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Mozambique has suffered years of war, famine and authoritarian government, and the extraordinary cruelties of the RENAMO rebels. As peace finally approaches, this report deals with a wide spectrum of human rights concerns in the country.

The civil war between the FRELIMO government and RENAMO has been exceptionally brutal. Massacres, mutilations, the forcible relocation of population, and the forced recruitment of soldiers—many of them children—have been characteristic of a war that has claimed hundreds of thousands of lives. Both sides have been responsible for abuses, though RENAMO must take a greater share of the blame. The fighting caused two major famines in the 1980s, and unless the warring parties agree that emergency relief can be delivered throughout the country, millions of Mozambicans face starvation in 1992.

Another area of concern is civil and political rights, as Mozambique moves from authoritarian government to a liberal multi-party system. Among other issues, this report analyzes the new constitution, the rule of law and the freedom of the press.

CONSPICUOUS DESTRUCTION

**War, Famine and the
Reform Process in Mozambique**

An Africa Watch Report

Human Rights Watch

New York • Washington • Los Angeles • London

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INTRODUCTION AND SUMMARY

This report is concerned with human rights in Mozambique. It has a twin focus. One set of concerns relates to the war between the Mozambique Armed Forces (FAM) and the rebel Mozambique National Resistance (RENAMO). This war is seventeen years old, and despite repeated attempts to obtain peace over the last four years, still continues at the time of writing. Both sides have been responsible for human rights abuses in the course of the war, though the evidence conclusively shows that RENAMO has committed the large majority of gross abuses. As should be manifest, RENAMO's abuses are no excuse for those committed by government forces and do not diminish their significance. The manner in which the war has been fought has been a major contributor to the chronic famine which has afflicted the country since the early 1980s.

The second focus is on the reforms instigated by the ruling Mozambique Liberation Front (FRELIMO) under President Joachim Chissano, under which the country is moving from an authoritarian one-party state to a pluralist political system on the western model. The 1990 Constitution and related legislation are the centerpiece of this transition, and represent the most wholehearted attempt to build an institutional and legal framework to guarantee respect for human rights so far attempted in the history of Mozambique. Major concerns remain, however, relating to the ability of the government to implement the promised changes. One of the most serious obstacles is the chronic lack of qualified personnel, notably lawyers, and the poor prospects for obtaining such personnel in government service while current economic problems and programs persist.

THE ORIGIN OF THIS REPORT

Since its creation as a regional division of Human Rights Watch in May 1988, Africa Watch has been concerned with the vast scale of human rights abuses in Mozambique. This concern has coincided with concerted efforts by the Mozambique government to improve its human rights record and to obtain credibility and support from western countries, particularly the United States. In 1990, the Mozambique government invited Africa Watch to undertake research into human rights in the country. This was the first occasion on which a government had extended such an invitation to Africa Watch. While in the country, the government allowed Africa Watch representatives to visit prisons without obstruction or interference, and conduct interviews with detainees under conditions of complete privacy. Africa Watch was also able to meet with senior members of the government up to and including the President. The level of access provided and

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degree of frankness shown by the Mozambique government was unprecedented in Africa Watch's dealings with African governments.

In this report, Africa Watch criticizes both the government and RENAMO for abuses of human rights committed in the course of war, including violence against civilians, unjustifiable forced relocations, and abusive practices in forcible conscription. In such circumstances, there is the ever-present danger that those who are advocates of or sympathizers with one side in the conflict will use selective quotation from the report in order to make politically-partisan points. Therefore, Africa Watch has tried wherever possible to make a broad assessment of the culpability of each side concerning each area of human rights abuse. In general, it is undoubtedly the case that RENAMO has been guilty of a wider range of abuses than the government and FAM; the abuses have been on a larger scale, more frequent, more systematic, and with less recourse to justice for the victims.

From chapter 7 onwards, Africa Watch assesses the progress made by the FRELIMO government towards a democratic system of government which respects civil and political rights. Considerable progress has occurred, but the record is not unblemished, and significant areas of concern remain, not least because of the lack of resources and personnel (such as lawyers) needed to put the reforms into meaningful practice. RENAMO does not figure in this account save as a party to the peace negotiations. This is because RENAMO, unlike many African resistance movements, has made no attempt worthy of consideration to build up any form of civil society in the areas it controls. Despite RENAMO's avowed liberal-democratic ideology, it has made no constructive contribution to the reform process.

THE WAR

Mozambique has been at war since September 1964. For ten years, the independence struggle was fought by FRELIMO against the Portuguese colonial government. Since independence the FRELIMO government has faced the RENAMO insurgency. RENAMO owes its existence to Rhodesian backing (up to 1979), South African backing (since 1980) and local Mozambican opposition to FRELIMO's programs, especially villagization and the suppression of traditional forms of authority and religion. RENAMO steadily grew in strength until about 1988; since then the government has generally been in the ascendant. At the time of writing, all parts of Mozambique are affected by the war.

The total cost of the war is incalculable. The United Nations estimates that war and war-related hunger and disease have cost a

total of 600,000 lives, but this is no more than a gross estimate. Most of the country's economic infrastructure is destroyed or inoperable, and much of the population is dependent on a massive international aid program. Hundreds of thousands of people are refugees in neighboring countries or displaced inside Mozambique. Many rural areas have been reduced to a stone age condition, without trade or modern manufactured goods, education or health services, and suffering from constant insecurity. Mozambique needs to be built almost from scratch.

Violence against Civilians

The war has involved widespread violence against civilians, including both the systematic use of mutilations and killings and indiscriminate violence during sweeps through contested areas. The mutilation of civilians, by cutting off ears, noses, lips and sexual organs, and by mutilating corpses, has been one of the most characteristic abuses of the war in Mozambique. Contrary to claims made by the RENAMO leadership, such abuses are neither isolated incidents, nor were they confined to the movement's early days. Such incidents appear to be a central part of RENAMO's strategy of advertising its presence and its strength, and of terrorizing the local population and the opposing soldiers. Government soldiers are also responsible for incidents of mutilation.

Both RENAMO and FAM are responsible for indiscriminate killings of civilians, primarily during operations designed to force the civilian population to relocate in areas under the military control of the relevant party, or as a punitive measure to punish civilians for allegedly assisting the enemy. The largest massacres have been carried out by RENAMO, though significant killings and attacks on civilian targets have also been carried out by FAM and the pro-government *Naparama* militia.

Both RENAMO and FAM have procedures for disciplining troops responsible for violence against civilians and failing to obey directives. In both cases, the offenses that have been punished have been those committed against civilians living in each army's "consolidated" zone. There is very little evidence of disciplinary action against those responsible for abuses during military actions in contested areas, with the implication that no clear distinction is drawn between enemy combatants and civilians suspected of supporting them.

Control of the Population

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A primary aim of both parties to the conflict has been to exercise control over as much of the civilian population as possible. In part this is to deny the enemy access to supplies held by the civilians, in part to extract resources from the population (labor, food, and relief aid destined for the civilians) and in part to establish legitimacy. The government's former policy of villagization was intended to meet the twin goals of social transformation and counter-insurgency.

The forcible control of the population involves a number of abuses. These include the policy of forced relocation carried out by both sides, and accompanying restrictions on movement and economic activity. In controlling and relocating the population, force is used, and families are split up. Those brought under RENAMO control are then subjected to a heavy burden of exactions, including procurement of food and forced labor, and in the case of young women, being forced to serve the sexual demands of RENAMO members. In RENAMO-controlled areas, however, cultivation is possible and the local civilians are often described as eating relatively well.

In government-controlled zones, the hardships suffered by the population are somewhat different. Typically, the relocated population is herded together in a garrison town, where it is entirely dependent on internationally-donated famine relief supplies. As this supply is unreliable, famine conditions are common. Under such conditions of overcrowding and lack of sanitation, epidemic disease causes a sharp increase in mortality.

In December 1990, the government and RENAMO signed an accord allowing freedom of movement. Since then there has been a decrease in abuses associated with forced control of the population, but serious incidents have continued to occur. Both parties pledged to respect freedom of movement in an article in the Third Protocol of March 12, 1992.

Forced Recruitment

In principle, all adult males are eligible for conscription into FAM. In practice, standard recruitment procedures coexist with incidents of forcible conscription, in which young men are rounded up at gunpoint to join the army.

Forcible conscription is the most common method used by RENAMO to obtain its combatants. Young men and boys are captured and taken to RENAMO bases, where they are compelled to join the RENAMO army. RENAMO's forces contain numerous child soldiers, including many combatants less than ten years of age. The processes of capture, enlistment and enforcement of discipline involve numerous

human rights abuses. However, RENAMO does include some volunteer soldiers, mostly those disillusioned with FRELIMO's former policies of socialist transformation.

The Creation of Famine

The combination of military strategies and human rights violations outlined above have been instrumental in reducing much of Mozambique's population to a state of chronic famine. While mass starvation has been rare, if it has occurred at all, millions of people have endured miserable conditions of prolonged hunger, destitution and hopelessness. The famine, including suffering caused by the breakdown of public health and curative facilities, has cost many more lives than have been lost directly on account of the violence itself. The destruction of houses, farms, shops and trucks, the forcible displacement of large sections of the population, the requisitioning of food and labor, and the blocking or looting of relief supplies have all contributed to a wholly-artificial food crisis in the country which has persisted for the best part of a decade. Natural adversities such as drought and floods have played only a secondary role in the calamity.

While there is no reliable evidence to prove that either RENAMO or FAM deliberately used starvation in order to punish or kill civilians, the creation of widespread famine was an inevitable and predictable consequence of their military strategies, pursued for other reasons. Any ignorance that either party could claim on this manner was dispelled by the disaster of 1984. The major famine that struck Zambézia in 1987 was a direct result of gross violations of human rights.

The drought of 1991/2 has again created widespread famine conditions, and the war is again preventing the provision of adequate emergency relief to the needy population. At the time of writing, the main obstacles to an effective relief program are RENAMO's refusal to allow free passage of overland aid convoys, and corruption in the army and government leading to the diversion of foreign aid. The Attorney General, Eduardo Mulembwe, has instigated a crackdown on corruption, but is not receiving full support from many levels of government and the military.

The Total Impact

The total impact of the war on Mozambican society is literally incalculable. Tens of thousands have been killed in the war and hundreds of thousands by the associated hunger and disease. Much of

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the infrastructure of the society has been destroyed, and national income is at a lower level than before independence. Education has come virtually to a standstill, and an entire generation has grown up without knowing the benefits of even the most basic physical security, let alone social services or economic development.

CIVIL SOCIETY

At independence from Portugal in 1975, the incoming FRELIMO government inherited little that gave cause for optimism that a functioning civil society could be established. Almost the entire skilled population, which was wholly or partly of Portuguese descent, left with the colonial power. There were very few educated Mozambicans to assist in governing the country, and FRELIMO was unwilling to work with many whom it perceived as having collaborated with Portugal.

FRELIMO committed itself to an ambitious program of national mobilization for socialist transformation, suspending many civil and political rights for the wholehearted pursuit of social and economic advancement. FRELIMO became a Marxist-Leninist vanguard party, monopolizing the political process. The strategy failed. Not only did post-independence politics become increasingly authoritarian and abusive of human rights, but FRELIMO failed to deliver on socio-economic development either.

One particularly important violation was the execution of a number of leading FRELIMO dissidents, who had been secretly detained since shortly after FRELIMO assumed power. They included Lazaro Nkavandame, Joana Simaiao and Uria Simango. The government has refused to disclose details of their fate, which is now becoming public for the first time: they were executed in 1983 when the government feared they would be freed by South African agents and recruited to RENAMO.

The 1990 Constitution

The constitution adopted by the FRELIMO government in November 1990 marked a complete reversal of course from the earlier commitment to socialist rule. The constitution guaranteed all the liberal civil and political rights that are recognized in western democracies, allowing for a multi-party system, free trade unions, a free press and an independent judiciary committed to the rule of law.

The Legal System

According to the 1990 constitution, the legal system is modelled on that found in western democracies. In practice, the functioning of the courts is constrained by a severe lack of trained personnel, by widespread ignorance about the rights and duties of law enforcement and judicial officers (by both defendants and the officers themselves) and by the continuation of abusive practices such as arbitrary arrest and physical maltreatment.

Africa Watch was able to interview security detainees, under conditions of privacy. The evidence obtained from the interviews shows that many were arrested arbitrarily, usually on suspicion of supporting RENAMO. They were rarely given access to legal counsel (and were unaware of their right to such counsel), and in many cases convictions were based upon uncorroborated confessions, obtained under duress including torture. Some detainees met their lawyers only on the day of the trial, and many felt that their cases had not been properly presented to the court. Prison conditions in general were poor, with severe overcrowding and lack of sanitation.

The Press

Like most institutions of civil society, the press in Mozambique became an instrument of government during the first decade of the FRELIMO government. Journalists were given strict instructions as to what was permissible, and the Journalists' Union failed to protect the rights of journalists who were detained or harassed by the authorities. A number of journalists were detained after printing or broadcasting stories to which government officials objected. Some journalists were killed while covering the war, including at least one executed and mutilated by RENAMO.

The reforms enacted since 1990 have radically altered the position of journalists in Mozambique, allowing them to operate without censorship for the first time. The result of this new-found freedom has been the publication of much criticism of the government in the press. However, there are also indications that members of the government retain a more authoritarian attitude to the press, and are unwilling to countenance coverage of certain subjects or criticism that is considered too forthright.

RECOMMENDATIONS

Africa Watch applauds the government's efforts to ensure respect for human rights and the rule of law, through the adoption of a new constitution and legal system, and commitments to respect civil and

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political rights. There are, however, significant ways in which the record can be improved.

There is a pressing need for those who are primarily responsible for gross human rights abuses during the war, on both sides, to be accountable for their actions. Those suspected of gross abuses should be investigated, and where appropriate, charged and brought to trial according to due process of law before an independently-constituted court. Africa Watch believes that the prosecution of those with the highest level of responsibility for the most severe abuses of human rights is a legal obligation upon the Mozambique government, will not jeopardize the prospects for national reconciliation, will increase respect for the rule of law and is required to demonstrate respect for the dignity and worth of their victims.

In addition, Africa Watch urges the Mozambique government to go further and to establish an independent human rights commission, dedicated to monitoring compliance with domestic and international commitments to respect human rights in Mozambique, with powers to investigate and publicize abuses.

Africa Watch is concerned that the lack of the material means for enforcing these rights will impair actual progress. In particular, the acute shortage of lawyers and the lack of training and supervision for law enforcement officers present a major obstacle. Given the bankruptcy of the Mozambique government and the western donors' emphasis on structural adjustment, good governance and human rights, there is considerable responsibility on the donor community to assist in enabling Mozambique to obtain the resources for such tasks. In making this comment, we do not suggest that the impoverishment of the country relieves the government of its obligation to refrain from abuses of human rights. The lack of resources cannot be held to blame for such violations as the physical abuse of detainees, for example. On the other hand, the donor community could assist Mozambique in ensuring that detainees obtain the right to counsel in other matters where resources are a factor.

Should the war continue, Africa Watch calls upon both RENAMO and FAM to cease violence against civilians, to end forced relocations and other restrictions on movement, to halt forcible conscription and the recruitment of children under fifteen years of age for military service, and to renounce military strategies that contribute to famine. In particular, there is an immediate and pressing need for both sides to agree to the immediate delivery of urgently required humanitarian assistance to the civilian population in all areas of the country, by means of peace corridors, neutral zones, or some similar arrangement.

1. HISTORICAL BACKGROUND

Capitão, let me go!
Oh, Mother!
Ah, capitão!
Oh, mother!
*Oh, Mother, I am going away!*¹

The song is one of abduction, passed down through generations of rural Mozambicans and just as relevant today as it was when it was composed during the slaving days of the nineteenth century. For there are many parallels between the impact of the slave trade on Mozambique during Portuguese rule and that of the past quarter of a century of armed conflict, nowhere more than in the countryside. Like the days when the slave raiders marauded along the Zambezi river valley in search of human exports to Brazil, Cuba and Madagascar, the current war has robbed the nation of perhaps half a million people and forced millions of others to leave their homes. Vast areas of the huge country are empty, a legacy of both the slave trade and, more recently, the seventeen-year-old war between the rebels of the Mozambique National Resistance (RENAMO) and the Mozambique Liberation Front (FRELIMO) government, currently headed by President Joaquim Chissano. Then as now, famine has been a constant threat as violence has left villages and farms abandoned and drained the land of its greatest resource, its people. Thousands of villagers throughout the war zone have returned to stone-age conditions, forced to make clothes from tree bark, to squeeze their salt from bush plants, to survive off low-nutrition manioc (cassava).

There are no complete records on the number of Mozambicans sold as slaves for between \$3 and \$10 each, but by 1820, as many as 30,000 were shipped each year out of the port of Quelimane in the province of Zambézia. In 1831, slaves accounted for 85 percent of Quelimane's exports.² David Livingstone put the figure at 20,000 annually, but noted that for each person sold into bondage, probably four others died either in the raids or during the march to the coast.³ The slaves were packed into vessels, sometimes 1,000 to a ship, forced

¹ Cited in: Leroy Vail and Landeg White, *Capitalism and Colonialism in Mozambique: A Study of Quelimane District*. Minneapolis, 1980, p. 37.

² Vail and White, *Capitalism*, p. 16; see also Joseph Hanlon, *Revolution under Fire*, London, 1984, p. 16.

³ Vail and White, *Capitalism*, p. 37.

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to lie with their heads between each other's thighs with two feet of space between the ceiling and the wooden deck. At the twilight of the trade, in the 1880s, 2,000-4,000 people a year were still being sold. Widespread rebellions erupted throughout the Zambézia region as owners of vast feudal estates abandoned dreams of developing their land and began selling off neighboring African farmers and, ultimately, troops from their own slave armies, the *achikunda*.

When slavery was abolished, the Portuguese organized more legal mechanisms, such as the "engage" system, in which laborers were collected in the interior, marched to the coast in shackles, and then asked in Swahili, the lingua franca of the coast but which they did not understand, if they objected going to the French island colony of Reunion. That was followed by *chibalo*, or forced labor on huge plantations, financed mainly by British capital, which continued until the 1960s.

The current war has been equally devastating. The U.N. Development Program (UNDP) has blamed the conflict, directly or indirectly, for the deaths of 600,000 civilians, mainly children, two million internally displaced and one million refugees, and \$15 billion in damage to the economy. This followed eleven years war of independence against Portugal, and was accompanied by economic and military clashes with the neighboring white minority-ruled states of Rhodesia, now Zimbabwe, and later South Africa. The gains made by the FRELIMO government in public health and education immediately after independence in 1975 have been obliterated. With a mortality rate of children under five estimated at 298 per thousand,⁴ an illiteracy rate of 70 percent, and a per capita income of about \$150, Mozambique is one of the poorest nations in the world. By any calculation, at least 60 percent of its people live in absolute poverty.

