

CONSCIENTIOUS
OBJECTOR



Philip Wilkinson

THE TRIAL



“ Your worship, I have stated my reasons for refusing to be conscripted into the SADF clearly and honestly. If this court should choose to punish me on account of them, so be it. I have in my heart an absolute conviction that what I am doing is right. I will not sacrifice my life or lend my body to the defence of apartheid. Apartheid is a crime against humanity . . . ”

THE TRIAL OF PHILLIP WILKINSON

Conscientious Objector

Phillip Wilkinson is the average white South African, brought up in Port Elizabeth and trained as a chef. He did his initial two years army which left him disillusioned and subsequently he joined the Port Elizabeth Crisis Information Centre, which helps people affected by security force action, such as detentions, harassment and assault.

“My work, therefore, brings me into daily contact with victims of apartheid and has confirmed my belief that service in the SADF is not national service. It serves only the ruling minority.”

Phillip’s trial was not remarkable for the nature of the charge, or for the severity of the sentence. What was remarkable was the evidence given in mitigation of the defence. This can, because it constitutes part of a trial, be published.

The evidence, which was led, contains crucial, moral arguments about the role of the SADF and conscription in South Africa. What became more and more apparent was that, in this case, there was far more on trial than the accused.

The End Conscription Campaign and the Catholic Bishop’s Conference present excerpts from the court record for your consideration.



Emile Nolde: 'Wayfaring Warriors' Woodcut

A man is called to testify as a witness for the defence. He is 22-year-old Steven Louw, a student at the University of Witwatersrand. Before being called into the army, Louw applied to join the Special Forces known as the Rekkies. He subsequently volunteered to join the Parabats (Parachute Battalion) and was accepted – a leg injury after 3 months prevented him from continuing with the parabat course.

**Excerpts from the evidence led by witness for the defence –
Mr Steven Louw.**

Defence Mr Louw . . . you did your period of National Service in 1984 up to January 1986?

Witness That is correct.

Defence Can you tell the Court to which battalion of the South African Defence Force you were assigned when you were called up for your initial period of military service?

Witness I was called up to 1 South African Infantry Battalion in Bloemfontein.

Defence What was your attitude towards service in the SADF when you were first called up?

Witness At that time I saw the SADF as protecting the peoples of this country and I felt quite positive towards my service in the SADF.

Defence During your two years of National Service you undertook certain duties as a driver in the SADF in Black townships in South Africa?

Witness I undertook three such duties, yes.

Defence Can you tell the Court where those three tours of duty were?

Witness They were as follows: The first tour of duty was in Tembisa, which was approximately the middle of November until the middle of December 1984; the second tour was in approximately April, which was in the surrounding – I mean the townships surrounding the Port Elizabeth area; the third tour started off at Uitenhage and then progressed to Adelaide which was in approximately June/July 1985, and they all lasted about a month.

Defence Can you tell the Court if you witnessed any unlawful actions on the part of anyone at all in the course of your tour of duty (in Tembisa).

Witness There was one occasion where we entered a shebeen and what happened is that the person in charge of our subsection, this is on the 'buffel', gave the shebeen owners the choice of either giving us a quantity of liquor or . . . they would arrest the people for operating an illegal shebeen. The people chose the first option and they gave some liquor to the people on the 'buffel' which was later sold.

Defence Did you encounter any violence on the part of township residents during your tour of duty in Tembisa?

Witness Not towards us, no.

Defence What is your attitude towards this unlawful action on the part of your fellow

troops?

Witness At this time I didn't feel it was right, but I didn't do anything to try and stop them from doing it and I think one of the reasons for that is that the army cultivates a tremendous kind of macho, tough-boy kind of image and I think that I was very wary to try and deviate from this image as such.

Defence Do you recall any incident during Tembisa involving the purchase of catapults by fellow conscripts in the SADF?

Witness Well a lot of people would either purchase or make catapults. I think at this stage most people actually made their catapults themselves, which they would use to shoot at – they would shoot stones at cars and at passers-by in the township.

Defence Why was that?

Witness I think it was really a mixture on the one hand wanting to provoke the people into taking some form of actions against us, because as yet we hadn't experienced any hostility towards us from the people in the townships, on the other hand I think it was a kind of – the people were very bored and there was this sort of 'naughty boy' kind of attitude. So it was very much a mixture.

Defence What was the general policy which was dictated to you by your superior officers in regard to law enforcement in the townships?

