be devoted to a single hospital for Europeans in Windhoek.

Education

No figure for expenditure has been quoted, that is, money spent on the education of the various groups in South West Africa. Though Mr. Van Der Weth denied that it was the intention of the Administration to introduce the Bantu Education Act of the Union of South Africa into South West Africa, he did not mention that the terms of reference of the Commission for non-European education were similar to those of the Eiselen Commission, whose recommendations gave birth to the Bantu Education Act. In reality, the recommendations of the two Commissions are similar. One sometimes wonders whether the latest Commission did not simply copy down what was embodied in the report of the Eiselen Commission.

Social Conditions

Mr. Van Der Wath has "wisely" refrained from any discussion or description of freedom of movement in the Territory. Labour conditions cannot be studied in isolation from the pass laws, about which no word was uttered by Mr. Van Der Wath. Indeed, Mr. Van Der Wath confirmed what we have said about the Ovamboland worker receiving one shirt and one pair of shorts, one blanket, and no shoes.

The Rev. Hamtumbengela

In this particular case I recall that I have said that I saw the Bishop of Damaraland last year, when he told me that the Church had nothing to do with the removal of the Rev. Hamtumbengela from Ovamboland. The Church intervened at the point where the Government wanted to remove the Rev. Hamtumbengela from the Territory and suggested that he be sent to Windhoek instead. The message after our intervention, that he could return to Ovamboland did not come from the Bishop but from the Native Affairs Department.

Mr. Toivo

The latest information is that Mr. Toivo is living at the Chief's kraal and this is because he has dared to write a petition to the United Nations. As we have said before, what usually happens in Ovamboland is that the action is taken by the Chief, but he is not the man who decides; the decision is always that of the Native Commissioner, and in this particular case the Chief himself has told Mr. Toivo that he could not find anything wrong with him but that as the Government was not quite happy about people writing petitions to the United Nations, he would have him detained at his kraal so that he could not be in a position to write to the United Nations again - and that is the position. Finally, Mr. Van Der Wath has admitted that the tribal councils are all advisory, and no mention of political rights for non-Europeans was made.

(Signed) Joriretundu Kozonguizi

83. Statement made in New York on 11 November 1959 by Mr. Leonard Gebliel, Ovambo contract labourer from South West Africa 62,

Verbatim statement by Mr. Leonard Gebliel, 27-year old contract labourer from South West Africa, who was a stowaway in a ship to America as a fugitive from South African oppression.

A long time ago I was at school. I went to school with Toivo* at St. Mary's. I came to know Sam Nujoma in Windhoek. About my coming over here. I informed Toivo about my coming. He thought it was an excellent idea to have a member of the Ovamboland Peoples Organization out of the country. First I worked in Ochiwarongo as a contract laborer. Then I went back to Ovamboland. Then I went to Omaruru from there and proceeded to Swakopmund and from there to Walvis Bay. I worked there about eight years in the hotels.

I came by myself to the harbor. I concealed myself in the cargo hold in the boat (of the Lykes Brothers Steamship Company). I remained inside there for six days and came out on the sixth day through the ventilation hole. When they saw me, they asked me where I came from. I told them. They kept me in a small cabin and tied my arms to a pole. During the day-time they allowed me to join the crew in painting the boat. At night and on Sunday I had to remain tied to the pole.

When we arrived in New Orleans they handed me over to other police (apparently the Danners Marine Guard Service). Those transferred me to a boat bound for Cape Town. I don't remember how many days I was there because they used to keep me tied on my bed. One day when the police left my cabin I took my belt and tied it to the ceiling of my cabin. I tied it around my neck. One of the police came and rescued me. During that time I was on a hunger strike and they decided to send me (on October 20th) to a hospital in the city (Galveston, Texas).

In that first hospital I was well treated. I was placed in the mental patients' ward and remained there for four days. After that I was transferred to the ordinary patients' ward. I never tried to run away from that hospital. I was then taken to the Marine Hospital. In that second hospital I was not well treated. I was there for about two days. It was then that the boat people told me that they were taking

* A leader of the Ovamboland people who has been approved as a petitioner by the United Nations but who has never been permitted by the Union of South Africa to come to New York City to testify.

62, Transmitted to the United Nations by letter dated 13 November 1959 from the American Committee on Africa.

me back to Walvis Bay. I went on a second hunger strike. Then they decided to handcuff me on my legs and arms. I used to sleep handcuffed on my legs and arms. After that the immigration men informed me that they were taking me to New York. Then I came to New York (by air on November 6th) on my way back to South Africa.