It is a tragic irony that Mozambique could be a relatively wealthy nation. A territory twice the size of the state of California has just 15.7 million people, 85 percent of them living in rural areas. It is endowed with major rivers and mineral reserves, including gold, iron ore, the world's largest reserve of tantalite, and semi-precious stones.⁵ There are at least one million hectares of forests, ranging from eucalyptus and pine to rare hardwoods. Energy too is abundant, with six billion tons in coal reserves, hydroelectric potential, gas reserves estimated at

⁴ UNICEF, *The World's Summit for Children*, 1990, p. 42.

⁵ Economist Intelligence Unit, *Country Profile*, 1990-91, p. 8.

320,000 cubic kilometers,⁶ and possibly oil.

COLONIAL RULE

When Portuguese explorers first arrived 500 years ago they found bustling commerce between Swahili merchants based on the Indian Ocean coast trading for gold and ivory with the Munhumutapa empire, the powerful Shona state that controlled much of what is present-day Zimbabwe and central Mozambique. Relations between the early Portuguese traders and the Munhumutapa were cordial, until Father Dom Gonçalo da Silveira set off in 1560 to baptize the young emperor, Negomo Mpupunzagutu, and clear Portugal's path to the gold mines. Spurred on by the guardians of the Shona religion, the Mhondoro spiritual cult, and by Moslem traders who saw in the Portuguese dangerous competition, Negomo ordered that Father Silveira be executed and that his body fed to the crocodiles of the Musengezi river. A Portuguese military campaign launched eleven years later to avenge Father Silveira's death, as well as to pursue the gold, ended in catastrophe.⁷

For most of the seventeenth century, Portugal's influence rested on the power of cooperative settler families which mobilized achikunda slave armies around their military garrisons, or *arringa*. After fifty years of Portuguese rule through puppet African kings, the militant Munhumutapa Nhacunimbiti took power and, uniting with the neighboring kingdom of Changamire Rovzi, expelled the Portuguese from the Zambezi interior in 1695, 200 years before Cecil Rhodes led a column of white fortune-seekers from South Africa, the founding fathers of the settler state of Rhodesia. A Portuguese expedition sent against the Munhumutapa in 1807 was similarly routed, emphasizing the continued weakness of the colonial power, which until 1752 had ruled administratively from Goa.⁸

⁶ Economist Intelligence Unit, p. 20.

⁷ S. I. G. Mudenge, *The Political History of Mozambique, c. 1400-1902*, Harare, 1988, pp. 59-69; Allen P. Isaacman, *The Tradition of Resistance in Mozambique*, Berkeley and Los Angeles, 1976, pp. 1-2.

⁸ Isaacman, pp. 2-3.

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Symbolizing Portugal's fragile hold on Mozambique was the institution of the *prazo*, a land grant good for three generations to African or mixed race women who were married to Portuguese men. In return, the *prazo* holders were to develop the area and raise private armies to defend Lisbon's interests. As an effort to create a loyal settler population of direct Portuguese descent, however, the *prazo* system was a failure. Slavery killed it.⁹

For the most part, the *prazo* owners were desperately short of capital and initiative, having little loyalty to Lisbon. Rapid expansion of Brazil's sugar industry in the 1790s fuelled demand for Mozambican slaves, and the *prazeros*, situated in the heavily populated Zambezi river valley and with the *achikunda* armies at their disposal, were perfectly positioned to fill the orders. As repeated raids depopulated the interior, the *prazo* owners began selling off both their slave soldiers, which sparked widespread rebellions, and neighboring African farmers. As a result local land chiefs, known as *mambos*, led entire communities to resettle away from the *prazos*.¹⁰ When the *prazo* system, suffering from severe labor shortages, collapsed and slavery was abolished, peasants enjoyed a short period of unfettered farming during the 1870s and responded with huge production levels, showing that, then as now, African farmers were the backbone of Mozambique's agricultural economy.¹¹ But as the revolutionary FRELIMO government would do a century later, the Portuguese ignored the potential of the small producer.

The second half of the nineteenth century saw the dawn of huge plantations controlled by British capital. Cheap labor was the key to the success of the giant estates and, to secure it, the companies were allowed to levy tax, or *mussuco*, on nearby African communities—half to be paid with work.¹² Portugal, itself one of Europe's most underdeveloped countries, handed one-third of Mozambique over to two charter companies, the Mozambique Company, which controlled the provinces of Sofala and Manica, and the Niassa Company, which leased Niassa and Cabo Delgado provinces. Much of Zambézia province was run by three conglomerates—Luabo Company, Boror

⁹ Vail and White, pp. 26–27.

¹⁰ Isaacman, p. 5.

¹¹ Vail and White, pp. 65–68.

¹² Vail and White, pp. 78–85.

Company, and the Zambesia Company.¹³ With Germany and Britain actively discussing the partition of Portugal's empire, Lisbon turned to foreign capital to help it secure effective occupation and increase investment. In the 1890s, the authorities sought to obtain adequate numbers of workers for the plantations by introducing forced labor, *chibalo*, and a head tax, by expelling Indian traders, and by establishing a monopoly over marketing of groundnuts, sesame, copra, and traditional peasant foodstuffs. At the close of the century, revolts were nearly constant in the Zambezi valley, with at least fifteen major military campaigns carried out between 1885 and 1902.¹⁴

In the south, the Portuguese defeated the last Gaza king, Gungunhana, in 1895, capturing his headquarters at Manjacaze and exiling him to the Azores. The Ngoni, like the Ndebele in Zimbabwe, had fled the reign of Shaka Zulu in South Africa in the early 1800s. Before their fall, they had penetrated Mozambique up to the southern banks of the Zambézia river, posing a major threat to the prazos. By the early 1900s, the Ngoni were providing the bulk of the 80,000-115,000 workers who were sent to South Africa's mines under a deal between the Portuguese and the Transvaal government. The warriors of the Gaza state greatly aided Portugal twenty years later by helping to suppress the last great African struggle for independence, the Barue rebellion. An estimated 20,000 Ngoni shock troops fighting on the side of the Portuguese turned the tide against the Barue.¹⁵

Subject to increased *chibalo* demands and periodic assaults and rape of women by colonial African police, the *sepais*, the Barue launched the rebellion in 1917 after Portugal's decision forcibly to recruit 5,000 soldiers and porters for the East African campaign against Germany's colonial army.¹⁶ They were guided by a young woman named Mbuya, who claimed to be the medium of the national spirit, Kabudu Kagoro. Advising the Barue chief, Nongwe-Nongwe, she helped to mobilize spirit mediums from the remnants of the Munhumutapa state and beyond in a pan-Zambesian revolt to drive the Portuguese out. The Barue fighters were provided with medicines,

¹³ Vail and White, pp. 113-25; see also Hanlon, p. 16.

¹⁴ Barry Munslow, *Mozambique: The Revolution and its Origins*, London, 1983, p. 54; see also Isaacman, pp. 34-5.

¹⁵ Isaacman, p. 170.

¹⁶ Munslow, p. 55.

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believed to have come from the Shona deity Mwari, to render European bullets useless.¹⁷ A similar phenomenon would emerge seventy years later in Zambézia province, where a traditional militia swept across wide areas of rebel-controlled territory, firm in the belief that its leader, a young *curandeiro*, or traditional healer, named Manuel Antonio had found a secret bush plant to vaccinate his warriors against weapons of war.

Despite its failure, some observers believe the Barue rebellion was a harbinger of things to come, a transition from early African resistance to the full-scale national liberation struggle which FRELIMO would lead to victory nearly sixty years later. By the time the rebellion was over, Mozambique had become a labor pool for South Africa and the British colonies of Rhodesia and Nyasaland. British and South African capital dominated the economy, and over half of the colony's total trade was with Britain, British colonies or South Africa. Until 1931, the currency circulating at the Sena sugar plantation was British sterling.

The rise to power of Oliveira Salazar in Lisbon in 1926 and his establishment of a fascist *Estado Novo* brought fundamental change to Mozambique's economy. The *prazos* were ended in the 1930s and the charters were taken away from the Niassa Company and the Mozambique Company. Mozambique was to provide raw materials for fledgling Portuguese industry.¹⁸ The *Regulamento do Trabalho dos Indígenas* was approved in 1930, requiring every man to labor six months a year on plantations. In many areas their wives were forced to grow cotton for Portugal's textile factories. Faced with job shortages at home, the Salazar regime used the colony as a dumping ground for largely illiterate and unemployed Portuguese. The European population rose from 27,000 in 1940 to 97,000 in 1960,¹⁹ and finally to nearly 200,000 on the eve of independence.

African resistance continued. Tens of thousands of peasants fled into neighboring British colonies of Nyasaland and Rhodesia. Sporadic protests erupted among dockworkers in Lourenço Marques, as the capital Maputo was then known, in the late 1930s, and there were protests again in 1948, when 500 Africans were either jailed or deported to São Tomé. Violence returned to the capital in 1956 when

¹⁷ Isaacman, pp. 158-76.

¹⁸ Hanlon, pp. 18-19.

¹⁹ Hanlon, p. 23.

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forty-nine protesting dockworkers were killed.²⁰

In neighboring South Africa, the Nationalist Party, led by Daniel F. Malan, came to power in May 1948 on the promise of implementing a program of full-fledged apartheid.

²⁰ Ronald H. Chicote, *Portuguese Africa*, Eaglewood Cliffs, NJ, p. 118.

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RESISTANCE

One of the first victims of the new South African government's campaign against its universities was a young Mozambican, Eduardo Chivambo Mondlane, who had been studying in Witwatersrand University with the support of the Methodist church.²¹ Expelled in 1949, Mondlane returned to Lourenço Marques and helped to found the Nucleus of Mozambican Secondary Students, along with future leaders of FRELIMO, such as the current president Joaquim Chissano, Armando Guebuza and Pascoal Mocumbi. Mondlane, who went on to earn a university degree at Oberlin and a doctorate from Syracuse, was detained for questioning by Portuguese police that same year.

In the far northern province of Cabo Delgado, a group of Makonde activists led by Lazaro Nkavandame joined with village headmen to form the Mozambique African Voluntary Cotton Society, a peasant cotton cooperative which was linked to rising protests over taxation. The Portuguese authorities agreed to a mass meeting at Mueda on June 16, 1960, to discuss the villagers' grievances. The gathering ended in a massacre as Portuguese troops fired on the crowd and killed an estimated 600 people.²² A year later the Mozambique African National Union (MANU), drawing its support from the Makonde, was formed. Two other independence movements were set up at about the same time: the National Democratic Union of Mozambique (UDENAMO) in Bulawayo, Rhodesia in 1960, and the African Union of Independent Mozambique (UNAMI) in Blantyre in 1961.

The three movements agreed on June 25, 1962 to unite in the Mozambique Liberation Front (FRELIMO), led by Mondlane, who, since completing his studies, had worked for the United Nations. Mondlane was elected president, while Uria Simango, the UDENAMO leader, became vice president. FRELIMO was to remain a front rather than a political party, and its aim was to harness national unity to further the struggle for independence and to establish a "democratic regime" with an anti-colonial, non-aligned foreign policy. During its first congress in Tanzania, FRELIMO declared its adherence to the Universal Declaration of Human Rights. At military camps in Algeria, FRELIMO guerrillas

²¹ Herb Store, "Resistance and Revolution in the Life of Eduardo Mondlane, A Biographical Sketch," in Eduardo Mondlane, *The Struggle for Mozambique*, London, 1983, p. xix.

²² Munslow, p. 71; Hanlon, p. 24.

trained for war.

On September 25, 1964, Alberto Joaquim Chipande, the current Defense Minister, is said to have fired the first shot in the armed struggle. Using Tanzania as a base for propaganda and military training, FRELIMO guerrillas thrived in northern Cabo Delgado, with the powerful Makonde village headman mobilizing popular support. Although human rights of Mozambicans were systematically violated during the colonial period, the start of the war sparked a new crackdown. Disappearances, torture, beatings with the *palmatória* (a wooden paddle) and denial of trial were commonplace.

Unity in the young nationalist movement was fleeting. When FRELIMO's Central Committee held its second meeting four years later, wide divisions over military strategy, tribalism and the role of political and military leaders had erupted. FRELIMO's military commander, Felipe Samuel Magaia, was assassinated under mysterious circumstances inside Mozambique by another FRELIMO guerrilla (Lourenço Matola), who was jailed in Tanzania and later made his way to Kenya.

Samora Machel, a former nurse from Gaza province then in charge of guerrilla training, became Secretary of the Defense Department. Machel, who viewed the liberation war as one of class, clashed with Nkavandame, who, backed by the Makonde village headman and a "council of elders" in Cabo Delgado, believed the struggle was for racial emancipation. Fundamental differences on economic policy existed too, with Nkavandame preaching wage labor, competition and voluntarism, and FRELIMO leaning increasingly towards collective production. Nkavandame and his supporters boycotted the July 1968 second party congress, which was held for the first time in liberated Mozambican territory. Their policy positions were defeated.

The crisis exploded with the murder of two Machel supporters, Nkavandame's expulsion from FRELIMO, and finally the assassination of Mondlane by a parcel bomb on February 3, 1969. While FRELIMO officially accused the Portuguese secret police (*Polícia Internacional e de Defesa do Estado*, PIDE) of murdering Mondlane, at a meeting two months later the Central Committee blamed his death on internal faction fighting. The Central Committee blocked vice president Uria Simango's ascendancy to the presidency by electing a triumvirate, Simango, Machel and Marcelino dos Santos. In November, Simango published "Gloomy Situation in FRELIMO," a harsh attack on the Machel faction alleging it was dominated by southerners, that it had given preferential treatment to whites, and that it was subordinating national liberation to ideology. "The question of scientific socialism and capitalism in Mozambique should not be allowed to divide us." Six

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months later, he too was expelled from FRELIMO, with the Central Committee deciding "that Simango should be submitted to popular justice in Mozambique."

Although political infighting temporarily paralyzed the armed struggle, FRELIMO's fortunes soon improved on the battlefield. The guerrillas expanded their operations, crossing into the northwestern province of Tete in the late 1960s, just as the Portuguese launched their biggest offensive ever, Operation Gordian Knot, complete with napalm and scorched earth tactics, against FRELIMO strongholds in Cabo Delgado. Portuguese military commanders adopted harsh tactics against civilians, rounding up peasants and putting them in strategic hamlets, known as *aldeamentos*. With the military advance, FRELIMO's economic policies became clearer. Cash cropping and wage labor were abolished, while collective production geared to the war effort was dominant.

FRELIMO's opening of the Tete front was a psychological blow to the Portuguese. A deal to build the giant Cahora Bassa hydroelectric project on the Zambezi river in Tete province was seen by many analysts as an attempt to draw South Africa into the war against FRELIMO and to create a physical barrier between the white regimes of southern Africa and the rest of the continent. In December 1972, Portuguese commandos massacred hundreds of peasants by lobbing hand grenades into the village of Wiriamu.

The guerrilla advance also set off alarm bells in neighboring Rhodesia, where Ian Smith's white minority government was facing a growing nationalist threat of its own. As FRELIMO fighters moved from Zambia through Tete down to the Rhodesian border, in their tracks followed armed fighters committed to an independent Zimbabwe. Salisbury's assessment was correct. On December 21, 1972, a ZANLA unit attacked a white-owned farm in northeastern Rhodesia. The Rhodesians reacted to the developments by recruiting and arming a small Mozambican force, initially to spy on the guerrillas of the Zimbabwe African National Liberation Army (ZANLA) passing through Tete.

The covert operation, organized by Ken Flower, director of Rhodesia's Central Intelligence Organization (CIO), sowed the seeds of Mozambique's current war. In an interview three months before his death in July 1987, Flower said:

It was vital for us to know what was happening. I had been across to Angola also at that time to see how they were faring, and I was impressed with the fact that comparatively the Portuguese in Angola had survived insurgency there mainly

through the introduction of what they called *flechas* [arrows], a counter-insurgency group. Pseudo-terrorists you might call them. And this fired the imagination . . . I myself went twice to see the Portuguese Prime Minister on that subject in 1971 and 1972 and got only half-hearted acceptance. But still, they allowed us as it were to do our own thing. And we in turn [developed] this movement, which we ourselves generated, it is true, but to a certain extent was self-generating, and we called it then the Mozambique Resistance. . . . Certainly, we armed them. If they wanted to have some training, we gave them some training here. We originally had helping us a few white Portuguese who came out of Angola, who had had that experience with flechas there, but didn't last all that long.²³

A month before the April 1974 coup d'etat in Lisbon, which brought a hurried end to Portuguese colonialism in Africa, Flower obtained Portugal's agreement to expand the Resistance. A unit of flechas operating in Mozambique crossed the border and offered their services to Flower's movement. By the early 1970s, resistance members were gaining a reputation for mutilations of suspected FRELIMO party collaborators, assaults which increased as the war intensified.

INDEPENDENCE

Portugal's collapse and decision to grant independence to its five African colonies, including Mozambique, caught FRELIMO by surprise. The armed struggle had made little progress in the most heavily-populated provinces of Nampula and Zambézia, and some FRELIMO leaders believed another ten years of war would be necessary to dislodge the Portuguese. Instead, the two sides signed the Lusaka Accord of September 7, 1974, which committed Portugal to the unconditional handover of power to a FRELIMO-dominated transitional government. FRELIMO released at least 150 captured Portuguese soldiers, while Portugal had no one to hand over. No FRELIMO guerrillas taken prisoner had survived captivity.²⁴ In Lourenço Marques, angry settlers seized the radio station and called for a Rhodesian-style Unilateral Declaration of Independence, sparking off

²³ Interview with Ken Flower, April 1987, for documentary, *Mozambique: The Struggle for Survival*, produced by Bob and Amy Coen.

²⁴ Iain Christie, *Machel of Mozambique*, Harare, 1988, p. 144.

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anti-white riots in the black suburbs. Almost all of the country's trained professionals, including judges and lawyers, were Portuguese who fled. Economic sabotage by embittered white settlers was widespread.

Several opposition parties sprang up after the coup, grouping former FRELIMO members such as Simango, Father Mateus Gwenjere, and Joana Simião. By the end of the year, however, they and a number of other prominent former FRELIMO members, including Nkavandame, and opposition figures were arrested by FRELIMO soldiers and sent off to "re-education camps" in the far north. Until April 1992, the Mozambican government refused publicly to reveal their fate. The government then admitted that they had been executed, but still refuses to reveal further details (see chapter 8). There were increasing reports of torture and mistreatment at the re-education camps. One former FRELIMO guerrilla, originally detained for desertion, described conditions:

On June 16, 1975, I was detained. I was called to see the provincial commissar [of Beira], Tome Eduardo, who later became the governor. I was held in detention by the Ministry of Defense and sent to the *Centro de Preparação Política* in Dondo, where I stayed until September 1976. Twelve of us prisoners were locked in one room. All were deserters from FRELIMO. Some of them fled to Rhodesia. There were nine of us left. They sent us to Cabo Delgado. We drove in a military truck to Pemba. It took about one week. We were sent to the Ruarua Re-education Camp. There was a great deal of suffering there. There were about 40 inmates. We were beaten every day. Many prisoners were just shot, executed right there. Others were put in holes in the ground, so only their heads were above the ground. They had taken all our clothes. We had no food for many consecutive days. The next year I was taken to the general camp about four kilometers away. There were 800 people there. The conditions were much better there. I stayed two months. Then the camp commander drew up a list of people who he said were organizing the other prisoners to escape and join the Africa Livre movement.²⁵ I explained that I knew nothing of the Africa Livre movement, we had no radios or contact with the outside. I later found out that the Africa Livre movement was formed while I was a prisoner. I could not have known about it.