Witness Well the general policy was that we should try and act – we should try and punish the people in townships rather than to arrest them. On one occasion we were given an order by the Major in charge of the company that we should beat up black people and we should drop them off on the other side of the township, rather than to actually arrest them and to hand them in to the police. And the reason given for this was that the police – well they felt that the police weren't able to fully handle the influx of people that had been arrested and that they weren't able to process them and to punish them effectively or what the SADF decided to be effectively. They also felt that what would very often be the case is that the township people would call in lawyers who would get them dismissed on a technicality. So they felt that we should rather punish them ourselves.

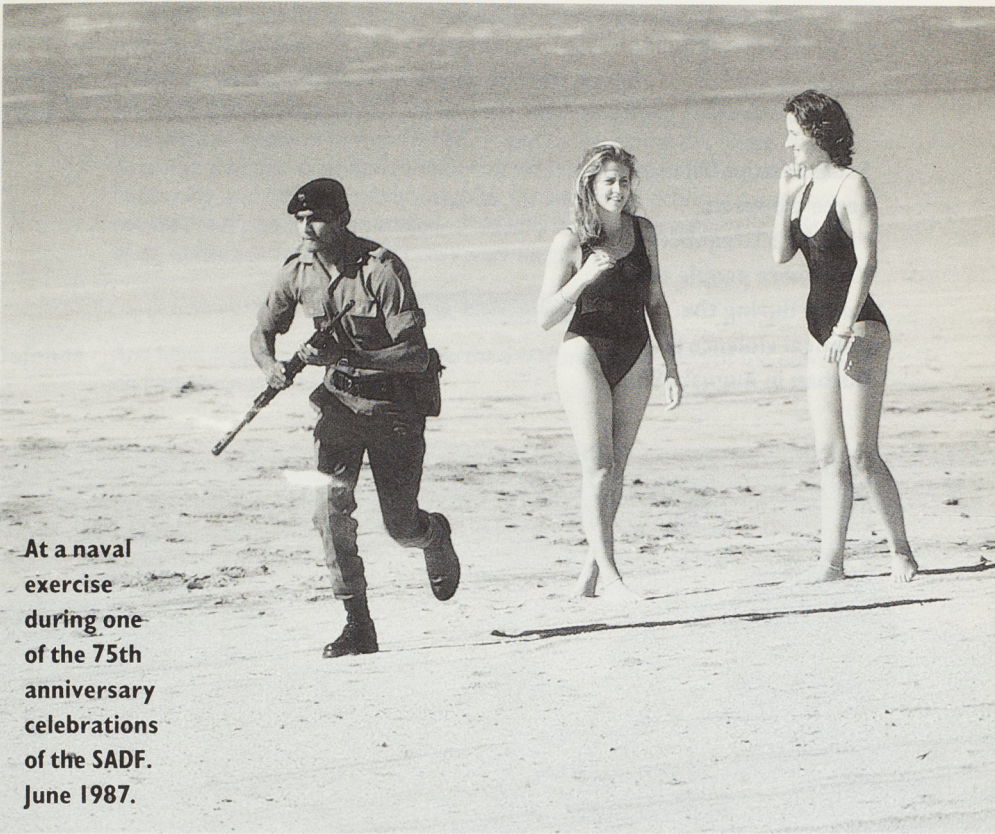
Defence What is the attitude adopted by your superior officers towards the media, the press and the television representatives?

Witness They were very scared of the media and of the press and we were told we should at all instances try and stay clear of them and – because they were trying to put the SADF and the country in a bad light. And I remember at that time being a bit – I couldn't understand why they were saying that because if the media was going to photograph our actions, etc. and if our actions were supposed to be legitimate then why were we so keen to get away from the media and to try and silence them.

Defence You had certain experiences in the Port Elizabeth townships which changed your attitude towards your role within the SADF?

Witness . . . I think I realised that the SADF was trying to provoke a lot of trouble in the townships. On one occasion the same Major that issued the orders referred to earlier on, he – I was the driver on his vehicle. And what he did, he took us into the townships to a certain area and a certain street, and he got the people [troops] on the vehicle to disembark and to hide in the street. And then my job was to drive up and down the street for a length of time hoping to provoke the people into throwing a stone or take in some sort of action against us. And then the theory was that the Major and his troops would apprehend this person. And I remember at the time thinking that this wasn't possibly the best way of trying to keep the peace. . .