I couldn't flee because I didn't have the opportunity, I was always tied or in the handcuffs, but I did try to commit suicide rather than go back to South West Africa. I decided to commit suicide because I know that once I return to South West Africa I would be placed in prison indefinitely. If I were ever released, I would be taken back to Ovamboland never to come out again. Going back to Ovamboland is just like declaring yourself dead alive because there is no employment. You cannot get money to buy food or clothes. You are not allowed to meet with those who return from their contract labors, nor are you allowed to meet with anyone in a group of three. If you are seen in a group of 3 or 4 young men, you can be arrested by the Native Commissioner.

When I left, Toivo was in the Chief's custody in Ovamboland. They don't treat him well in that place. It is worse than the way they treat a criminal, but perhaps there is a likelihood of his being released some day.

First I must thank this government (the United States) for making it possible for me not to go back to South West Africa. Second, I am beginning to feel as a free person compared to how I was feeling in South West Africa. Third, I must thank all of those who have helped me, especially Miss Angie Brooks (Assistant Secretary of State for Liberia) and the Liberian Government.

I am sure I will be able to contribute to what has been done by my friends at UNO by informing them and the world about my experiences in South West Africa. As one who has worked as a contract laborer, I can say this. On contract you feel like a beast of burden. And if you are not on contract, you feel like a bird without a dwelling place. In your own country you have no dwelling place. But now I feel like one who has returned from death for the first time. The few white people I have come in contact with here have left me bewildered. For the first time I am seeing face to face with white people who are human beings like myself. The fascinating thing about my experience is that, when I begin to look at both white and black people in this place, we're both human beings, not just white and black.

At the present time what I can say about South West Africa is this. It must be freed from the South Africans to make it a country worth living in for both

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white and black. My own brothers are as if they are in chains in South West Africa.

(This statement was made by Mr. Gebliel in the U.S. Immigration detention headquarters, Washington Street, on November 11, 1959, to Mr. Mburumba Kerina, also from South West Africa, who translated the statement from the Herero language into English.)

84. Telegram received on 10 January 1960, from the Presidium of the Soviet Afroasian Solidarity Committee, Moscow, to the Secretary-General

SOVIET PEOPLE ARE FILLED WITH INDIGNATION AT THE NEW OUTRAGES PERPETRATED BY RACIALISTS IN THE SOUTH AFRICAN UNION STOP THE HUMAN MIND AND DIGNITY REVOLTS AT THE WHOLESALE RESETTLEMENT OF NATIVE RESIDENTS OF INTERNATIONAL TERRITORY OF SOUTH WEST AFRICA TO SPECIAL RESERVATIONS STOP WHOLESALE REMOVAL OF PEOPLE FROM THEIR HOMES SANGUINARY EVENTS IN WINDHOK ARE GLARING CHALLENGE TO WORLD PUBLIC OPINION AND UNITED NATIONS ORGANIZATION CALLED UPON TO SHOW CONSTANT CONCERN AND ATTENTION FOR TERRITORIES SUBJECT TO INTERNATIONAL TRUSTEESHIP STOP THE PRESIDUM OF SOVIET AFROASIAN SOLIDARITY COMMITTEE CONSIDERS THAT THE UNITED NATIONS ORGANIZATION CANNOT IGNORE SUCH A GROSS VIOLATION OF ELEMENTARY HUMAN RIGHTS STOP SOVIET PEOPLE HOLD UP TO SHAME SOUTH AFRICAN RACIALISTS STOP VOICING WILL OF SOVIET PEOPLE PRESIDUM OF SOVIET AFROASIAN SOLIDARITY COMMITTEE STRONGLY DEMANDS IMMEDIATE END TO ARBITRARINESS OF AUTHORITIES OF SOUTH AFRICAN UNION ON INTERNATIONAL TERRITORY OF SOUTH WEST AFRICA STOP PRESIDUM OF SOVIET AFROASIAN SOLIDARITY COMMITTEE ASKS YOU MR GENERAL SECRETARY TO TAKE ALL NECESSARY MEASURES IN ORDER IN CONFORMITY WITH PRINCIPLES OF HUMANENESS AND JUSTICE TO PUT AN END TO RACE DISCRIMINATION AND UNLAWFUL ACTS OF SOUTH AFRICAN AUTHORITIES ON TERRITORY SUBJECT TO INTERNATIONAL TRUSTEESHIP STOP

PRESIDIUM SOVIET AFROASIAN SOLIDARITY COMMITTEE