²⁵ An anti-FRELIMO insurgent force active in Tete province between 1976 and 1982.

The people on that list were taken back to the torture area. We were completely isolated. The camp commander [Trinidade Lidimo] sent his letter to Pemba, and investigators came. They started asking us questions. I confessed that I wanted to flee, the conditions were so terrible. It was difficult to describe. I asked them why they killed people in a camp that says it is for re-education. Their investigations found nothing. Most of the other guys were sent back to the general camp. I stayed there another two months, but I was never told why.

I was sent back to the general camp, and I was there about two weeks when I was sent with a work group to open a road in the bush. I ran away, across the Rovuma river. I reached Tanzania in August 1978.²⁶

On June 25, 1975, Samora Machel became President of an independent People's Republic of Mozambique. Facing a crumbling colonial society, FRELIMO, ruling in a one-party state, set up *Grupos Dinamizadores* (Dynamizing Groups, GDs) to spread its control throughout the cities and the rural areas and to dislodge traditional authorities, such as chiefs and spirit mediums, from power. Many petty rivalries ended in deportations as GD leaders had wide powers to send "unproductive" urban residents to re-education camps. In October, the government established the *Serviço Nacional de Segurança Popular* (SNASP), a secret police service with sweeping authority to detain anyone suspected of anti-state activities, including economic sabotage. SNASP could prosecute or send the detainees straight to re-education camps, and habeas corpus was specifically denied.²⁷ SNASP's powers were described as "Orwellian" by Supreme Court Justice Dr. João Trindade in February 1991. One and the same body had power "to arrest, ratify the detention, to prosecute and to judge," he said.

THE FORMATION OF RENAMO

A new round of violence began after President Machel implemented United Nations sanctions against Rhodesia by closing

²⁶ Africa Watch interview with detainee at Machava Security Prison, December 1990. The interviewee was subsequently released and returned to Cabo Delgado.

²⁷ Article 115 of Code of Criminal Procedure.

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the countries' common border in March 1976. Rhodesian air and ground forces launched massive raids in the western, central and southwestern provinces.²⁸ Support also increased for the covert Mozambican resistance force. In June 1976, Andre Matsangaissa, a former FRELIMO platoon commander in the central mountain region of Gorongosa, escaped from a re-education camp at Sacuze and made his way across the border. In Matsangaissa, the resistance movement had a leader. That same month the Voz de Africa Livre, an anti-FRELIMO radio station, began broadcasting to Mozambique from Gweru, Rhodesia. In August, Flower's CIO set up a training camp for the Mozambicans at Odzi, outside the border town of Mutare. The Rhodesians resisted attempts, in Flower's words, "to hijack the movement" by certain Portuguese interests, particularly Jorge Jardim, a powerful Beira businessman.²⁹

Afonso Dhlakama, the current president of RENAMO, denies that his movement was originally set up by the Rhodesians but admits that the Smith government did provide support.

When RENAMO began the armed struggle in 1977, in Rhodesia there was a concentration of many who had fled from FRELIMO, where military men or politicians, who were they studying how to react to Marxism in Mozambique. So we had the opportunity to contact those Mozambicans and they were people who had friends including some whites, and we obtained some small aid. There is nothing to hide. We received some small support of war materiel. This stopped in 1980 with the independence of Zimbabwe. But RENAMO was not created by the secret services of Ian Smith to fight Mozambique as the whole world has heard. Because FRELIMO has created this propaganda as have many of its friends. They try to give emphasis to that. No, we were not created by Ian Smith. But we had the support of Rhodesia.³⁰

Most analysts of Mozambique maintain that the Rhodesian CIO was central to the formation of RENAMO. But it is also true that some armed resistance to FRELIMO existed with very limited external

²⁸ Hanlon, p. 51.

²⁹ Flower interview.

³⁰ Interview with Dhlakama in Nairobi, December 1989

support. The Africa Livre movement, an obscure insurgent group, was active in Tete province in the late 1970s. It carried out sporadic guerrilla raids before being scattered by army offensives in 1980. In 1982 its remaining members were absorbed into RENAMO.

In 1977, Matsangaissa returned to attack the Sacuze re-education camp and to free other former FRELIMO guerrillas, mainly speakers of the Ndau dialect of Shona, from central Mozambique and eastern Zimbabwe, to join his fledgling army. Dhlakama dates the movement's first military operation to the attack on Sacuze. On October 17, 1979, Matsangaissa was killed during a raid on Gorongosa town, yet his name literally lives on. In many rural areas villagers today call RENAMO the "Matsanga," and the anniversary of Matsangaissa's death is celebrated in RENAMO-controlled zones with traditional religious ceremonies and feasts.³¹

FRELIMO IN POWER

After independence, FRELIMO was committed to a radical program of socialist transformation, intended to reconstruct the entire social and material basis of Mozambican life. This program involved exercising a greater degree of state control over the rural population than had been attempted before. Many of the policies originally adopted for reasons of socialist transformation were later reproduced as counter-insurgency measures, when the government desired close control of the population for military reasons.

FRELIMO began organizing the countryside along the lines of the liberated areas during the independence struggle. Ambitious education and health programs with mass literacy and vaccination campaigns in the rural areas won international acclaim. The number of primary school students doubled in just seven years, while in the first decade after independence the number of health posts nearly quadrupled.

The new government cracked down on the churches, especially the Roman Catholics, who had largely supported the Portuguese during the war. FRELIMO nationalized schools, hospitals and missions. An estimated 10,000 Jehovah's Witnesses were rounded up and sent to a giant re-education camp near the town of Milange, on the border with Malawi. Machel set the tone in his 1975 Independence Day message: religion, and especially the Catholic Church, was a powerful factor in

³¹ Author's interviews with ex-RENAMO guerrillas and civilians from rebel-controlled zones.

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the cultural and human alienation of the Mozambican to make him a docile instrument and object of exploitation.

FRELIMO also launched campaigns to undercut loyalties to indigenous religions and forms of social organization. Traditional chiefs, many of whom exercised authority on the basis of spiritual ties to the land, were a particular target.

In Erati district in the northern province of Nampula, FRELIMO officials annulled the results of the 1977 local assembly elections after traditional chiefs won the seats. Fresh elections were called, but the chiefs were barred. The voters supported the village idiots. Later, when villagization began in Erati, powerful local chiefs were again ignored and people from one or more clans were forced to live in an area controlled by another, sometimes a rival group, creating sharp tensions.³²

In February 1977, FRELIMO held its third congress, formally transforming the liberation movement into a Marxist-Leninist vanguard party. Its "historic mission is to lead, organize, orientate, and educate the masses, thus transforming the popular mass movement into a powerful instrument for the destruction of capitalism and the construction of socialism." The decision came at a time of war against Rhodesia when Mozambique was seeking to attract significant military aid from eastern Europe and the Soviet Union. "Mass democratic organizations" were set up to ensure FRELIMO party control of workers, women, youth and journalists. State farms, mainly estates abandoned by the Portuguese, received massive investments, while peasant agriculture was largely ignored.

At the heart of FRELIMO's plans to transform society was the communal village, what Machel called the "decisive factor for the victory of socialism in our country."³³ Reminiscent of the *ujamaa* system in Tanzania, FRELIMO's villagization was compulsory, sparking bitter resentment among the very people who were supposed to inhabit the *aldeas comunais*. A severe lack of resources and trained personnel undermined the government's ability to provide basic services. Often the villages were located and planned without asking local peasants for their view.³⁴

The governors in Manica and Inhambane announced crash

³² Christian Geffray, *Les Causes des Armes*, Paris, 1989.

³³ Hanlon, p. 138.

³⁴ Geffray, pp. 10-11.

villagization programs, though they were later scaled down.³⁵ By 1981, 1.8 million people had been moved into 1,266 communal villages. As the war spread, the army saw the villages for their counter-insurgency value, reminding many Mozambican peasants of the aldeamentos, the protected villages from the Portuguese era.

"When it is said that we are forcing people into communal villages, it is true," said Job Chambal, the then National Director of Communal Villages. "Because if we don't, then the enemy will use those people to destroy their own future. These people are being liberated."³⁶ Much the same sentiments were expressed in April 1987, when Manuel Nogueira, the then Sofala provincial director of the government disaster relief agency, commented to journalists on reports of the army's forced removal of civilians around the Gorongosa region for permanent resettlement elsewhere. "We want to bring people together to live in permanent villages. These people have lived dispersed for 500 years and where has it got them?"³⁷ Many analysts blame the villagization program, as well as the marginalization of traditional chiefs and spirit mediums, for creating support, or at least passive resistance, for RENAMO.

³⁵ Hanlon, pp, 129-130.

³⁶ Hanlon, p. 129

³⁷ Author in joint interview, Beira, April 1987.

2. CIVIL WAR, 1980-92

This chapter outlines the civil war in Mozambique from the point at which RENAMO began to receive South African military supplies, in 1980, until the time of writing. RENAMO is an unusual, possibly unique, example of an insurgent group which has been able to mount a successful military campaign without attempting to gain the active support of the population, contrary to the textbook principles of guerrilla warfare. This has led many to dismiss it as merely a terrorist group and a stooge of South Africa. While it practices terror and has been a tool of South Africa, recent analyses have shown that it also springs from Mozambican roots.¹ The use of exemplary terror against civilians and civilian targets combined with methods to control rural populations and extract resources from them, notably food and labor, are the center of RENAMO's insurgency strategy.

Meanwhile, the counter-insurgency strategy of the Mozambican army (FAM, formerly known as FPLM) has been characteristic of a conventional army faced with a guerrilla force that evades direct confrontation. The FAM's counter-insurgency strategy has been marked by violence against civilians and the forced relocation of rural populations. In recent years, the declining morale and discipline of the FAM soldiers has contributed to increasing abuses.

Africa Watch's concerns fall into four main areas. One is direct violence against civilians, including mutilations and killings. While RENAMO is undoubtedly responsible for the majority of these abuses, and has been notable for its deliberate use of mutilations to advertise its presence and power, FAM is also guilty of such abuses. The second area is forced relocation of the population, whereby both sides force civilians to move to "secured" areas. The third area is the use of forced recruitment, principally by RENAMO, but also on a significant scale by FAM. Finally, Africa Watch is concerned with the manner in which these abuses have contributed to the creation of famine.

RENAMO AND SOUTH AFRICA

The death of Andre Matsangaissa in 1979 left RENAMO at the point of collapse. Mozambican army troops overran RENAMO's central bases of Gorongosa and Sitatonga in February and June 1980. Afonso Dhlakama, a Catholic-educated son of a traditional chief from Chibabava, Sofala province, became president after a reported shootout with supporters of a rival, Lucas Mhlanga, at a base in

¹ Alex Vines, *RENAMO: Terrorism in Mozambique*, London, 1991; Christian Geffray, *Les Causes des Armes*, Paris, 1990.

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Chisumbanje, Rhodesia.²

Independence for Zimbabwe on April 18, 1980, further weakened RENAMO by removing its rear bases and threatening a cut-off in military support. However, RENAMO benefitted from South Africa's increasingly aggressive stance towards the front-line states of black Africa. As Zimbabwean independence neared, Ken Flower of the Rhodesian Central Intelligence Organization (CIO) asked the South Africans to assume sponsorship of RENAMO, and they agreed. Flower explained:

We thought not only would we have to divest ourselves of this movement, but the best thing for all concerned would be just to let it fade away. But we did offer them an alternative. If there were among their numbers those who wished to carry on, it had to be clear that there were to be no further links with Zimbabwe. But I knew from previous approaches that the South Africans could be interested. So the members of the resistance were told that there were was an alternative. We thought that none would be interested. On the contrary, the majority showed that interest. So this is what we did. We made the arrangements in a few days between making the decision in principle to the actual handover, to effect a transfer to the South Africans. It suited their purposes to help us, provided that we were not going to intrude too much into their own way of life.³

Having informed the British government (then responsible for the administration of Zimbabwe-Rhodesia) that support to RENAMO was to be cut off, the CIO invited South African military officers in to "pick up the ropes" and RENAMO was transferred "lock, stock and barrel."⁴ RENAMO instructors, communications personnel and trainees were airlifted to military bases of the South African Special Forces at Phalaborwa and Zoabastad, as part of a larger operation which involved the transfer of other former Rhodesian special forces. The transfer marked a turning point in the war, which, instead of dying down, soon began to escalate. The South African government used

² Alex Vines, p. 17; Hanlon, *Revolution under Fire*, p. 222.

³ Interview with Ken Flower, April 1987.

⁴ Ken Flower, *Serving Secretly: Rhodesia into Zimbabwe, 1964-1981*, London, 1987, p. 262.

RENAMO as a tool for destabilizing Mozambique and as a bargaining counter against Machel's support for the African National Congress (ANC); its aims were disabling Mozambique's infrastructure and economy, bringing FRELIMO to the negotiating table, and ultimately overthrowing FRELIMO and replacing it with a more amenable government.

In November 1980, Dhlakama flew to Europe on a publicity tour. Two months later, South African commandos raided ANC houses in Matola, an industrial suburb of Maputo, killing thirteen ANC members and a Portuguese electrician. In March, Mozambican and South African troops clashed on the border. Commandos blew up two bridges linking the port of Beira to Zimbabwe in October and destroyed marker buoys in the Beira channel in November. In August 1982, the prominent South African exile, Ruth First, was murdered by a letter bomb sent to her at Eduardo Mondlane University in an action later blamed on a death squad by one of its former members, Dirk Coetzee.

Pumped up with ample supplies and crash training programs, RENAMO increased its strength from 500-1,000 to 8,000 in just two years.⁵ It was regularly resupplied by air from South Africa, to the extent that it was better equipped than the Mozambique army. RENAMO commanders were paid by South Africa. Their first operational areas were Manica and Sofala provinces, but the movement quickly spread its operations throughout most of the country. In August 1981, RENAMO adopted its first political program, claiming to be fighting for a multi-party democracy and a private enterprise economic system. It also claimed credit for sabotage along the Beira Corridor, a 196-mile road, railway and oil pipeline linking Zimbabwe to the Indian Ocean. The rebels ended the year by kidnapping two foreign workers in Gorongosa National Park.

War first came to Gaza and Inhambane in 1982, when the rebels made a major push throughout Mozambique. They entered the country's most populous and richest province, Zambézia, after absorbing the small Africa Livre guerrilla movement. In August rebel gunmen kidnapped six Bulgarians, who were later freed, and in October, seven Portuguese technicians. RENAMO's principal targets were the regional transport routes linking the hinterland to the Indian Ocean, and FRELIMO-controlled zones, especially party buildings, schools and health posts. By 1990, the government reported that the

⁵ Margaret Hall, "The Mozambican National Resistance (Renamo): A Study in Destabilization of an African State," *Africa*, 60, (1990) p. 40.

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rebels had destroyed 2,773 primary and secondary schools and about 1,000 health clinics.

In the early 1980s, RENAMO acquired its reputation for savagery. It became particularly well-known for a policy of mutilating civilian victims, including children, by cutting off ears, noses, lips and sexual organs. This policy was apparently followed in order to advertise the strength of RENAMO, and to weaken symbolically the strength of the government. From the start, RENAMO relied heavily upon traditional healers and on popular beliefs associated with supernatural powers. RENAMO also engaged in numerous attacks on civilian targets, notably civilian infrastructures such as transport links, health clinics and schools. In some of these attacks, the destruction of property was extraordinarily comprehensive. Journalist William Finnegan described what he saw in the town of Morrumbala, in Zambézia:⁶

Every window, every window frame, every door, every doorframe, every piece of plumbing or wiring or flooring had been ripped out and carried away. Every piece of machinery that was well bolted down or was too heavy for a man to carry—water pumps, maize mills, the generator in the power station, the pumps outside the gas station—had been axed, shot, sledgehammered, stripped or burned. . . . There were few signs of battle—only a spatter of bullet holes in walls and pillars—but a thousand relics of annihilative frenzy; each tile of mosaic smashed, each pane of glass-block wall painstakingly shattered. It was systematic, psychotically meticulous destruction. The only building in town with its roof untouched was the church.

While this may be explained in part by simple looting and South African instructions to destroy economic infrastructure and FRELIMO's proudest achievements in education and health care, it also reflected the pent-up hatred of all forms of exploitative authority, built up over generations.

FRELIMO: CRACKDOWN AND REFORM

The Machel government, meanwhile, was cracking down on internal dissent. In 1979, Maputo introduced capital punishment,

⁶ William Finnegan, *A Complicated War: The Harrowing of Mozambique*, Berkeley, CA, 1992, pp. 11–12.

making the death penalty mandatory for certain offenses such as high treason and armed rebellion.⁷ Reports of torture remained common over the years. In January 1983, seven alleged RENAMO members were killed in the southern provinces of Maputo and Gaza in two public executions. Flogging was introduced for use by all courts in March, and the list of crimes warranting the death sentence was expanded to include black marketeering and armed robbery.

The economy made only modest gains following independence, and had only a brief respite from disruptions caused by war after the fall of the Smith government in Rhodesia and the birth of an independent Zimbabwe. Promising "victory over underdevelopment," in 1981, the government unveiled its ten-year economic plan which called for \$10 billion in finance for big development projects. But like the huge Zambézi estates of the colonial era, heavily mechanized state farms soon buckled under their own weight, requiring massive foreign exchange infusions, trained managers, and cheap peasant labor, all of which were scarce. With the departure of rural Portuguese and Indian traders, shops in the countryside increasingly were empty. Little support from the state and no consumer goods to buy meant the peasants stopped producing surpluses. In addition, 1982–84 saw the most severe drought for decades in the center of the country. The result was economic depression, a decline which soon became precipitate.

Spiralling rural violence and drought sent thousands of peasants into Maputo, Beira and other cities, which were already suffering severe food shortages. The government's response was Operation Production, a scheme to force the poorest urban strata into remote communal villages in the north. Residents of the capital had two weeks to update their four identity and registration cards or be eligible for deportation.⁸ Hundreds of people were improperly evacuated, splitting up common-law marriages and labelling many single mothers as prostitutes. Operation Production was later abandoned, but only a few of the people sent away were able to return home. Government officials, senior religious leaders, and RENAMO officials themselves agree that Operation Production was a boon to the rebel recruiting drive. In 1984, the then Interior Minister, Armando Guebuza, the principal administrator of Operation Production, announced the introduction of the *guia da marcha*, effectively a pass required for travel between districts.