. . . One occasion I do remember is we were driving on a patrol and somebody waved a fist and indicated his antagonism towards us. I was asked to stop the vehicle, people got off the vehicle and they apprehended the person. What they did is hit him several times and then at the back of the



At a naval exercise during one of the 75th anniversary celebrations of the SADF. June 1987.

vehicle, of the vehicle called the 'buffel', which is – the people in the townships call a Hippo, it's just a nickname, is a bin, a carry bin where the people put kits in etcetera, and this man was shoved into the bin and I was asked to drive, to take him on what people call a 'joy ride' and I remember at that time that it was – I think it was the first instance that I was really horrified in the townships and I personally tried to drive as – well as slowly and as carefully as I could so as not to hurt the person.

Defence Why was it – why did this horrify you that an adult person should be put into what you call this "bin"?

Witness Well I mean firstly it was inhumane. I think that we even apprehended him because I don't think the waving of a fist at the SADF constitutes an offence, and secondly I mean the bin is not very big, it's very uncomfortable and I mean it's blatantly trying to hurt the person as much as possible. And I think I was also quite upset because I didn't have the courage to try and stop the people from doing this.

Defence Was there any incident involving a school in the Port Elizabeth township?

Witness . . . On one occasion we were guarding a school where there was a group of young kids on the playing fields and they started to cheer and to shout and to wave their fists at us . . . Eventually nothing happened and even, I think we were there for quite a while and people got quite bored because nothing happened and they tried to provoke the children by shooting them with stones from catapults, etcetera, but nothing happened and eventually we were actually called on the radio to go somewhere else, so we left.

Defence There were two incidents involving the placing of human beings inside the bin.

Witness Yes . . . We were driving a vehicle and a little kid shouted something at us

**South African Defence
Force troops at
Phoenix's Greenberry
Hall where people took
refuge during the
political violence in
Durban in August 1985.**



and waved his fist, and he must have been about ten years old, he was very young. And we stopped and people apprehended the person, and they hit him a couple of times and then at that stage there was a call on the radio that we should go back to the temporary base, which is just outside the townships . . . so what they did is they put the small kid in the bin and they decided that when we get back to the townships we will deal with him. We got back to the place (camp) and we were there for quite a while . . . and I remember while we were parked at (the camp) the little child was crying quite badly and you could hear him in the vehicle and then when we returned to the townships we stopped somewhere and they took the kid out of the vehicle . . . So what happened is that the Corporal got a stick and he hit him several times, and then released him. And I think the importance of this really is that I don't think I'd ever seen anyone more terrified or more upset and frightened than this little boy. And also the way that the SADF had

apprehended him for something that I don't really think constitutes an offence, and his age.

Defence Did your attitude undergo any change over this period?

Witness Well yes, I think originally I'd felt that the SADF was being called into the townships to preserve law and order . . . and I think during this phase I began to realise that this large scale threat that we had been told about just wasn't happening and I think in many instances the SADF was acting in a way that couldn't really be morally justified . . . I really started to question the actions of my colleagues, thinking that they were illegitimate.

Defence And what was the attitude taken by the SADF members towards the powers and priviledges of the police?



SADF and police skirt around barricades during operations in Umlazi M-section, also known as "Beirut" in August 1985. Residents erected barricades throughout the township to prevent the movement of troops.

Witness I think, bearing in mind that I think most people were very keen to get involved in action to fight against the people in the townships . . . they were very envious of the South African Police because they thought that the Police had considerably more legal protection in their actions and they didn't have to provide as much of a justification for what they did.

Defence Were there any particularly memorable events which you can recall in Adelaide?

Witness . . . there were many events but these are the ones that stuck most in my mind . . . One day we went into a township outside Adelaide and . . . we discovered that the people had barricaded the streets . . . we expected some sort of mass retaliation from the people in the townships. What we did is drove over the barricades with the 'buffel' and we drove around for quite a while in the townships, but nothing occurred . . . We left the township and we waited outside on the main road for quite a while and then we had lunch and then during this period a lot of people [troops] on the vehicle cut themselves sticks which they thought they could use as sjambocks . . . Later on, on this particular occasion, we were met – there was a man who was standing outside a house or some object, and he waved a fist at us, whereupon we stopped and people hopped off and they apprehended him. At this stage he was hit several times and he was dragged back onto the vehicle . . . The man was then placed onto the vehicle and he was stretched out across the seat and he was hit several times by members of both the police and the SADF.

Defence What was the man's reaction?