⁷ Law no. 2/79, Crimes against the Security of the People and the People's State.

⁸ Hanlon, p. 246.

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At its fourth party congress in 1983, FRELIMO tried to reverse course, barring the start of new big development schemes, promising support for small private farmers, and calling for small projects to be built with local materials. But the inertia of decline and stepped-up RENAMO attacks on roads, railways, farms and development projects combined to push the economy to the wall. Marketed agricultural production and exports in 1985 were one-quarter of the 1980-81 figures. Industrial production was down over 50 percent. In 1983-84, famine in Gaza and Inhambane provinces killed tens of thousands.

NKOMATI

FRELIMO made a bid for peace on March 16, 1984. Amid great pomp and ceremony, Machel and South African president P.W. Botha signed an "Agreement on Non-Aggression and Good Neighborliness" at the border town of Komatipoort. South Africa said it would halt its support for RENAMO if Maputo would close down ANC military operations in Mozambique. In October, South African-mediated negotiations between FRELIMO and RENAMO seemed close to success when delegations from the two sides appeared together at a press conference in Pretoria. South African Foreign Minister Pik Botha read out the "Pretoria Declaration," which both sides had apparently agreed to. It stated:

1. Samora Moises Machel is acknowledged as the President of the People's Republic of Mozambique.
2. Armed activity and conflict within Mozambique, from whatever quarter or source, must stop.
3. The South African government is requested to consider playing a role in the implementation of the declaration.
4. A commission will be established immediately to work towards an early implementation of this declaration.

The talks continued until October 11, when the RENAMO negotiator, the late Evo Fernandes, called for a one-week suspension after receiving what he said was a call from the Portuguese deputy Prime Minister, Carlos Mota Pinto.⁹ The talks quickly broke down, with both parties threatening to annihilate each other. Of the 1984 peace initiative, Dhlakama said:

⁹ Vines, p. 34.

Yes, those were games of FRELIMO, to try to eliminate RENAMO. Yes, there were conversations in the months of September and October 1984. Then I ordered to stop the games of FRELIMO. They did not want conversations, they only wanted to get RENAMO to integrate with FRELIMO. They wanted to get Dhlakama and say: "look, you go command a battalion that is in your territory." They were not serious for any solution for peace in Mozambique. They only wanted to eliminate, force RENAMO into an unconditional ceasefire, and then RENAMO to disappear. We said we were not prepared for that. There was no reason. Because RENAMO is strong militarily and politically, which the people support. [It is] independent, nationalist, and is installed in Mozambique. It is there. We are not going to accept to disappear. So I sent an order to stop the talks.¹⁰

Most analysts believe the FRELIMO government largely stuck to the Nkomati Accord, while by their own admission the South Africans did not. Foreign Minister Pik Botha conceded that "technical violations" of Nkomati had occurred, after Mozambique publicized the contents of rebel diaries found by Zimbabwean troops when they overran RENAMO's Casa Banana headquarters in 1985. The diaries, purportedly written by Dhlakama's personal secretary, Francisco Vaz, revealed widespread violations, including supplies of weapons and ammunition, construction of rebel landing strips, and a submarine trip for the RENAMO leadership, all after the Nkomati deal was signed. Chester Crocker, the former Assistant Secretary of State for African Affairs, told a Senate Subcommittee in June 1987 that "elements of the South African government maintain covert communications with and material support for RENAMO even while the South African government's official position is one of support for the Nkomati Accord."

In interviews with Africa Watch, several former RENAMO guerrillas said South African instructors were in the Matsaquenhya rebel base near the southeastern border town of Namaacha until 1988. "They had courses in sabotage, artillery, light and heavy weapons. They would come in helicopters," said one prisoner. "South African helicopters brought Dhlakama twice in 1988." Another RENAMO member, head of a reconnaissance unit in Maputo, said he was recruited by South African

¹⁰ Interview with Dhlakama, Nairobi, December 1989.

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intelligence agents at a Maputo hotel in 1986, and received three months training at the Special Forces base at Phalaborwa in 1988, He was paid 15 rand upon arrival and received another 50 rand for the course.

Support from some sections of the South African security forces appears to be still reaching RENAMO. A former South African intelligence official described this as:

Giving them a helping hand. The MNR are an asset, we could not just drop them. What we did was stoke them up with a drop or two [of supplies], when they looked in danger of fizzling out. Easy for us, and it kept FRELIMO on its toes.¹¹

It is a chilling remark, reminding one of the "stoking up" of the violence in the South African townships by the security forces. Where, as in Mozambique, violence partly derives from a mixture of indigenous tensions and grievances, it is easy to exploit and manipulate by die-hard extremists in the security forces.

According to a US Defense Intelligence Agency (DIA) report, South African support for RENAMO continued up to at least February 1991. Based on the account given by a former rebel, it confirms the pattern of "stoking up" RENAMO units already described, with stories of unmarked civilian helicopters delivering arms and ammunition to a southern RENAMO base and picking up selected RENAMO members.¹²

THE WAR INTENSIFIES

The Nkomati Accord brought no letup in the war. From August 1984 through June 1985, the Mozambican media reported at least nine massacres which claimed the lives of 231 people.¹³ RENAMO then launched its biggest offensive ever along the length of the Zambezi river valley in the provinces of Zambézia, Sofala, Manica and Tete.

According to Alex Vines,¹⁴ the Nkomati Accord did not damage

¹¹ Interview with former South African intelligence official, February 1992.

¹² US Defense Intelligence Agency, report on RENAMO deserter, March 1991.

¹³ Unofficial list of media reports on alleged rebel massacres of civilians compiled by Iain Christie.

¹⁴ Pp. 24-25.

RENAMO militarily, but merely forced it to change its strategy. For the six months before the agreement was signed, the South African military airlifted a huge quantity of arms to RENAMO bases inside Mozambique, and advised the rebels to change their insurgency strategy. Rather than relying on rear bases in South Africa, henceforth RENAMO would have to provision itself from the local population, and replenish its arms supplies increasingly from captured weaponry. This led to a change in tack, away from assaults on military targets (which were wasteful in terms of arms and ammunition) towards attacks on "soft" targets. RENAMO also began to exercise control over populated areas, and to engage in looting and pillaging on a wider scale.

The government scored a major military success in August 1985, with the capture of Casa Banana, the main RENAMO base, and related strongholds. Zimbabwean forces played a key role in this success. This forced RENAMO to intensify its policy of living off the land, and led to a further spread of insurgent activity. The government was faced with the classic dilemma of a conventional army facing a guerrilla force that avoided direct military confrontation but was able to move through most of the countryside freely.

In 1985–86, the rebels pushed deep into Zambézia province. In September 1986, RENAMO units routed poorly supplied government positions, especially near Mutarara, in the southeastern corner of Tete province, and the Zambézia town of Milange. The Maputo government charged the government of President Hastings Kamuzu Banda with aiding the rebel push by allowing RENAMO to maintain rear bases in Malawi. While RENAMO certainly operated from Malawian territory, it is not clear to what extent this was done with the knowledge and consent of the Malawian authorities. District capitals throughout the region fell to the rebels. The bridge at Tete city was the sole transport link over the river still intact. At one point it looked possible that RENAMO would capture the city of Quelimane, cutting the country in two and giving RENAMO the opportunity to set up an alternative government.

The war in Zambézia caused renewed fears of severe famine. Tens of thousands of refugees poured over the Malawi border.

Despite the deteriorating military situation, FRELIMO continued to reject negotiations with RENAMO. "There are many people who have been deceived by enemy propaganda according to which it is necessary to talk to the bandits if there is to be peace in Mozambique," the then Foreign Minister, Joaquim Chissano, told a public meeting in Nampula province on May 11, 1986.

As the FAM weakened, Machel took three steps to attempt to reverse the worsening of the conflict. First, he put heavy diplomatic

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pressure on Malawi to halt any RENAMO operations from its soil and threatened to station ground-to-ground missiles along the border. Second, on October 17, 1986, he dismissed his Chief of Staff, Sebastião Mabote, a veteran of the independence struggle. Third, he sent elite "Red Beret" troops to the central war zone, and brought in Tanzanian soldiers to maintain the garrisons.

Upon returning from a summit in Zambia on the evening of October 19, the presidential plane mysteriously crashed into the side of a hill just inside South Africa, killing Machel and thirty-four others. Joaquim Chissano, Mozambique's foreign minister since independence, became president shortly afterwards. By the time Chissano took office, FRELIMO had embarked on a major review of its economic, foreign, and human rights policies. This was ultimately to lead to the reforms and peace negotiations of 1990-91, but in the short term, produced only a continuation of the war.

In 1987, the FAM launched a major counter-offensive along the Zambézia river. Soviet-trained Red Beret commandos toppled one rebel-held town after another on the north bank of the Zambezi river. An estimated 3,000 Tanzanian soldiers took up defensive positions along the river valley, maintaining the recaptured garrisons. Elite Zimbabwean paratroopers launched an offensive in Manica and Sofala, and pounded rebel strongholds in the mountainous Gorongosa region. This marked a turning point in the war, in which RENAMO was increasingly on the defensive.

The FAM counter-offensive and continued RENAMO actions sent hundreds of thousands of refugees into the neighboring countries of Malawi, Zambia and Zimbabwe.

On June 20, 1987, RENAMO made good on a threat to retaliate against Zimbabwe for its military role in Mozambique. A rebel unit entered the northeastern Zimbabwe near the town of Rushinga and killed eleven civilians and kidnapped nineteen others. The raid was the beginning of a long rebel campaign against both Zimbabwe and Zambia that claimed the lives of several hundred peasants and provoked both countries' armies to establish *cordons sanitaires* along their borders with Mozambique. Along its 500-mile border, Zimbabwean troops began rounding up thousands of Mozambicans, who traditionally had provided the bulk of tea and cotton plantation labor in the area. The Mozambicans were either put into refugee camps or forced back across the border.

The biggest massacre of the war occurred on July 18, 1987, in the village of Homoine, in the southern province of Inhambane. The official death toll was 424. The FRELIMO government blamed RENAMO for the slaughter, a charge the rebels denied. Dhlakama later accused

the government army of carrying out the killings in order to damage the rebels' international reputation. He said he had no units stationed in the area at the time. Based on testimony from survivors of the massacre, however, Africa Watch believes there is little doubt that the action was carried out on the orders of the RENAMO provincial commander at the time. The following month ninety-two civilians were massacred about ninety-five miles south of Homoine at Manjacaze in Gaza province. The killing spree moved another 80 miles south on October 29, when gunmen ambushed two passing convoys at Tanninga about fifty miles north of Maputo on National Highway No. 1. At least eighty vehicles were destroyed and, officially, 278 people were killed. Again, RENAMO spokespersons denied government charges that the rebels carried out the attack, but this rebuttal is also unconvincing. Not only is there specific information linking RENAMO to the atrocities (see next chapter), but the tactic of committing major atrocities when suffering military reverses is characteristic of RENAMO.

The FAM counter-offensive in Zambézia continued scoring successes into 1988. In August 1988, FAM scored an important success when it killed Calisto Meque, a famed magician and the RENAMO commander in Zambézia. Meque's reputation for military and magical prowess had been crucial in RENAMO's advance over the previous years.

The number of refugees who had fled into Malawi reached half a million. Civilians found in newly conquered rebel zones were often considered RENAMO supporters. Church sources cited reports of summary executions of men by the FAM and the placement of women and children in closely guarded "accommodation centers." The first of a series of government appeals internationally for emergency aid gained over \$250 million. Residents of camps for the war displaced told of widespread abuses by RENAMO, including executions, beatings of civilians and rape of young women.

In April 1988, the U.S. State Department released a report on RENAMO's treatment of civilians, as told by refugees.¹⁵ The report by Robert Gersony, a specialist in refugee affairs, accused the rebels of killing at least 100,000 people and running effective slave labor camps in zones they controlled. Only a fraction of the armed attacks against civilians in Mozambique could be attributed to the government army, it said. While reliably detailing a horrifying account of RENAMO military methods and human rights abuses, the report minimized

¹⁵ Robert Gersony, *Mozambique Refugee Accounts of Principally Conflict Related Experiences in Mozambique*, U.S. Department of State, Washington D.C., 1988.

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abuses by FAM, and failed to address the reasons why RENAMO enjoyed acceptance and support among some sections of the population.

PEACE NEGOTIATIONS

By late 1988, it became clear that there was no military solution to the war. In September, Chissano met South African President Botha at Songo in Tete province and secured a pledge that Pretoria would abide by the 1984 Nkomati peace accord. Unlike on the previous occasion, this appears to have been largely honored. Chissano also gave senior officials of the Roman Catholic, Anglican and Protestant churches permission to open direct contacts with RENAMO leaders. A breakthrough came in February 1989, when a delegation of Mozambican Catholic and Anglican bishops travelled to Nairobi, Kenya, to meet two senior rebel leaders from inside Mozambique. They returned to Maputo to tell Chissano that they believed RENAMO too was tired of the war and that peace negotiations were possible.¹⁶

As a result, the FRELIMO leadership drew up a twelve-point position paper which called on RENAMO to halt its attacks and offered "a dialogue about the ways to end the violence, establish peace and normalize the life for everyone in the country." The so-called "non-paper," which Chissano revealed in July, marked FRELIMO's first concrete step on the road to a negotiated solution to the conflict. It won wide international approval. Its announcement came as the rebels increased pressure on the capital by repeatedly sabotaging the power lines from South Africa and leaving FRELIMO's center of power in darkness.

In January 1990, President Chissano unveiled a draft constitution, based upon the Universal Declaration of Human Rights. This was then subjected to public debate (see chapter 7). In July, the first round of direct negotiations between FRELIMO and RENAMO began in Rome. On November 30, the new constitution came into effect, and the Republic of Mozambique replaced the People's Republic of Mozambique. The following day, the negotiators in Rome signed their first agreement, limiting Zimbabwean troops to two transport corridors, in return for which RENAMO agreed not to attack either the Zimbabweans or the transport routes. A Joint Verification Commission (JVC) with representatives of eight countries was established to monitor the agreement.

¹⁶ Interviews with bishops.

RENAMO violations of the ceasefire agreement soon became so numerous that when the number passed fifty, the Mozambique government stopped reporting them to the JVC. The JVC was able to document only one case of a violation by FAM. Between January and October 1991, according to government sources, RENAMO killed 445 civilians, wounded 377, mutilated twenty-four and abducted twenty-seven.

ROME TALKS DIARY

July 8-19, 1990: First round of talks resulted in the first direct negotiations between the government and RENAMO delegations.

August 11-14, 1990: Second round of talks ended in deadlock.

September 18, 1990: Third round of talks, due to start on October 7, canceled by RENAMO on account of an alleged FAM offensive.

November 8-December 18, 1990: Fourth round of talks resulted in the "Rome Agreement" of December 1, which involved a partial ceasefire along the Beira and Limpopo corridors.

January 27-30, 1991: Fifth round of talks deadlocked.

May 6-June 6, 1991: Sixth round of talks produced an agreement on the agenda and topical format for future talks (May 28).

August 1-13, 1991: Seventh round suspended for both parties to reflect on mediator's proposals.

October 7-November 13, 1991: Eighth round produced Protocol One, "Basic Principles" (October 18) and Protocol Two, "Criteria and Modalities for Forming and Recognizing Political Parties" (November 13).

December 18-20, 1991: Ninth round ended for Christmas break, with both sides claiming "significant progress."

January 22-May 12, 1992: Tenth round produced Protocol Three, "Electoral Law" and an agreed minute (May 12) on postponement for future discussion on the relation between constitutional amendments and the new parliament.

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June 10, 1992: Eleventh round of talks on military issues and demobilization, intended to produce Protocol Four, is underway at the time of writing. An agreed minute of June 19 provided for altering the agenda, which currently includes: military questions, guarantees, ceasefire modalities, and a donors' conference.

"THE WAR OF THE SPIRITS"

While the FRELIMO and RENAMO leaders negotiated, local events began to gather a momentum of their own. RENAMO's successes in the early and mid-1980s had been based in part on its role as a resistance movement, dismantling the structures of an unpopular state. RENAMO's own administration, however, provided virtually nothing in the way of services or economic development, and its brutality deeply alienated people. Locally-based resistance began to turn decisively against RENAMO. In particular, in the late 1980s, RENAMO began to lose the "war of the spirits."

In one area of southern Mozambique, a community developed a strategy for survival based on traditional religion. RENAMO made great use of traditional religious symbolism for organization and control, and was therefore susceptible to resistance movements against it using the same means. A traditional spirit medium known as Mongoi was able to use his influence to deter both RENAMO and FAM attacks on the area, enabling the people to live in relative peace and prosperity.

A similar situation developed in central Mozambique in 1979. This involved Samantanje, a powerful *macungeiro* (soothsayer).¹⁷ Samantanje was consulted by Dhlakama after the death of RENAMO's first leader Andre Matsangaissa in 1979. At this meeting, "Samantanje began criticizing the leadership of the late commander Andre . . . [and] reached the conclusion that the MNR had a bad leadership, the men of the Gorongosa spirits met together and decided to liquidate the MNR through the spirits." Dhlakama then told Samantanje that RENAMO had a new leadership and "made a promise to Samantanje and to the spirits that he would direct the MNR in a new way, and give new guidelines to the struggle."

A series of "miracles" allegedly followed this "historic promise." However, RENAMO was still pushed out of Gorongosa district in

¹⁷ The following section derives from: Paul Fauvet, "Bandits and Witchdoctors," Mozambique News Agency Feature, AF2885E, December 1985; interview with Maria Njocoma, October 1985; Alex Vines' "Diary", *Southern African Review of Books*, July/October 1991.

February 1980 by government forces. But by late 1981 it was back, dominating the district until August 1985. Dhlakama and his leadership worked closely with Samantanje during this period. Refugee accounts talk of people who were accused of casting spells, or being "leopard men," being identified by macungeiros, who would dance frenetically and claim to hear spirit voices. The victim was then made to swallow a potion. If the potion provoked convulsions, the case was regarded as proven, and the accused was found guilty. If the victim vomited up the liquid again, under the prevailing judicial system, he was declared innocent.

Samantanje became very powerful. One witness described his domain as a huge area in which "No bandit chief dared enter the zone to rape women or steal food from the population" because "they knew they wouldn't come out well. Samantanje could send lions or swarms of bees to attack them, or he would cause enormous thunderstorms which would fill them all with panic."

Samantanje was particularly famed for being a soothsayer. In August 1985, Dhlakama requested some magical assistance in predicting the outcome of a government offensive (with Zimbabwean support) against his headquarters at Casa Banana. Samantanje's answer continues to be told in local folklore in Gorongosa district:

Samantanje lifted two Cerveja Nacional [beer] bottles and filled them with spirit water. One was the Samora [President Machel], the other, the Matsanga. The bottles were watched by the ones with special symbols [Dhlakama's body guards] the whole night—the bottle which turned to blood would be the one the ancestors left. The Matsanga turned red—the air war began two nights later.

Samantanje had forecast the August 28 of Casa Banana by joint FAM-Zimbabwe National Army (ZNA) forces. Dhlakama was enraged, ordering Samantanje to be killed, but nobody dared kill him in case he became an *Ngozi* (avenging spirit). In the end he was beaten up and one of his brothers killed.

"The land of Samantanje" remains famous in central Mozambique. RENAMO officials admit that he continues to have "strong powers." Since August 1985 he has retained his autonomy, appearing to give spiritual advice to everyone entering his zone, whether government, RENAMO or ZNA. Samantanje's hilltop is an island of peace in a sea of conflict, an example of the Mozambican peasantry's attempts to secure their rights by asserting their ancestors' strengths over the warring armies, be they RENAMO or FAM.

A related phenomenon was the spectacular growth of the

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Naparama movement. This was founded in late 1989 by Manuel Antonio, a charismatic traditional healer from Nampula province who claimed to have died of measles while young and been reborn. Antonio was able to convince his followers that he could make them immune to the effects of bullets by anointing them with a secret bush plant. Armed only with spears and machetes, the *Naparama* militia began to attack RENAMO bases, with a high degree of success. More anti-RENAMO than pro-FRELIMO, the militia crossed into Zambézia and set about overrunning a string of rebel bases. By the end of 1990, they numbered about 20,000 and had swept across the eastern half of the province, herding over 100,000 people into government-controlled zones. There were widespread accounts of scorched-earth tactics, both by the militia and the FAM. But as the security zone spread, tens of thousands of peasants for the first time in years, started to walk back to their homes.

RENAMO had been heavily reliant on these fertile and thickly-populated areas, and now encountered increasing difficulties in operating and provisioning itself. The *Naparamas* also presented a threat to the credibility of RENAMO. This led directly to a major RENAMO offensive against the *Naparama* militia, directed by Dhlakama himself, and the concoction and distribution of a medicine claimed to make RENAMO combatants immune to the attacks of the *Naparama* warriors. It also led to renewed incidents of RENAMO terrorism and mutilations, intended to advertise the movement's continuing presence and power, such as the killing of at least forty-nine civilians at Lalaua on September 19, 1991, and the decapitation of some of them.¹⁸

By late 1991, the RENAMO counter-attack met with success, and the advance of the *Naparama* cult was halted. Manuel Antonio was killed in a clash with RENAMO combatants on December 5 near Macuse/Namuca. His body, riddled with bullet holes and bayonet wounds, was taken to Quelimane and buried on December 7.

Since Manuel Antonio's death, *Naparama* has fragmented. Afonso Dhlakama confirmed to Africa Watch that some units joined RENAMO (see chapter 6). Some of these groups are being called *Macuepas* or *Mapangas*. Other groups, like that under Commander Cinco in Namapa district, have chosen freelance banditry. Since January 1992, Cinco has been attacking RENAMO and government forces, and also

¹⁸ The first reports from people fleeing Lalaua indicated that the death toll was many times higher. It transpired that people believed that many more people were about to be killed. This belief attests to the effectiveness of RENAMO's terror tactics.

international relief efforts, alike. In late June, this situation compelled the government to ban the force. Government forces are now free to engage in military action against Naparama.

THE RECENT MILITARY POSITION

With its military reverses, RENAMO also suffered splits. One of the most important was the breakaway force named the National Union of Mozambique (UNAMO), founded by Gimo M'Phiri in late 1987, in Zambézia, which fought against both RENAMO and FAM. As more areas became no-man's land, the activities of unaffiliated bandits also increased.

Despite these setbacks in the north, RENAMO still musters a considerable military strength. It has not been defeated, and remains able to attack the outskirts of Maputo with impunity.

RENAMO's military losses, the drought, plus the fact that it had been politically outflanked by FRELIMO's concessions on all its major political demands, has left the rebels in a difficult position. Dhlakama knows that his bargaining power is founded on military strength, not popular support. RENAMO is unlikely to win a free election, and agreeing to peace and an elected government would probably mean Dhlakama's political demise. Thus, as the negotiations enter what appears to be their final stages, the military struggle is intensifying, so that RENAMO can achieve its strongest military position before agreeing to a ceasefire. It has also been speculated that Dhlakama would be unable to enforce a ceasefire and demobilization on his regional military commanders, for whom war has become a way of life.

THE TOTAL COST

The total cost of the war to Mozambique is beyond calculation. Tens of thousands have been killed in the fighting, and far larger numbers died on account of the ensuing hunger and disease (see chapter 6). One estimate for the total number of war dead is 600,000; another estimate is that the country has 200,000 orphans.¹⁹ The economic and social infrastructure has been largely destroyed, and the opportunities for educating a generation have been lost. The country is bankrupt, and the government is almost wholly dependent on foreign

¹⁹ Neil Boothby, *Africa News*, Durham, NV, June 15, 1991.

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aid to pay its employees. The countryside is militarized and many men and boys have grown up knowing how to make a living only from robbery and extortion.

3. VIOLENCE AGAINST CIVILIANS

The level of violence used against unarmed civilians in Mozambique's civil war has been very high. Estimates of the number of civilians killed directly in the conflict number in the scores of thousands. Up to 200,000 children have been left orphaned by rebel incursions into government-controlled areas and by army sweeps into rebel-held territory. Two million people were forced off their land, and over one million more fled to neighboring countries. The extremely high death toll from what by the late 1980s had become a virtual armed tug of war over people reflected the tactics used to prosecute the conflict. Scorched earth policies by both RENAMO and the Mozambican Armed Forces (FAM) ground down entire provinces to the brink of famine. Widespread atrocities and mutilations of civilians have stamped Mozambique's war as one of the world's most brutal.

Many observers have been struck, however, by the low intensity of the war, by the relative absence of direct battles between the two belligerent armies. Civilians have been targeted instead. The 20,000-strong guerrilla force of RENAMO and the 70,000-member FAM are made up largely of ill-equipped and ill-fed conscripts, who seek to avoid face-to-face confrontation.

Control of as many civilians as possible has become the primary goal of both armies. For the RENAMO rebels, a force which lacks motorized vehicles and has only a limited rear base in neighboring countries, a passive civilian population is necessary to provide food, transport and manual labor. Testimony from former rebel fighters, from civilians who lived in RENAMO-controlled zones, and from captured rebel documents provide strong evidence that the insurgents view civilians living in government-held areas as legitimate targets. The rebels have repeatedly assaulted and burned civilian vehicles and trains, often with their passengers inside, as part of a campaign to shut down the nation's transport system. In the biggest highway massacre of the war, at least eighty cars, trucks and buses were burned and 278 people killed when uniformed gunmen assaulted two passing convoys near the February 3 Communal Village in Maputo province on October 29, 1987.

The government army, on the other hand, has dedicated its energies to removing the civilian base from rebel control and bringing it under the authority of the government. At times, there seemed to be little discrimination by the army between RENAMO fighters themselves and their civilian supporters. In February 1983, President Samora Machel announced: "Those who give information to the bandits will die with the bandits. Those who feed the bandits will die with the bandits. Those who deal with the bandits will die with the bandits." When FAM troops recaptured the northern Zambézia town of Gile in

July 1988, they called on those young men who served as RENAMO *mujibas* [policemen] to turn themselves in. Residents of the town told Africa Watch that soldiers executed fifty suspected *mujibas* who failed to present themselves to the authorities.

The air force has been guilty of indiscriminate bombing of rebel-controlled areas. Government soldiers have also attacked civilian vehicles on the highways. In 1990 and 1991, there were increasing reports, some published by the government-controlled media, of hungry troops and militiamen assaulting trucks carrying international food relief for victims of the war.

Statements by rebel leaders and army officers concerning the military operations in enemy zones sounded strikingly similar. The French anthropologist Christian Geffray quoted an officer of the FAM Chief of Staff in Nampula province as saying: "We have to burn everything without their being about to recuperate it. We must destroy all of their economic infrastructure."¹ Evo Fernandes, the former Secretary General of RENAMO, put it much the same way in a February 1988 interview in Lisbon shortly before his assassination: "In the village we must destroy the presence of the party and the state, the shops and the schools. After that is done, we take the people away to our schools."²

MUTILATIONS BY RENAMO

Reports of mutilations of civilians by RENAMO have been routine since the rebels began operating in Mozambique in the mid-1970s. Cases of guerrillas hacking off ears, noses, lips, and sexual organs have been common in the central and southern provinces. Evidence gathered by Africa Watch suggests that RENAMO was guilty of the majority of such mutilations, but that government forces too have been guilty of the practice.

Ken Flower, who as Director of the Rhodesian CIO played an important role in setting up the movement, said in an April 1987 interview that RENAMO fighters had used such tactics in an effort to intimidate the civilian population. "There were reports of atrocities, the intimidatory processes, especially the cutting off of ears and noses, and this did happen in the fairly early days. But I am referring here to

¹ Geffray, p. 122.

² Evo Fernandes, in an interview, Lisbon, February 1988.

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1975."³

However, mutilations of the dead and living have continued to occur at regular intervals up until the present. Mutilated corpses are often left along a road or trail frequented by the opposing army in effort to lower troop morale. After an FAM platoon came across five corpses cut into pieces with a machete on a road about fifteen miles west of the town of Homoine in Inhambane province in October 1987, many of the twenty-two soldiers were visibly upset and the entire group remained silent for ten minutes.⁴ The mutilations also serve the purposes of terrorizing civilians, symbolically humiliating the government, and "initiating" conscripts.

A forty-nine-year-old woman who was kidnapped during a RENAMO attack on a bar on the outskirts of Maputo on February 9, 1991, said that at least six skulls had been placed on a path in rebel-controlled territory near the South African border to frighten captives. "RENAMO left them there to warn us that we could not run away."⁵

RENAMO leader Afonso Dhlakama has strongly denied that his soldiers are guilty of such abuses and has charged that the government army had employed such practices masquerading as RENAMO to discredit his movement, as the Portuguese counter-insurgency units did during the war for Mozambican independence. In a December 1989 interview in Nairobi, Kenya, Mr Dhlakama said:

RENAMO does not do that. Never. Because if RENAMO did that, we would have lost the war. People who go around cutting people, first you must know why the people are being cut. The action of cutting people, the ears or mouths, that action is designed to disassociate, to distance, to cut the military forces' relations with the people. I want to say that there are other people doing that in the name of RENAMO.

Although this is a view supported by several captured RENAMO soldiers, interviews carried out by Africa Watch with victims of such atrocities provide overwhelming evidence that RENAMO fighters have been guilty of mutilating civilians. The interviews also revealed that in

³ Interview with Ken Flower, Harare, Zimbabwe, April 1987.

⁴ Seen on trip with FAM.

⁵ Olinda Paulo Mandluvo, speaking to Africa Watch at her home.

the majority of cases in 1991 in southern Mozambique, the mutilations were carried out by boy soldiers, whom the victims judged to be between eight and fifteen years old.

Below are some of the testimonies gathered by Africa Watch.

- (1) Victor Antonio Molele is a sixty-year-old farmer from the Zonguene locality of Gaza province on the southern bank of the Limpopo river. Like many adult men from southern Mozambique, Molele worked in the South African gold mines on three different occasions beginning in 1953. A father of eight children with two wives, Molele was working his small plot of land, the *machamba*, until gunmen attacked the area in late 1990 and castrated him. In an interview with Africa Watch,⁶ Molele said that at 5:00 A.M. on October 4, 1990, he was getting dressed and ready for work when he heard a series of gunshots. RENAMO had attacked the locality several times before since their first raid on December 12, 1987, when they assaulted and destroyed the FRELIMO garrison. The residents fled from their huts and hid themselves in the bush as they listened to the rebels looting the shops. Then came another round of shooting, a sign that Molele took to mean the rebels were withdrawing. He and another friend came out from hiding to see if the coast was clear. They were soon intercepted by three barefoot boys, all about fifteen years of age, carrying AK-47s. They tied the two men's arms behind their shoulders with their own shirts before entering their homes and taking all their clothes and the little food that they had. They then marched the men to a clearing, where hundreds of kidnapped people from the area had been gathered, along with hundreds of other troops and civilians mixed together to form the raiding party. Of the civilians participating in the raid, he recognized at least three as being former residents of Zongoene. Tins of water, piles of clothes and baskets of maize were piled up. Among the 200 or so soldiers, there were only four adults. One adult soldier had a radio on his hip and a second, the commander, a Ndau, had a pistol, carried binoculars and wore a cowboy hat. He was always addressed as "Senhor Comandante." Molele quoted some of the adult soldiers as saying, "As long as FRELIMO does not give us what we want, we are going to do this" and "We can only stop when FRELIMO gives us what we want."

They began marching with everyone carrying looted goods.

⁶ May 29, 1991.

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Twice soldiers threatened to kill Molele for no apparent reason. They would come up to him and yell, "we are going to kill you." They would ask people if they were tired, or would they like to rest, and when the person would say yes, they would kill him. Two men said they could go on no longer, and they were buried alive. Two other men were shot on the spot by one of the four adult soldiers when they said they wanted to rest.

At the head of the column was a *curandeiro* (traditional healer) who tossed shells in his hands to see if the road was clear. Several hours later when the column had reached an area called Mugovote, they stopped and camped. Three soldiers came up to Molele and asked him if he wanted to return home. Molele said yes. They told him to take off his pants. Then one of the adult soldiers opened a jack-knife and cut off his penis. Then they stripped him of all his clothes and said, "OK run and go back. Go show FRELIMO that we are here." He was about three hours from his home. About halfway back was the village of Novela, where he collapsed. He was bleeding profusely. Molele spent two months in the Xai Xai district hospital.

- (2) Two days before the attack on Zonguene, sixteen-year-old Domingo Francisco Novela, resident of Novela locality, suffered a similar fate as that of Molele.

He told Africa Watch that he had gone to his grandparents' house with his brother to attend the funeral of a relative on October 2, 1990. Upon returning in the afternoon, he ran across a group of fifteen rebels, who were armed with AK-47s. They tied him up and marched him to his house. When they got there, they demanded to know where his father was. His father had died of an illness several years before. They were very angry. They ransacked the house and they sat him down and said that they were going to kill him. Then young soldiers, about fifteen years of age, took out a knife and cut off his penis. They did not hurt his younger brother, Bonifacio. That same day they mutilated another young boy, Cristovon Fernando Massango.

- (3) Rhoda Sucha, a twenty-eight-year-old woman from Machaze district in Manica province, said that she and two other women were farming several kilometers from their village in 1982 when a RENAMO unit arrived.

They asked us why we were living in the FRELIMO area.
"Why don't you come to live with us in the bush." I said

this is our home area, and there was no reason we should move. They beat us up and left. About one month later they came back and asked the same questions. They told us to take off our clothes, and they took them. A couple of soldiers came with their knives and cut off our ears. They said, "you do not listen."

Isabella Ngwena, another young woman mutilated in the same attack, confirmed Sucha's story. "My little girl asks me where are my ears, and I tell her it is because of the war. The people here do not laugh at us because they cannot laugh at something that happened in war."

- (4) In a 1987 interview, Fambinsani Chenje, then fifty-nine, told of attacks in 1986 by rebel gunmen on his village of Mushenge in southern Tete province.

The first time they came was in 1986. They were looking for food. It was a small group of about fifteen men. They took cattle, chickens and goats. A lot of villagers started fleeing to Tete [town] then because the war had come to Mushenge. But most of us stayed in the village. It was our home. Then, in June 1986, the Matsanga [RENAMO] came again in the early morning hours. It was still dark. This time they came right into the village. They called for everyone to come out of their houses. Then they killed ten people and mutilated ten others, including myself. Two soldiers cut off my ears with knives. They said we were working for FRELIMO. After they did that they left, without saying anything more. The next day, most of the villagers packed their things and walked to Tete [town].

- (5) One thirty-three-year-old woman, who lived around RENAMO's Nhamunge base in Inhambane province for two years, said she saw numerous abuses when she and hundreds of other civilians joined rebel raiding parties to steal food from government areas. During the robberies, the civilians would enter villages to gather maize flour, goats and chickens, and would only call on the RENAMO guerrillas for support when they needed them. She recalled one incident during a raid on isolated homesteads near the town of Maxixe.

In FRELIMO areas, RENAMO was ruthless. When we came

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across people, if they did not cooperate with us, answer our questions, the soldiers would beat them, sometimes kill them. I remember one old man gave us wrong directions. The commander got very angry and started screaming. The soldiers killed the man by stabbing him. Then they cut open his stomach and placed manioc and mangoes inside and left his body on the path.

Since early 1991, there has been a sharp rise in incidents of such mutilations, especially around the greater Maputo area.

- (6) On the night of May 8, 1991, at 8:00 P.M., a group of eighteen RENAMO soldiers came to the home of Olinda Francisco, thirty-two, and Rodrigues Laice, forty-two, in the village of Ndlavela on the outskirts of Maputo, near Matola Gare. There were about five adults, several in uniform, and thirteen young boys, all armed with AK-47s and one handgun. They called the couple outside the hut and told them to sit down. The gunmen, led by two adult men, started asking them about the locations of the shops, the cooperatives, the militia and the army barracks. Laice said they told them that there were no shops around because the owners had long since left. The soldiers got angry and said "then where do you get your food?" They told them there were no militiamen in the area. Then they said Francisco and Laice had to go with them. Soon after they started walking, they ran into a militiaman who worked at one of the factories in Matola. He was unarmed. A couple of the adult soldiers shot him dead. Then they reached a hut and asked a woman for *tontonto*—local brew—but she said she had none. They said she was lying and demanded that she show them where she had hidden it. The soldiers then started beating up the women in front of her house. They came across a man and asked him for *tontonto*, but he too did not have any. The commander ordered the young men to kill the man. They started beating him with clubs and machetes. The first blow to the head put him on the ground, and then they hit him three more times. He was bleeding, and the troops left him for dead.

The soldiers gathered ten civilians, including Laice, handed them stolen goods, and began marching them through the bush. When two elderly men complained that they could not keep up, three boy soldiers were ordered to chop off their ears and lips and then release them. The rest of the column continued their march until they reached a rebel-controlled zone near Michafutene, about thirty kilometers north of Maputo, on the following day. When

they reached the area, Laice said there were a lot of civilians living in the area, especially a large number of young women.

The soldiers told the three adults—Laice, his wife Olinda Francisco, and another man—to sit on the ground with their hands between their legs. Several boy soldiers, whom Laice said were between eight and nine years old, opened jack-knives and began severing the victims' ears and slashing their noses. "The commander said we would not return without a sign," Laice said. As the young boys mutilated the three, onlooking rebels clapped and sang anti-RENAMO songs which are frequently broadcast by the state-run Radio Mozambique. Laice recalled the commander of the group as saying, "Go and show your president that the guys you call the bandits, the Matsanga, RENAMO, did this. Go and show your ears to your president Chissano." Then the three were told to leave, and a young boy soldier ran alongside them shouting "run, run!" The rebels kept five young boys captured in the raid.