Witness Well at the time the man was very afraid. Well, when they apprehended him, he was very afraid and very, very quite and very scared, but at no stage did he try to run away or try to defend himself . . . he started to cry when they started to hit him and to sjambock him . . . and he was given much verbal abuse as well because they felt that he should call them 'baas' and they made him try and respect them because they were white.

Defence: There was actually a later occasion when a member of the township's public was assaulted, when you tried to intervene?

Witness There was one instance when we were driving through the townships. Someone or some people waved their fists at us and demonstrated their disapproval at our presence. We then stopped and people jumped off and chased them, but they never managed to catch them . . . What one group did do, however, was they apprehended some small boy, and one of the people in the group started to hit him and to interrogate him quite severely . . . we went over to them and I grabbed the person that was hitting the boy and I pushed him away and I asked him why he was doing it because this person clearly wasn't involved in the incident and he replied something to the effect of "prevention is better than cure."

Defence There was a further incident involving a group of people emerging from a church in Adelaide. Would you tell the court about that.

Witness . . . one day we were driving a routine patrol in one of the townships and there was a group of people coming out of the front steps of a church. I was given the order that I should drive into the group and try and provoke havoc . . . I was given orders to "drive left, drive right" to chase after the crowd. People started to throw tear gas at the people in the crowd and then we would try and chase them somewhere else . . . What happened after this is the other driver I mentioned was on the vehicle and he asked if he could have a turn, because he obviously thought it was fun.

Defence And while in the army you actually came to hear of the End Conscriptioin Campaign?

Witness *That is correct, when I was in Port Elizabeth.*
Defence *Have you subsequently joined the End Conscriptioin Campaign?*
Witness *That is correct. I joined in approximately the middle of 1986.*

Proud young "soldier"
on a Sarazen.
Pmb. – June 1987.





Karl Schmidt - Rottluff: 'Prophet' Woodcut

A second witness is called to the stand. He is 31-year-old Paul Ipumbu, born in Ovamboland, Northern Namibia.

Excerpts from the evidence by witness for the defence – Mr Paul Ipumbu

Defence Mr Ipumbu, you undertook your secondary schooling in Northern Namibia, in Ovamboland at the Oshigambo Church School?

Witness Yes.

Defence And this was where you came across members of the South African Defence Force?

Witness Correct.

Defence Can you please tell the Court how you encountered the members of the South African Defence Force.

Witness Ja. I went to school in 1974 doing my Std 6 and in 1977 while I was doing my Std 9, a camp was erected about 500 metres from the school at a clinic. And since the camp was erected there we started observing and discovering explosive devices in the surroundings of the school . . . We reported the matter several times to the base and it looked like they knew exactly where the devices were located and so it was our conviction that they were responsible . . . I felt my life was endangered.

Defence So on the 10 of April 1978 a group of about fifteen of your fellow scholars left school?

Witness That is correct . . . many people were leaving the country, running away from SADF atrocities.

Defence And where did you go to?

Witness We headed north . . . and we were helped along the way by local inhabitants inside Angola because they could speak the language we spoke.

Defence And where did they direct you to?

Witness They directed us to a transit camp about 60 kilometres from the Namibian border.

Defence Can you explain to the Court who was responsible for running this transit camp.

Witness To the best of my knowledge there were about five – between ten and twenty SWAPO people who were running the camp . . . responsible for giving us accommodation, giving us food and medical care.

Defence Were these people armed?

Witness Some were carrying light arms . . . The rest of the camp were people about between 5 and 6 hundred were not armed at all.

Defence Can you describe to the Court just the composition of the people inside the camp.

Witness Ja. Most of the people were students like myself, but there were also people from all walks of life, children and old people and other young people who

were not students.

Defence Can you tell the Court what happened on the 4th of May 1978.

Witness What happened was during lunch-time when the first time I heard was explosions, I saw people falling and people were running in all directions and screaming in panic and confusion. Then later on we heard the boom of supersonic jets when they passed the camp. So I tried to run for cover but in the process I was injured in my right leg, the calf muscles were completely destroyed . . . helicopter gunships moved in shooting at the people who were running around . . . They were shooting at the people who were lying around trying to look for cover . . . I know it is well over a hundred killed . . . After the attack we were loaded on military trucks in the bush . . . and the next day we were taken to a camp . . .

Defence Did you receive any medical attention in the truck overnight?

Witness . . . all I had received was a bandage around my wound . . . So around one o'clock the next day I lost consciousness because of lack of blood.

Witness After I was hospitalized I was taken to a camp where the other people . . . were kept who were not injured . . . and taken to Marienthal.

Defence How many of you were taken to Marienthal?

Witness Exactly 119, including 35 young women.

Defence Were you given the reason why you were being taken to Marienthal?

Witness No, there was never an official version. All we were told is that we are regarded as a security risk to the population.

Defence Were you ever charged with an offence?

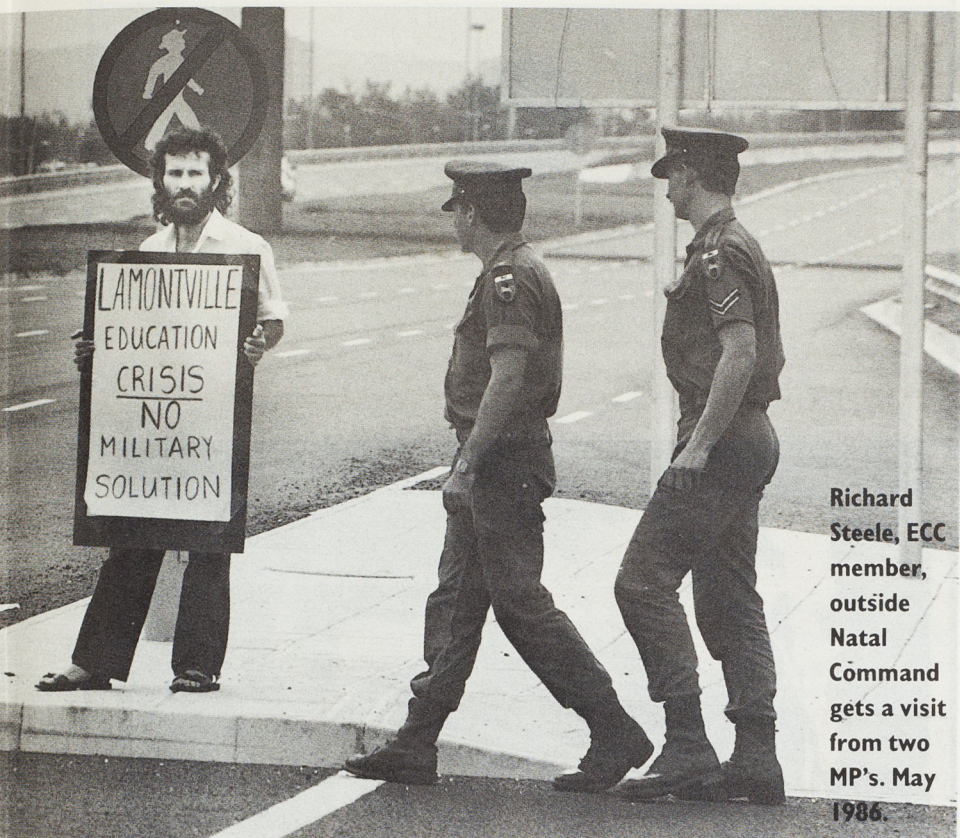
Witness No.

Defence Were you ever given any lawful basis for your detention at Marienthal?

Witness No.

Defence How long did you stay at Marienthal?





Richard Steele, ECC member, outside Natal Command gets a visit from two MP's. May 1986.