- (7) A woman in her forties, interviewed by Africa Watch in the Hulene suburb of Maputo in May 1992, recounted the following story, which illustrates the continuing nature of these abuses.

Three weeks ago [mid-April 1992] some of our relatives fled from Gaza, from a village near Xai Xai called Xicote. They usually slept in the bush, but it was raining and many people were in their houses when the Matsanga arrived. The Matsanga ordered the village elder, Nafital Panguene, to put his youngest child in the millet grinder and pound his head, so that the child did not grow into a FRELIMO supporter. All villagers were made to watch this. Other relatives of mine had already fled.

In November [1991] the Matsanga had come to this, my mother's cousin's village, Adelina. They told everyone to come with them and she and her children were kidnapped. After a while the Matsanga let Adelina and two young boys return to the village, but they kept two other sons and her fourteen-year-old daughter, Alice. Alice became one more wife of a Matsanga chief. After some months the boys escaped and Alice tried too. But while escaping she met some Matsanga returning to their base. The group took her back to the base and the Matsanga called everybody to see her tied up. She was shot and cut and tied into pieces. Anybody who cried would be shot too, people were

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told—nobody cried. We know this is true because we had other relatives at this Matsanga base. After this they fled the Matsanga [in April 1992] and are now with us in Hulene. They cry all the time, "Why do the Matsanga do this?"

MUTILATIONS BY THE MOZAMBIQUE ARMED FORCES (FAM)

In his study of Erati district in Nampula province, carried out with authorization and support from senior FRELIMO officials, the French anthropologist Christian Geffray found that the FAM too was guilty of mutilating the bodies of civilians it believed supported the rebels. Geffray quotes a message from the Secretary of the *Grupo da Vigilância Popular* (Popular Vigilance Group, GVP) to the district director of the security service in Namapa on August 12, 1988:

Upon returning from a mission to Namialo, José dos Santos, a member of GVP, found the bodies of two people, one of a woman whose head had been severed and another of a man whose stomach had been torn open. The soldiers who did it said the two people were informing for RENAMO. When dos Santos asked if they were armed, the soldiers replied that they had not been. The man was hunting a rat, and the woman was gathering manioc.

Geffray also quotes a clergyman who was in a convoy which passed through the Intuto area as describing a scene in which a soldier was standing on the road holding the head of the woman.⁷

The evidence suggests that mutilations by FAM are both fewer and less systematic than those by RENAMO.

ATTACKS ON CIVILIAN TARGETS BY RENAMO

Rebel forces have been guilty of indiscriminate attacks on civilians living in government-controlled zones. Most of the killings appear to have happened in the south of the country; RENAMO conduct in the north appears generally to have been less bad.

The biggest massacre of the war occurred on July 18, 1987, in the town of Homoine in the southern province of Inhambane. The

⁷ Geffray, pp. 207-8.

Mozambique government put the official death toll at 424 dead. Although there was no independent confirmation of the exact number of civilians killed, testimony from survivors made clear that several hundred people were murdered. A physician at the hospital in Homoine said that the attackers had gone from room to room killing the patients and then taken the corpses outside the wards and placed them on the ground.⁸ RENAMO spokespersons denied that their forces were involved in the massacre, blaming instead demobilized FAM troops. Doubt was also cast on the government version of the massacre by U.S. military officials stationed in Maputo at the time. Nevertheless, evidence gathered by Africa Watch strongly indicates that the raid on Homoine occurred on the direct orders of RENAMO's provincial commander, Filipe Elias "Trovoada" (Thunder). The attack on Homoine occurred as a combined counter-offensive by the FAM and its Zimbabwean and Tanzanian allies was putting heavy pressure on RENAMO units further north in the central provinces of Sofala, Manica and Zambézia, and may have been intended as a diversionary raid to relieve pressure in the north.

Africa Watch interviewed a woman who was captured in the Homoine attack, marched to the RENAMO provincial base of Nhamunge, and forced to live in rebel zones for the next thirty months.⁹ She was re-captured by FAM forces in December 1989 in an attack on RENAMO's Machavela base. This is her story:

On July 11, 1987, she went to visit her family in Homoine. Refugees had been streaming into the town for weeks, alerting the FAM that RENAMO guerrillas were closing in on Homoine. The government forces had been sending messages to the garrison in Maxixe, about twenty miles east, requesting fresh arms and ammunition. But no action was taken to respond to the requests. At 5:00 A.M. one morning, the woman and her family were awakened by the sound of heavy gunfire, which lasted about an hour. The family remained in their hut. They could see that FAM troops were fleeing, and she believes that they had run out of ammunition. The sound of whistles and screams could be heard throughout the morning. Several hours later, uniformed soldiers came to the vicinity of her family's house and ordered everyone to come out. A young boy who worked as a servant for her family attempted to flee and was immediately shot dead. She and

⁸ Interview with Director of Homoine hospital, October 1987.

⁹ Interview with Aniva Sulemane Isuf, thirty-three, in Maputo, March 1991.

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hundreds of other civilians were gathered in the center of town. There were many bodies on the streets. She estimated that the group of armed soldiers numbered 600, but there were hundreds of other young men in civilian clothes carrying machetes and knives. The civilians were told to line up and prepare to march.

We left Homoine at 16:00 with 150 head of cattle, six motorcycles, and many, many people. The *Matsanga* told us to walk and not stop. We could not even go to the bathroom. Whoever runs is killed. They killed ten people who could not make it. The first was a fifty-year-old man. They killed him with a knife. The commander said he could not let them return because they would give information to FRELIMO.

After the first ten kilometers, she was among a group picked to return, probably because she had two young children, but then they changed their minds. The commanders argued among themselves about the risk of the returnees informing on the rebels' whereabouts. The more extreme faction appeared to have won the day. Two young Muslims were caught, and were tied up and blindfolded. But RENAMO believed that, because they were Muslim, they had nothing to do with the war.

It took three days to reach their final destination, the Nhamunge base. The march took them through two other bases, Machavela and Mbenyane.

When I reached Nhamunge, they took all my clothes and told me to sleep in the house of a *mujiba* [RENAMO policeman]. There were lots of troops at the base, maybe 1,500 including recruits. The commander was called Trovoada, who is an Ndau. The Political Commissar was named Paulo, and there were other important commanders called Sousa and Major Jeremiah. The next day, commander Trovoada held a public meeting and claimed credit for organizing the Homoine operation. He said that RENAMO was ready to take power.

A RENAMO fighter who was trained at Nhamunge base in 1984 identified Trovoada as the provincial commander and Sousa as a brigadier and commander of RENAMO's Third Brigade.¹⁰ The fighter,

¹⁰ Interview with Simião Lakenecome, twenty-five, a captured RENAMO guerrilla, at Machava security prison in November 1990.

who was captured by FAM forces in April 1987, said that plans for an assault on Homoine were already under way. The plan was for RENAMO's *Grupo Limpá*, a unit of special forces, to lead the raid. He identified Grupo Limpá as "the ones who kill civilians."

Internal RENAMO documents captured by FAM forces in April 1991 at a rebel base at Nhamagodoa in Sofala province detail attacks on civilian targets, and show that such attacks still remain a central part of RENAMO's strategy. RENAMO spokespersons have described these documents as fake, as part of the government's propaganda effort to discredit the rebels. However, Africa Watch spent two days analyzing these documents and believes them to be authentic. One of the interesting aspects of the documents, which also attests to their authenticity, is that certain messages among the documents cast the rebels in a more positive light, detailing, for example, disciplinary measures taken against RENAMO soldiers who have abused civilians living under rebel control.

A message from the General Staff to President Dhlakama gives the following roundup of operations in April 1988:

At the national level our forces carried out 332 acts, 108 infantry attacks, ten by mortars, seventy-five contacts, thirty-six sabotage, ninety terrorism and thirteen destroyed villages.

Another message, dated May 13, 1988, from the General Staff to the Presidential Office states:

Lion Region—Maputo, May 8, 1988: Our forces mounted ambushes on national highway No. 3 from the capital to Ressano Garcia in the area between Moamba and Ressano Garcia having destroyed three civilian vehicles that left Ressano Garcia for the capital, when various goods were captured.

On May 9, 1988, they mounted ambushes on National Highway No. 2 from the capital to Swaziland in the cross sixty k.m. to Boane having destroyed a civilian transport vehicle that left Namaacha to capital. Our forces captured diverse civilian articles and 340 electronic watches.

On June 17, 1988, Dhlakama's office received the following message from Section Chief Moises Machava regarding operations in Zimbabwe:

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1. Two groups of Machaze Special Forces went with terrorism missions into the interior of Zimbabwe.
2. One group headed by group commander Ricardo Oliveira went with ten soldiers [into Zimbabwe]. On June 16, 1988 they killed five elements of the population and burned down twelve houses.
3. The eighth group was led by platoon commander Yossiforte Bacomento with ten soldiers. He executed eleven elements of the population and burned seventeen houses.

RENAMO raids on government-controlled villages usually begin with a softening up period which entails small attacks on outlying fields and homesteads before a final assault. This process can take months, sometimes years. A full-scale raid occurs usually when the rebels have mustered an attacking force of overwhelming strength and when, as in the case of the Homoine massacre, FAM and militia forces are at their weakest. If victorious, the rebels will loot the town or village and then organize the captured civilians as porters to carry off the loot to RENAMO-controlled areas.

João Folouale, twenty-nine, was interviewed seven days after he fled a rebel attack on his home village of Chuta, in Tete province, in February 1987. The first attack by RENAMO rebels was on March 22, 1982. There had been many attacks since then, and many people taken away. RENAMO soldiers would arrive on the outskirts of the village and steal food, cattle and people. The village organized a militia for defense. Gradually the circle of security around the village got smaller and smaller. On February 5, 1987, at 5:30 A.M., RENAMO mounted a major assault on the village. "When they attacked, the government soldiers fired but could not hold out." The rebels burned all the houses and killed one woman. They kidnapped fifty-two men and women, including Folouale's twenty-three-year-old wife, Maria Marizan. The rest of the villagers ran towards the river, assembled, and began walking along the Zambezi to reach Tete. They hid during the day and walked only at night. They lived off river water and bush plants.

At 3:45 A.M. on November 27, 1988, three RENAMO battalions—"tiger," "wolf," and "thunder"—attacked the town of Gurue in Zambézia province and quickly routed the FAM garrison, whose commander fled into the tea fields in the surrounding hills. RENAMO occupied the town for three days. Unlike a similar raid in August 1984, when the rebels executed twelve workers of the state tea company, EMOCHA, this time they killed no civilians, although four infants died of hunger and exposure. A DC-3 aid plane which arrived the following morning unsuspecting of the rebel takeover was hit ten times by

ground fire before returning to the provincial capital, Quelimane. The insurgents looted every shop in the town. Witnesses reported that some insurgents stripped in the middle of the street and exchanged their rags for stolen clothes. At least sixty residents of Gurue were kidnapped and forced to carry the loot about fifteen miles south to the rebel base at Macringue. Artur Varela, a forty-year-old tea worker, was kidnapped from his home across the road from an EMOCHA warehouse. Several of the guerrillas were former co-workers at the warehouse, he said. Varela escaped two days later after witnessing the gang rape of his thirteen-year-old niece by the rebels.

By early 1991, heavy military offensives were under way by the FAM in the central provinces of Manica and Sofala, and by the pro-government militia, the *Naparamas*, in Zambézia and Nampula provinces. RENAMO, in turn, stepped up pressure in southern Mozambique, particularly around Maputo, with repeated raids on outlying suburbs, highways leading to the north, to South Africa and to Swaziland, and sabotage of power lines from South Africa.

A forty-nine-year-old woman, living in the Maputo suburb of Campoane, described a rebel attack on a bar and discotheque on February 9, 1991, which left at least thirteen people dead.

She went to the restaurant at 7:00 P.M. to have a few drinks. It was a hot night, and a lot of people, mainly children, were sitting outside on the veranda. The children usually waited until midnight, when everyone could enter the disco free. The time passed as she was sitting at the table drinking. At ten before nine, the band took a break.

Then we heard one shot, and then someone shouted "fire." The place was filled with bullets. I fell down to the ground and hid under the table. The shooting came into the door. After the firing went on for a few minutes, the commander ordered to stop shooting. Most of the troops were little boys. They were so small that the force from the AK rifle would knock them down.

"I was on the floor, and there was so much blood on me that I thought I had been shot. It seemed as if it had been raining blood," she said. The commander came into the main room speaking Nda. He only had a pistol, and a big flashlight which was very bright. He looked on the ground, and the woman tried to act like she was dead, but the commander saw her eyes open. "You, come here," he shouted. So he gathered everyone up who was alive. "Why didn't you die?" he shouted. Then one of the boys took out a knife from his boot and put it to her chest. She thought he was going to kill her. The commander told him to stop. "What you did outside is plenty," he told the soldier. All of

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the soldiers were wearing civilian clothes. Only the commander had some boots and camouflage pants. He was about eighteen. They spoke Nda. They smoked something with a strange smell, and they had bottles of liquid in their packs. They were very, very aggressive. Then they began looting the place. One young soldier asked the commander if he should destroy the musical instruments, and when the commander said yes, the soldier opened fire. They were in a real hurry, because they had made a lot of noise, and they knew FRELIMO would be coming.

After a night-long march and arrival at the rebel base of Matsequenha, on the South African border, the woman recalled the explanation of the massacre at Campoane given by a RENAMO commander.

We are not bandits. We are your brothers. Those ruling in Maputo know who we are. We fought together in the bush. When the war against the Portuguese was won, they made promises to us, but they did not keep them. They gave us nothing. You look there at those governing in Maputo, are there any northern people there? We want to eat too, but they just want to eat alone. They don't want to eat with us, they just want to eat alone. That massacre we carried out, that massacre is to show that FRELIMO is nothing. If they do not accept to eat with us, they will be nothing too. We will make war until there is nothing left but FRELIMO and RENAMO. We carry out these massacres to show Frelimo is nothing. Where are FRELIMO's troops. They don't fight. We are going to enter the city. When we want to, we will enter Maputo. Is Mozambique independent? No it is not independent. We should eat well, should dress well. Things now are very expensive. When you travel you have to have a *guia da marcha* [travel document], in an independent Mozambique. Mozambique is not independent. We are in the bush fighting against all of this. When you go back, you go and tell your president Chissano this.

Such statements and the pattern of abuses indicate the deliberate character of RENAMO's attacks on civilian targets. These attacks appear to serve two purposes: the destruction of infrastructure and the lowering of morale.

Popular rumor in central Maputo attributes the majority of attacks on its suburbs in 1992 to hungry government troops. Even an official of the Ministry of Information openly suggested this to Africa Watch.

However, in April 1992, Africa Watch conducted a survey that involved visiting most suburbs, ranging from T3 and Machava to Laulane, interviewing eyewitnesses. The pattern that emerged from this survey is different. Of over 200 different incidents reported to Africa Watch that had occurred since January 1992, only one fourth could be linked with certainty to the FAM. The remainder were probably the work of RENAMO. But, because of the lack of comment from the government and the military, the rumors attributing the attacks to FAM have gained exaggerated currency.

ATTACKS ON CIVILIAN TARGETS BY FAM

Interviews by Africa Watch as well as press reports in the Mozambican media provide evidence of significant human rights abuses perpetrated by the FAM, police and militia involved in the counter-insurgency effort. These abuses occurred primarily during army operations against rebel-held areas, but they also involved attacks by hungry government soldiers, or raids organized by corrupt army officers on convoys and warehouses of international aid for civilians displaced by the war. Civilians suspected of actively working with RENAMO were subject to the greatest abuses.

Morale has increasingly flagged among government soldiers, who charge their senior officers of the FAM with corruption and with failing to provide them with proper rations and salaries. Lt. Patricio Gimo of Frontier Guards in Manica province, speaking to an Armed Forces meeting in Maputo in June 1989, said:

Many high-level officers are busy with private business deals and this goes against the principles laid down in the statutes and the [FRELIMO] party programs. As a result, there is degradation and material corruption in the Armed Forces. There is an abandonment of leadership of the troops in favor of private business. How can an officer who wastes his time inspecting the fish in the market have any time for leading his troops?

During a government offensive in the RENAMO-controlled zone of Nauela, in Alto Molocue district of Zambézia province in March-June 1990, government officials and a soldier said the FAM assassinated a powerful pro-RENAMO chief named Soares. A reconnaissance group left from Alto Molocue with soldiers and captured Soares from his house. A member of army reconnaissance and a government official said Soares was brought back to the garrison in Alto Molocue. "He was

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killed there in the garrison," said the reconnaissance official. "They did not want to recuperate him. Soares did not leave the garrison alive."

One woman, living with RENAMO forces at the Machavela base near Homoine in Inhambane province, in an interview with Africa Watch, described the scene when FAM soldiers attacked in December 1989.

In late November, I had dreamed about a big attack coming from the FRELIMO forces. The next day I told my neighbors that I thought there would be a big attack. A few days later, FRELIMO entered the zone. I ran away from the shooting with many others. But we ran right into the FRELIMO soldiers. The troops were filled with fury. One of the RENAMO commander's wives was staying near my home. When the twenty FRELIMO soldiers arrived they found an infant staying at that house. They thought it was the son of the commander. One soldier took his bayonet and stabbed the infant in the back of the head. We thought the child would die, but a curandeiro cured him by packing medicinal leaves around his head.

On February 3, 1991, the Sunday newspaper, *Domingo*, published across its center pages the results of an investigation into murders carried out by government soldiers in late 1990 at a control post on the bridge over the Matola river, ten miles outside the capital. One of the victims, Fernando Fumo, was reportedly shot dead at the bridge in December while returning from Swaziland. The paper quoted someone who claimed to be a witness to the slaying.

We saw troops, five, six or seven beating a man and dragging him on the asphalt. It seems the subject tried to defend himself. One of the soldiers fired a burst at point blank range, mortally wounding him with three bullets. Afterwards they [the soldiers] disappeared as if nothing had happened.

Domingo quoted another resident as saying:

At the control post, whoever does not show a guia da marcha would suffer severe punishment. They are ordered to sweep up, fetch water or cook for the soldiers. Other people were put into mud or muddy water. Girls were forced to have sexual relations with the chiefs. This is still going on. Whoever comes from South Africa or Swaziland and is able to pass through the control without problems ought to thank God.

Another resident of the area was quoted as saying, "We did not know whether we should flee from our soldiers or from RENAMO."

On April 20, 1991, members of a paramilitary force protecting the railroad in Sofala for the Mozambique Railways demonstrated outside the Beira residence of Governor Francisco Masquil, demanding two months back wages. They also wanted the sacking of their commander, Major Augusto Fernando, who drew a gun when the soldiers had originally demanded their wages. He had suspended wages, he said, because some of the soldiers only showed up for pay day and would not undertake dangerous missions.

Mozambican police shot two people dead on May 14, 1991, when they opened fire on a 2,000-strong crowd that was attempting to loot wagons full of maize from Zimbabwe at the railway station in Chokwe.

As mentioned above, an investigation by Africa Watch into 200 attacks on the suburbs of Maputo between January and April 1992 concluded that about one quarter of the incidents could be definitely attributed to FAM soldiers.

Africa Watch also experienced at first hand the anxiety and anger of the civilian population in these suburbs. In each interview, the local people blamed the government for not investigating these incidents and for not trying to improve army and police protection. In the majority of attacks we were able to investigate, police and FAM units appeared to have fled at the first possible opportunity, leaving the civilian population unprotected. This explains why RENAMO's attacks on the suburbs of Maputo can be conducted with such ease.

Between late 1989 and late 1991, the FAM was assisted in northern Mozambique by the pro-government Naparama militia. This group has been responsible, alone and jointly with the FAM, for many house burnings. The Naparamas and FAM troops entered Nauela in force, attacking civilian areas near the rebel base of Belo Horizonte on April 29, 1990. In an interview with Africa Watch, Joaquina Fernando, a thirty-two-year-old mother of two, described what happened next. Fernando fled her thatched roof mud house as the Naparamas entered the area blowing horns and rattling tin cans. After the militiamen drove out the rebel troops, FAM soldiers arrived to begin rounding up the population. Many civilians hid in the bush, while the soldiers burned down their homes. "There are no more homes there," Mrs Fernando said. "They are all destroyed."

The Naparama militia has not, however, been implicated in attacks on other civilian infrastructure or in large-scale killing of civilians.

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RENAMO DISCIPLINARY MEASURES

Though the evidence indicates that RENAMO encourages its forces to commit atrocities against civilians in government-controlled areas, there is strong evidence that RENAMO has taken disciplinary measures against combatants who abuse the population in rebel-controlled zones. The evidence emerged from interviews with former RENAMO soldiers themselves, with civilians who once lived under rebel control, and from internal documents captured from a RENAMO presidential base at Nhamagodoa in Maringue district of Sofala province on April 18, 1991 by the government army. However, the system in place has many flaws and is used only selectively.

In an interview with Africa Watch in May 1992, Afonso Dhlakama outlined the disciplinary measures RENAMO used. He said:

We are fighting a war and therefore do not have a sophisticated judicial system. However, we use traditional courts and justice and many commanders act as judges, particularly on military issues.

The following cases illustrate RENAMO justice in action. One RENAMO agent in Malawi, writing to Mr Dhlakama, said:

There exists a lot of evidence of crimes and atrocities committed by our men. This is not good, gives a bad impression. We have many cases and we have evidence that it is not the forces of FRELIMO that commit such crimes. Measures should be taken against men that practice such crimes.¹¹

The RENAMO General Staff employs an array of intelligence agents to inform on its commanders and soldiers, including Military Counter-Intelligence, Security, and Political Commissars. These officials also have the power to report directly to Mr Dhlakama on the conduct of even senior commanders. In June 1988, the Chief of Security at a base in Manica province sent a message about Ossufo Momade, a highly regarded general who led the opening of the front in Nampula province in 1983, commanded for a time the Alfazema regional base in Morrumbala, Zambézia, and held a senior position on the chief of staff. The message said that General Ossufo was under investigation for

¹¹ Nhamagodoa documents.

alcohol abuse, theft, and fomenting tribalism. He was reported to have stolen goods from people returning from South Africa and Zimbabwe. The Security Chief recommended that Ossufo be transferred.

Cases of disciplinary action, however, center on the conduct of RENAMO troops almost exclusively in the areas the rebels control. Testimony from former rebels themselves and from victims of RENAMO attacks indicates that the insurgents enjoy a much freer license of action in government-held zones, and indeed are encouraged to commit abuses in these areas.

One RENAMO soldier, who was stationed for nearly four years at the Matsenquenha base near the border town of Namaacha in Maputo province, said:

At first the civilians did not like living with RENAMO - they had Machel poison in their veins. But the majority like RENAMO. Those who did not were killed . . . Around the base you cannot mistreat the civilians. But when we attacked the trains to Ressano Garcia we killed any civilians who tried to run away. Otherwise, they would go alert the FRELIMO troops.

Behind rebel lines, RENAMO fighters are theoretically subject to certain rules of conduct towards the civilian population. When found to have broken those rules, a guerrilla was usually punished with a public beating and a short spell in the jail, which is typically located in the center of the rebel base. Enforcement of the rules varies widely, however, and it often depends on the influence of several key individuals in the insurgent society: the *mambo* (local chief), the *membro* (RENAMO civilian official) and the Political Commissar of the army.

Numerous civilians and rebel fighters, as well as the captured RENAMO documents, report that pro-rebel chiefs were able both to initiate inquiries into the soldiers' behavior and to influence their outcome. If the chief was weak, then relations between the civilians and rebel fighters tended to deteriorate. Often the chief's influence hinged on his ability to deliver food collected from his people. In 1990 and early 1991, there were various eyewitness accounts from Zambézia province of RENAMO soldiers beating chiefs who had failed to fill their food and work quotas.

In some areas, if local people had a complaint, they could present it to *mujibas* who were close to the chief, who would then bring it up with the local RENAMO commander. At that point, either the case would be closed, a punishment could be imposed, or a further inquiry ordered.

One sixteen-year-old RENAMO soldier, forcibly recruited in

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November 1987 and stationed at the main rebel base in Zambézia province known as Alfazema, said:

The commanders had great respect for the mambo. When he came to visit the base, they would prepare food for him and talk things over. His house was very close to the base, but there were many other mambos as well. When a soldier beat a member of the local population, the mambo would come to the base to complain. The soldier would be brought to the commander and be beaten and then put in jail.

The RENAMO civilian representative, the membro, also monitored the fighters' behavior and reported back to the base, to Military Counter-Intelligence, to the base commander or to the political commissar, all of whom have the power to take disciplinary action. One of the captured Nhamagodoa documents, written by a Political Commissar in Mutarara, in Tete province, in May 1989, describes a case brought to light by a traditional chief from Malawi.

From Political Commissar Paulo Janeiro 7th Battalion Mutarara to Presidential Office.

Msg. N-2/May/89

1. We communicate to the presidential office that on the day 17/Apr/89, political commissar Paulo Janeiro left the 7th battalion for the military subunit of Dovo in Charre locality Mutarara district, where, on the days 19 and 20, there was a meeting with fifty combatants of that unit.

2. This meeting had a certain objective of discussing the cases of theft presented by the Malawian *regulo* [chief] at the Dovo base. After investigation of the theft problem, the accused of our combatants, namely Andre Simone N-6 AK-47 and João Chabela N-0 AK-47, came to see that they had gone wrong, practicing indiscipline of robbery and firing in the middle of the Malawian people, given that they left the Dovo base illegally at night entering Malawi, having fired three shots at an element of the population named Calimo. At that time three elements of the population felt threatened and abandoned their homes fleeing to the bush. Then the two soldiers entered those houses stealing various articles of clothing with 40 kwachas, which corresponds to 2,000 meticaís, and returning to their unit that same night.

3. Following the footprints at dawn, the Malawian mambo himself, named Campombeza, followed their tracks until the control post at the Dovo base, from where the perpetrators had departed.

4. Through investigation made by the man of military information of that unit, the two accused admitted that yes that they had left at night for Malawi with the objective of robbery.

a) They fired three shots threatening that house.

b) They were able to take the following articles which are: five *capulanas*, three suits, two skirts, one blanket, one pair of trousers and forty kwachas.

5. During the judgment those who had been robbed took what had been robbed at the same time that the accused were *sjamboked* [lashed] in front of the Malawian mambo as a way to make it understood that there was no orientation of RENAMO. It was indiscipline of two people.

6. The same two soldiers perpetrators were freed on 26/Apr/89 after completing their sentence with the 7th battalion of Mutarara.

The same document describes a series of irregularities found by the political commissar during his journey to and from the Dovo base and what he did about them.

During the journey from 7th battalion to Dovo an irregularity of indiscipline was seen in the subunit of Mahemba, indiscipline of putting women in the Mahemba base. It was on 17/Apr/89 that the political commissar Paulo Januario found young girls with the Mahemba base. One of the girls, named Tereza Antonio, from Mucumbua, was playing with the commander of that unit, named Confusão.

On his part, having seen that indiscipline close up, the political commissar asked why the young girls were in the base? Where were they from? Some were from Mucumbua. From there, the young girls left one by one going to their houses.

After informing the commander of the 7th battalion Zacarias Moizinho, he ordered that the commander of the group named Confusão be called and he was *sjamboked* and liberated that same day.

Also on the 17/Apr/89, school-age children were found in military units working as servants. The mothers were complaining about their children, principally in the zone of

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Micanga.

In this case, I sent all the children to their homes on 17/Apr/89.

Another document, written in 1988 by an intelligence officer at the Nhamagodoa base itself, points to rising tension between RENAMO and civilians.

Report on relations between Dragon Battalion and the people (11/Jul/88):

Relations are normal although there are some problems committed by the combatants among the population such as: assaulting women of the people, going around bothering the people in their houses at night asking for food for themselves in the name of the commanders. On the basis of these cases, the population around the base requested a meeting with the general to resolve the situation. When the people met with the leaders of the base, they had the opportunity to ask the general [Antonio Elias] to eliminate the movements of the combatants at night among the people requesting food aid.

They also presented a case in which a security official, Ferreira, had assaulted a woman, of the name of Isabel Armando, on 29/Jun/88. This told how a membro who came to request the dismissal [of the security man] became the target of persecution by the combatants who accused him of being a spy to see who was going among the people to quickly inform the structures of the base.

A thirty-three-year-old woman, who was kidnapped by RENAMO during the July 11, 1987, massacre in Homoine, Inhambane, and lived in the rebel zone for two years, described the system of justice in Nhamunge base, headquarters of the provincial commander, Elias Trovoada.

The mambo was named Bulaf, and he was from Pembe. He would settle all civilian problems, divorces, fights and such. But when the military and civilian worlds overlapped, the RENAMO commanders would assume responsibility

There was a little center for the mujibas in the area, and the people would take any complaints against the troops there. The

main complaints were thefts and rape. Sometimes the commanders would call meetings and then choose pretty women for themselves. This caused a lot of problems with the population. The people respected the mambo, because he would intercede with the soldiers. In some cases, RENAMO soldiers who had mistreated the population would be tied up and beaten in the base. But it was difficult to win a complaint against the guerrillas.

The existence of systematic disciplinary measures within RENAMO indicates several things. First, it shows that RENAMO is not indiscriminate, that it behaves differently in different areas. Second, because attacks on civilian targets are not condoned in RENAMO-controlled areas, it suggests that when such attacks occur in government-controlled areas, they are part of a deliberate policy. Such disciplinary measures, while indicating that RENAMO has a coherent structure of control and discipline, fall woefully short of amounting to an adequate system for bringing to justice those responsible for human rights abuses.

FAM DISCIPLINARY MEASURES

In some cases, offending soldiers in the FAM are brought to book using official procedures. The FAM is subject to a parallel judiciary which began functioning in June 1988, after the legislature passed the Law on Military Crimes and Law on Organization of Military Tribunals. The military legal system consists of Brigade Courts to handle crimes with up to a two-year sentence, provincial courts, and a two-member Supreme Military Tribunal which deals with appeals, automatic on sentences of more than eight years, and cases involving officers above the rank of Major. Sentences range from thirty days, which is the maximum a commanding officer can impose, to twenty-four years in prison.

For example, Alberto Manhique, a FAM soldier, was sentenced to sixteen years in jail for murdering two civilians in Sofala province. His unit was pursuing a RENAMO soldiers along the Beira Corridor. During the search, Manhique's unit found two men and began to question them. During the interrogation, Manhique grabbed an AK-47 and opened fire on the men, killing them both.¹²

¹² *Diário de Moçambique*, July 2, 1990.

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Another legal case involved Captain Leonardo Sixpence, commander of a FAM battalion in Catandica, in Manica province. He was sentenced by a Beira court to twenty years for murder and acts of violence against civilians. Capt. Sixpence was walking home drunk and started beating a young boy in a manner described by the court as "inhuman and incompatible with the functions of an officer." The boy cried for help. A passerby, Alberto Monteiro, asked the Captain to stop and Sixpence shot the man three times at point blank range.¹³

According to eyewitness reports, government soldiers in 1992 continue to attack civilians, in the process killing individuals and looting property. However, there does appear to be an increase in charges brought against undisciplined soldiers. For instance, in one recent case, a military court sentenced two officers to twelve and fifteen years in prison respectively for killing a civilian accused of being involved with RENAMO.

Africa Watch is encouraged by the 1988 law, and by the ability of the Mozambican press to publicize incidents of violence against civilians by the FAM. However, the measures taken to discipline offenders are largely confined to individual soldiers, leaving out of the account the possibility of any officially-sanctioned policy emanating from a higher level. In addition, the abuses dealt with occurred entirely in government-controlled areas; abuses against civilians in RENAMO-controlled areas have not been similarly handled.

CONCLUSION

The war in Mozambique has been characterized by a low but relentless level of violence against civilians which has continued without respite up to the time of writing. This has been practiced by both RENAMO and FAM, though RENAMO abuses started earlier, have been more systematic and on a larger scale, and have been less subject to internal disciplinary measures than those committed by FAM. Human rights violations have occurred in several contexts. One is indiscriminate violence during military sweeps and raids. A second is exemplary terror, practiced chiefly by RENAMO in order to advertise its presence and strength, to humiliate FRELIMO and to terrorize civilians. A third is punitive measures against civilians designed to enforce relocation or control, and exaction of produce and labor, including violence occurring during conscription drives.

¹³ *Diário de Moçambique*, December 6, 1990.

4. CONTROL OF THE POPULATION

Control of as large a civilian population as possible is a central strategy of both RENAMO and the Mozambique army. This is for the twin purposes of denying the enemy a base, and providing labor, food and other supplies to the combatants. Such control usually involves forced relocation, and always involves restrictions on movement and social and economic activity. Although the laws of war permit relocation of civilians for their own security, or in circumstances of imperative military necessity, the manner in which these controls have been imposed themselves violate the rights of civilians; they are typically carried out in a way that involves indiscriminate violence; and they have been a major contributor to famine. Fortunately, following FRELIMO's commitment to freedom of movement signed in December 1990, forced relocations by FAM have become less common. RENAMO also signed the protocol on freedom of movement, but has continued with forced relocations during 1991 and 1992. Another agreement on this issue was signed in March 1992.

COMMUNAL VILLAGES

FRELIMO came to power in 1975 with a commitment to undertake a radical socialist transformation of the countryside. A key element of that program was the *aldeia comunal*, or communal village, which was designed to bring together peasants who had lived for generations in scattered homesteads and provide them with a health clinic and school and to organize them in communal production. In small towns, *bairros comunais*, or communal neighborhoods, were established. While FRELIMO officials have argued that the program was designed to improve the standard of living of the poorest sector of the population, other analysts believe that an equally important goal of the scheme was to extend the control of the FRELIMO party and the Mozambican state into the rural areas.

Sometimes the villages were simply converted *aldeamentos*—protected villages set up by the Portuguese army during the independence war to cut FRELIMO's contacts with the peasantry. Often the communal villages were located and planned without consulting local peasants or their traditional leaders. This practice sparked special anger among communities which had been forced to abandon lands in which their ancestors were buried. An elected official in Fidel Castro communal village, outside Xai Xai, provincial capital of Gaza, told the story of its formation after the 1977-78 floods:

The soldiers came and said we had to move to this place, and everyone said no. Then they built a school and health center,

and we liked that. We would come here and then return to our homes. FRELIMO officials kept telling us to come to this place, but we refused. Finally, they called everyone to a meeting here, and when we came, the soldiers surrounded the area. The women were given passes so they could return to our houses to bring our belongings.¹

The governors in Manica and Inhambane announced crash villagization programs, though they were later scaled down. By 1981, 1.8 million people had been moved into 1,266 communal villages. As RENAMO's insurgency spread, communal villages became a major target of the rebels.

OPERATION PRODUCTION

At an April 26, 1991, rally in the provincial capital of Nampula, President Chissano heard numerous complaints from city dwellers about the *marginais*, or marginals, a catch-all word for the unemployed, petty criminals, street gangs, and prostitutes. Chissano reminded his audience that the government once had attempted to clear the cities of the *marginais* but had to stop due to strong international criticism. "They asked us: don't people have the right to live where they like?"

Chissano was referring to Operation Production, FRELIMO's biggest effort in forced relocation. It was launched in 1983 at a time when the rural economy was buckling under the combined blows of neglect of peasant agriculture, widening armed conflict, and drought. The collapse of marketing in the countryside, the government's use of scarce resources to finance inefficient state farms, and South Africa's decision to cut the number of Mozambican mine workers sent thousands of unemployed into the cities. Food shortages and crime soared in Maputo and other major urban centers. At the same time, the big state farms, like the foreign-owned plantations of the colonial era, were chronically short of seasonal workers.

The Machel government's response was reminiscent of the forced labor practices of the pre-independence years—*Operação Produção*, or Operation Production. Its aim, which many city residents applauded at the time, was to push the unemployed and petty criminals out of the towns and on to the land. Estimates of the number of people shipped out of the cities run to 50,000.² Vice Minister of Interior Major General

¹ Interview in Fidel Castro communal village, January 1990.

² Alex Vines, *RENAMO: Terrorism in Mozambique*, p. 101.

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Tome Eduardo described it as an attempt "to conquer underdevelopment, build socialism, and liquidate armed and unarmed bandits." For the state enterprises, the benefits were quick. "The unemployed saved the cotton, because without them we would not have easily had the labor to resolve the problem," said the director of the Niassa Cotton Company, Joel Cossa.³

But the plan soon ran into difficulty, and increasingly, opposition. After a first, voluntary phase in mid-1983, the program, run jointly by the ministries of Defense, Security, and Interior, rounded up tens of thousands of people who could not produce at least four documents: work, residence, military service and ID cards. Residents in Maputo were given two weeks to update their papers.⁴ Brigades went house-to-house in search of "the unproductive," who were detained and sent to verification centers, or jails for the criminal element. Those deemed eligible for evacuation were flown off to the northern provinces of Niassa and Cabo Delgado to work on state farms or in police-run re-education camps. Government leaders attempted to create an atmosphere to justify the program by referring to the unemployed as "parasites" and "fleas," or "marginals" and "lazy." "Prostitute" became a term applied to any woman considered non-productive. Some of them were in common law marriages, some were doing housework at home, and some were pregnant.