Witness *I stayed for six years.*

Defence *In what sort of conditions?*

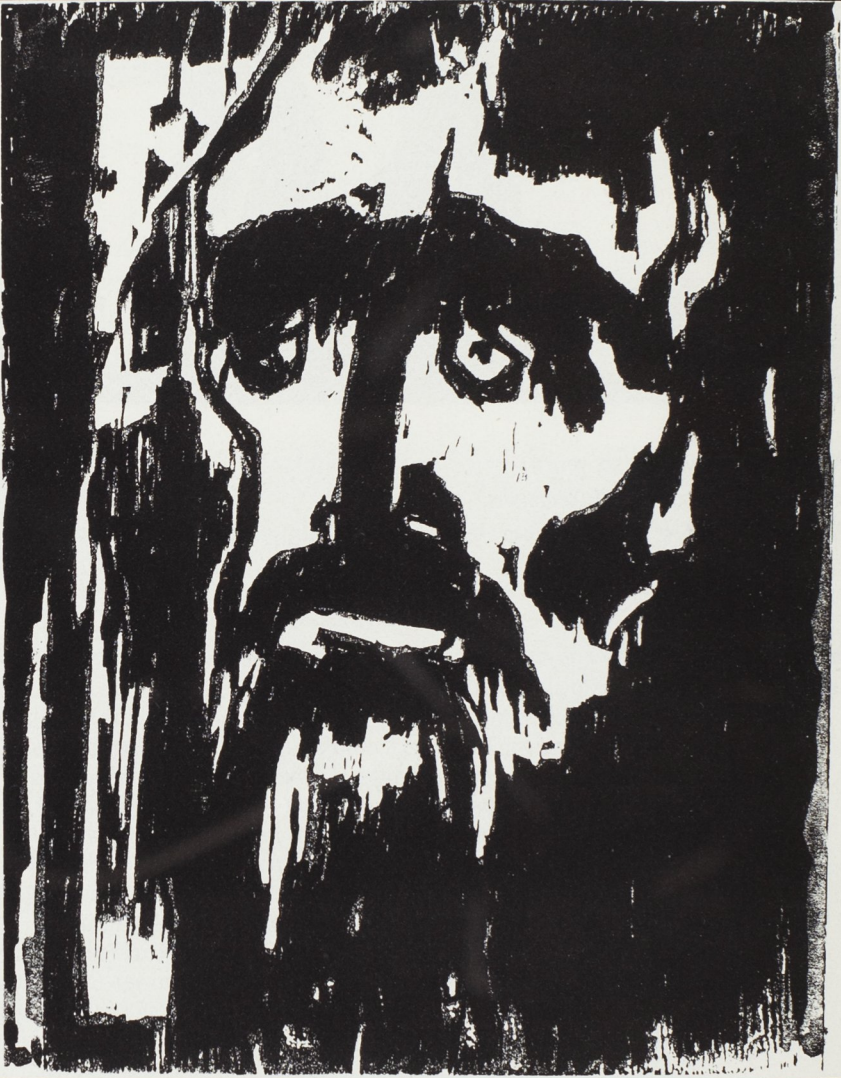
Witness *The first three years we were housed in tents, given a piece of mattress and two blankets.*

Defence *Mr Ipumbu, were you ever assaulted while you were at Marienthal?*

Witness *... I was complaining about the conditions under which we were being kept in the camp ... So the following day the MP's started telling me that I have got a big mouth and they were going to shut me up. The threats continued until the day when they took me out to dig the trench ... around midday I started asking for water because they had not given us water or food. And then one Corporal, I remember his name was James McEnroy from Cape Town, went to fetch a jar of water which when he brought to me he started pouring on the ground. I was quite fed-up with that and I told him that it was devillish for him to torture me, I mean psychologically ... And as a consequence he called about fifteen soldiers. They took me a distance from where my friends were and I became sort of a football between them, hitting me with fists and kicking me around. And as a consequence I spent two days in bed without medical care.*

**Ecumenical Centre
Trust under siege of the
army and security**

**police hours before the
State of Emergency is
declared. June 12, 1986.**



Emile Nolde: 'Prophet' Woodcut

Excerpts from the statement of Phillip Wilkinson

The SADF defends apartheid, which in terms of my Christian understanding is a heresy. For me to participate in the SADF would therefore be a betrayal of all that I know to be good and just.



The SADF commits crimes against humanity as long as it defends the universally condemned system of apartheid. Apartheid has been legalised, reformed and enforced to give power to a minority over a majority of South Africans. This power is used not only to ensure the vast wealth of our land is held in a few hands but also to deprive millions of people of their basic human rights.



The South African occupation of Namibia is illegal. This has resulted in death for thousands of inhabitants whilst greedy governments, multinationals and individuals rape Namibia's resources and exploit her people.



Only dictatorial, minority or fascist governments will find the need to rule by force in order to keep power. By the same token, only an undemocratic government such as ours will find it necessary to declare a national state of emergency to suppress the protests of the voteless majority. This emergency enables the government to continue providing gutter education, poor housing and inadequate health services.



The use of troops in the townships is a desperate attempt to address political problems with military power. This government should have learnt by now that the peoples' legitimate grievances must be addressed before we can have peace in our land. They could start by allowing our exiles to come back home, by releasing all political prisoners and detainees, by withdrawing all discriminatory laws and by negotiating with the popular and respected leadership. Shooting and detaining people willy-nilly is no solution for our country.



Until this government realises that it cannot deprive South Africans of full political rights, we will live in a state of civil war.

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“My work, therefore, brings me into daily contact with victims of apartheid and has confirmed my belief that service in the SADF is not national service. It serves only the ruling minority.”

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“God is the God of love. Objection to military service is a declaration of love.” Archbishop Denis Hurley

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