The Dynamizing Groups (GDs), FRELIMO's *ad-hoc* neighborhood committees, had tremendous say over who was sent away. There were widespread reports of abuses of power, of local officials using Operation Production to carry out personal vendettas. Pregnant women were found in verification centers awaiting evacuation. The provincial government of Cabo Delgado was forced to send back the aged and the ill who were incorrectly expelled.⁵

A fully employed professional in Maputo was sent to Niassa after he allegedly insulted an official of the Dynamizing Group who had ordered the arrest and planned the deportation of his eighteen-year-old sister for being unproductive. The man, twenty-four at the time, was sentenced to one year in jail and sent off to a re-education camp. His sister was released the next day. The following is a paraphrase of his account.

³ *Notícias*, July 30, 1983.

⁴ Hanlon, *Revolution under Fire*, p. 246.

⁵ Hanlon, p. 246.

After the hearing he was driven out to Machava prison and placed for two days in a pavilion with forty other prisoners sharing one toilet. The prisoners would bribe the cooks to get more food, with everything from a pack of cigarettes to sexual relations. Two days later, a group of prisoners was driven in a truck to the airport. They boarded a plane of the state airline, LAM, for the trip to Niassa. The government had canceled all domestic flights for the week so they could be used in Operation Production. The plane was jammed with prisoners, who had to ask guards for permission to go the bathroom. After arriving in Lichinga, a truck took them to the Provincial Command of Operation Production, where Sergio Vieira, the provincial governor at the time, made a speech about how the government would take care of everyone. The same night, they were driven sixty miles north of Lichinga (the capital of Niassa) to an isolated area called Mwembe.

They had to build their homes, and in the beginning slept out in the open. The camp was organized along military lines with 400 men to a battalion. The camp was strictly male, and there were other camps for women. They were told not to walk in twos, only threes or fives. The police felt that two people talking meant they were planning an escape, but with three or more, someone would betray them. Some of the inmates were criminals, others not. There were people there who really liked the camp. They were doing nothing in Maputo, and in the camp they had a farm and land. A lot of people ran away. The police enlisted local peasants to take part in surveillance. They told them that the camp inmates were criminals, that they were killers. The inmates were supposed to wear black clothes. Anyone who tried to escape was beaten in public. They would tie up a guy's hands and legs and then slip a stick through the back. Some guys were tied against trees. They also dug trenches and put people in them for a week. They would blow a whistle to call the whole battalion to witness the event at the "assembly point."

The typical day began at between 4:00-4:30 A.M. with the sound of a whistle for roll call. Every meal was maize and beans. After a while, the trains to Lichinga stopped running, so the food got worse. Many people tried to run away. Some were eaten by the lions, while many were believed to have ended up with

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RENAMO.

A month after his expulsion, an appeal lodged by the man's employers in Maputo was successful. But he remained in the Mwembe camp for seven more months because no one knew where he was. He was located after the camp authorities allowed him to go to Lichinga to get some clothes. A fellow prisoner had stolen his clothes and fled.

In January 1984, the overall commander of Operation Production, the then Minister of Interior, Armando Guebuza, announced the introduction of the *guia da marcha*, a pass required for travel from one district to another. The *guia* requirement remained in force until the November 1990 promulgation of the new constitution which guaranteed freedom of movement.

Operation Production itself was soon abandoned, and government officials today admit that it was a failure that cost FRELIMO a great deal of political support. It was FRELIMO's agricultural policies that had exacerbated the problem of rural unemployment in the first place, and sent many youths fleeing to the cities to earn enough money to set up a family. Most of those sent to the camps and villages were never able to return. A wide range of observers, including senior church leaders, believe Operation Production, like the communal village program, provided a major boost to RENAMO's recruitment.

FORCED RELOCATION AS MILITARY STRATEGY

Throughout the war, a basic aim of both the FRELIMO government and the RENAMO rebels has been to control as many civilians as possible. Both the government army and RENAMO have practiced scorched earth methods and used military force to move hundreds of thousands of civilians into their respective areas of control. Once a civilian settlement is established, the local military force, either the FAM or RENAMO, mounts control posts to ensure that civilians do not flee into enemy territory.

The opposing armies establish control zones which physically resemble each other. At the center sits the military base - in the FAM's case usually around a town or village center. In nearby houses live the local authorities, including the District Administrator and top FRELIMO party officials. In RENAMO's case, traditional chiefs, religious leaders, healers and *mujiba* police live nearest the base. In both areas, there is a strict separation of the base from the people. Radiating out from the military barracks, whether government or rebel, are belts of civilian homes and in RENAMO's case, farms. One former rebel who was stationed at the rebel base near the town of Luabo in Zambézia

province recalled:

It was called Cashiti. It was a very big base with lots of population living around. They lived under a *mambo* [traditional chief] called Cashiti, like the base. At the center of the area was the RENAMO barracks. At the entrance was a control post. The important local leaders, like the chiefs, lived closest to the base. Then the population had houses further out.

Other RENAMO zones are organized in a slightly different manner, with military posts ringing an area of civilian habitation.⁶

The FAM creates "protected zones" around its garrisons, usually consisting of populations "recuperated" from contested zones, either fleeing from RENAMO activity or forced to move by the army itself. In many cases, international humanitarian agencies provide food and other supplies to the displaced population.

Thus, when soldiers from either side cross into enemy territory, the first point of contact is the civilian population, while the last to feel the direct impact are the military commanders and the local authorities. Anti-personnel land mines planted by both sides have killed and maimed hundreds of civilians.

As a general rule, the greater the distance from a military center, the less the civilians' loyalty to either side. Significant numbers of war-displaced told of an ultimately failed attempt over several years to maintain a delicate balance between the contesting armies in a no-man's land.

With no transport of its own and little foreign food supplies, RENAMO combatants rely on the civilian population for food, labor and portering of supplies between rebel-held areas.

As the RENAMO insurgency spread after 1980, FRELIMO's communal village program, originally designed to spearhead socialist development of the countryside, took on a counter-insurgency role. The number of villages was greatly expanded during 1981-85.⁷ The villages became reminiscent of the Portuguese aldeamentos. This time, FAM was attempting to deny RENAMO a civilian base of support. FRELIMO also saw control of civilians as a means of legitimizing the rule of its government. President Joaquim Chissano, in a meeting with

⁶ Vines, p. 94.

⁷ Vines, p. 115.

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Africa Watch in November 1990, admitted that both sides in the conflict were forcibly resettling people, but he insisted that the government was doing so to safeguard the security of civilians.

Both sides argued that the removals were a process of "freeing" people from "enemy captivity," and in some cases this was undoubtedly true. Interviews conducted by Africa Watch in government-controlled "accommodation centers" revealed that some civilians were pleased to have been taken from rebel zones, especially if they had been originally kidnapped by the insurgents. However, many others who were born in the areas from which they were removed regarded their status as one of captivity. Further, a majority of interviewees were angered by the FRELIMO army's policy of confining "recuperated" civilians, or *recuperados*, to the accommodation centers, because of the scarcity of land to farm and inadequate food supplies. From 1988-90 in the province of Zambézia, one tragic (and foreseeable) result of such relocations by the FAM was the outbreak of epidemics of measles and cholera among displaced populations who were forced to live in unhygienic and crowded conditions.

The government relied on the numerous international aid organizations operating in Mozambique to take care of the war displaced by asking them to provide between \$150-200 million a year in food, medicines, clothes, blankets and sometimes temporary shelter. This started in 1987 and continues up to today. Thus, in effect, the international aid agencies helped the FAM to pursue its policy of forced relocation as a counter-insurgency tool. Typically, the FAM would launch an offensive against a rebel-held area, and re-group civilians found living in the area into accommodation centers. Once the army had established relative security, the government's Natural Disasters Office, the DPCCN, would make a formal request to international aid agencies to begin airlifting food, clothes and medicines. Only the International Committee of the Red Cross (ICRC) provided assistance to civilians on both sides of the conflict.

Thousands of civilians were caught in the middle of the two warring armies. A typical case was that of a thirty-four-year-old man who was living with his wife and four children near the town of Caia in northern Sofala province. They were captured by a RENAMO unit in 1985 and marched approximately sixty-five miles across the Zambezi river to the town of Luabo, where a local RENAMO commander repeatedly raped the man's wife. During a battle at Luabo in September 1988, he and his family escaped across the river to the town of Marromeu, where the government installed them in the July 25 accommodation center. In a September 1989 interview, the man and several of his neighbors angrily shouted that they were starving and

blamed the government for forcing them to stay in the July 25 camp against their will.⁸

FORCED RELOCATION BY RENAMO

Before 1980, when RENAMO was a relatively isolated guerrilla movement operating mainly in Mozambique's central provinces of Manica, Sofala and Tete with limited support from the white minority government of Rhodesia, there were few reports of rebel kidnappings of civilians. Indeed, in 1979 RENAMO distributed food relief sent from Rhodesia to drought victims in Manica province in an apparent attempt at a "hearts and minds" campaign.

Reports of kidnappings and forced marches of entire villages by RENAMO have been widespread since the early 1980s, however, when the rebels, bolstered by support from the South African Defense Forces (SADF), began to approach their current size of an estimated 20,000 fighters and started to operate throughout the country.

RENAMO literally depends on the civilian population for its day-to-day survival. Its civil administration rests on the institutions of traditional authority, which predate Portuguese colonialism, as well as newly developed posts borrowed from FRELIMO itself, such as the "political commissar," and from the Zimbabwean nationalist armies, like the mujiba, or paramilitary forces.

Traditional chiefs, or *mambos*, usually rule over a hierarchy of lower chiefs, spirit mediums, healers, and the mujiba police. Typically, these chiefs are appointed by RENAMO units when they occupy an area. Contrary to claims repeated often by Mozambique's state-run media, these chiefs were often not collaborators with the colonial authorities, and in at least several cases, actually led local resistance to the Portuguese.⁹ Under RENAMO, the mambos are responsible for organizing civilians and collecting food for the rebel base. In many ways, the mambos are the counterpart to FRELIMO party secretaries at the district level. They distribute houses, land and jobs to the newcomers, and were reported sometimes to protect civilians against abuses by RENAMO soldiers. In mid-1990, mambos in Pebane district of Zambézia province were said by refugees to be holding public rallies to promote Dhlakama's image as a replacement for President Chissano.

⁸ Author's interview.

⁹ Geffray.

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People displaced by the war and ex-RENAMO guerrillas said in interviews with Africa Watch that many civilians lived willingly with the rebels, mainly in response to policies of communal villages and marginalization of traditional authorities which FRELIMO pushed until the mid-1980s. In Murrupula district of Nampula province, RENAMO enlisted the support of a powerful chief who had fallen out with FRELIMO when the government nationalized his farms after independence. "He took 25,000 people with him, giving the bandits a military and social base," the then governor of Nampula, Jacob Jeremiah Myambir, said in an interview in November 1989. "The people went with the chief and carried on with their farming, for the children will always follow the father." One ex-RENAMO fighter took a more cynical view. "People are like chickens. Because whoever opens the door to the coop, the chickens will walk through. When RENAMO came into the area, the people just accepted them. They had no choice. RENAMO respected the population."

Other civilians are taken by force. They are usually marched to a rebel zone and stopped at a control post manned by RENAMO troops. There they are segregated according to age and sex. Typically, young men are subject to compulsory military training for induction into the army or the mujibas. Young women are also routinely singled out and sent to live with the RENAMO soldiers at the base, as sexual servants.

Those whom the rebels do not immediately need, including some men and women, children and the elderly, are handed over to the mambos, who provide plots of land to farm and/or jobs in the community.

A former teacher at a RENAMO school in Mopeia district of Zambézia said:

The mambo organized the contributions of food. There was a person in charge of every ten houses. That person would gather the food and present it to the *mwenye* [lower chief], who would then give it to the mambo. And the mambo had the mujibas take the food to the base. . . . Every family had to provide one liter of flour on Monday and one liter on Friday. Two liters per week. If the population did not give food they would be beaten.¹⁰

Civilians captured by passing RENAMO units or during raids on

¹⁰ Genkuine Folene Estengo, twenty-two, Doiscampo, Mopeia, Zambézia. Interviewed on September 26, 1990 while being held in SNASP prison, Quelimane.

FRELIMO-controlled areas faced strict discipline and little food or water on the journey back to the base. The case of a thirty-three-year-old mother of two captured by RENAMO on July 18, 1987, during the attack on the southern town of Homoine in Inhambane province has been described in the previous chapter.¹¹

One former RENAMO guerrilla described a rebel raid on his village in the district of Alto Molocue, Zambézia province on August 12, 1989.

I was trying to hide, but they were everywhere. They were running everywhere in the village trying to catch chickens. Then they gathered the people together and separated the young men and women from the rest. Women with infants, they did not take. I had heard of the massacres and I was scared. Everyone was. They took my cousin Fátima and my younger brother Carlitos. The only thing I thought about was dying. There were 272 of us taken. I know that because when we arrived at the checkpoint at Macringe base near Gurue, the soldiers asked me what education I had and I said fourth class, so they told me to count the people. There were 272. It took us five days to reach Macringe. We slept in the bush at night. When we reached Macringe we saw many farms. They called it a "liberated zone." There was no suffering there. There were fields of maize, beans, manioc. The land is very fertile.

The first night I slept at the checkpoint with some other young men. RENAMO took Fátima and Carlitos away. Fátima was crying. Many women were taken at night to the base to be with the RENAMO soldiers. Six of them were sisters from the New Baptist church in Nauela. Women who had husbands were left behind in Nauela. I have never seen Fátima and Carlitos again.¹²

A seventeen-year-old boy recalled his capture by a RENAMO unit while he was searching for food around the town of Namacurra in Zambézia province. Ironically, he had been originally forced into

¹¹ Aniva Sulemane Isuf, thirty-three, interviewed March 10 and March 17, 1991, Maputo.

¹² Alfredo Mario Mashagene, nineteen. Nauela, Alto Molocue, Zambézia. Interviewed on October 2, 1990.

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Namacurra by FAM troops.

I was living in the house of my cousin on my father's side in the Maolati *bairro* [neighborhood] in Namacurra. FRELIMO had forced us to come there in 1986 because of the war situation. There was no food in the town, so we used to go back to our old farm to gather manioc. On September 25, 1989, my aunt, younger brother and I went to get food. A big RENAMO group was passing by at the time carrying food to their base. They told us to help them carry their baggage. It was rice. We walked for one day to Vuruka, where there was a lot of population. When we reached the area, the soldiers told us to put down the food. They left me in the home of a civilian living there. My aunt and younger brother were taken on to a RENAMO base at Namanjavira.

I stayed in the house for one week. Then a local mambo, Sassacura, came to me and told me to come with him. He told me to live with the people of Vuruka and that they would make sure that I did not run away. He said that if he needed me, he would call me. I soon became second *cabo*, a sort of policeman. I would organize the people to clean the roads and clear the land.¹³

Not all civilians kidnapped by RENAMO are forced to remain in rebel-controlled zones, however. A forty-nine-year-old woman who was abducted by a RENAMO unit which attacked a restaurant-discotheque on February 9, 1991, in Campoane, about five miles outside of Maputo, said she and five other adults were allowed to return home after carrying stolen goods to the Matsequenha base near the border town of Namaacha. Nine children also taken during the raid, in which thirteen people were shot dead were forced to remain behind with RENAMO.

They gathered eight of us outside the restaurant and handed us goods for us to carry. I had to carry a fifty kilogram sack of maize. There were seventeen soldiers. We had to walk three between a soldier, single file. We walked for a while until we

¹³ Pinto Valente Mwanaje, seventeen, Namacurra, Zambézia. Interviewed on October 1, 1990.

reached Alberto Amade's shop. Amade had heard us coming, so he went to hide in the bush. They entered Amade's house and found his wife, a son, three young girls, two boys, in all seven people. Amade had some guns in his house, and the commander asked the woman where was the owner of the gun. She said that the owner was her uncle and that he was in Maputo attending a funeral. The commander kept asking her, and called all of us around to witness the interrogation. The commander kept screaming questions and beating the woman in the face. He beat her so badly that she was bleeding.

We picked everything from Amade's house and then started walking again . . . As we walked down the path, first in line was the *curandeiro* [traditional healer]. He was about thirty to thirty-five years old and spoke only Ndaou. He had some shells in his hands, and he would shake them, and then open his hands to see if the road was clear. Right after him came the commander, and then the convoy of us and the soldiers. At the very back were two other commanders. They were there to make sure no-one ran away.

Then we reached another house. There was a pickup in front with a tarpaulin. The young soldiers began tearing it off and fighting over it. The commander knocked on the door several times, before an old man said hold on a minute. He seemed drunk and said, "don't break down the door," he had to get dressed. So we all just stood there waiting. When the old man opened the door, the commander just threw him to the ground. Apparently he had taken too long. Then they robbed the house and got the owners to carry the goods. The old man was told to lead the way to the railroad tracks. So he went out in front of the *curandeiro*. At one point, the commander said, "old man, why are we walking back and forth." The old man said that we were very close to the "rapid response" force. But the commander just said, "These are just women, we want to fight men."

As we carried on, the old woman said she could not go any longer. "You should end my life," she said. But the commander said the old couple could return home. So they distributed their cargo among us and we continued. We rested every five to ten kilometers. The soldiers would give each of us water, but only three gulps. They would count, gulp, gulp, gulp. They said if

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we drank any more water, we would not be able to continue. By then my feet and legs were all cut up, walking. When I came back I was not able to walk around for a week. In the morning we crossed the Ressano Garcia road and into the RENAMO liberated zone. One of the soldiers asked what time it was, and another said 4:10. From then on we could walk at our own pace, because they controlled the whole area. And besides, we did not know where we were, so we could not run away. There were skulls on the side of the path. RENAMO left them there to warn us that we could not run away

At about 8:30 we reached the base. We climbed up a mountain, and then down in the valley there was the base. To get to the base we had to slide down the mountain. The young soldiers jumped and slid down. We threw all our cargo down the side of the mountain, and the soldiers waited at the bottom to catch it. When we got down, they offered everyone water. It was really cold water which they got from a tap into the side of the mountain. I heard the commander saying that we had to return because there was not enough food for us Then the commander shook our hands and explained how to behave if we encountered RENAMO on the road back. "The women must lead the column and the men behind. When you meet our troops, just sit down, and when they are near, begin clapping your hands. After they pass, do not look back."

Out on the road, we ran into a group of their soldiers. It was the other part of the unit that was in our area the night before. There were thirty of them. They were sent to steal cattle, but they came back with nothing. We did everything correctly, and the troops were very friendly. They asked us how much food we had left at the base, and what kind of food it was. They were concerned mainly about the food.¹⁴

FORCED RELOCATION BY FAM

The FRELIMO army's policy of resettling war-displaced civilians in poorly-supplied accommodation centers came under sharp international criticism in mid-1990, when it became apparent that

¹⁴ Olinda Paulo Mandluvo, forty-nine. Interviewed on March 6, 1991, at home in Campoane.

thousands of people had been "recuperated" from rebel zones by force. The laws of war require that even when the security of civilians or imperative military necessity warrant relocation, all possible measures must be taken to ensure that they receive satisfactory conditions of shelter, hygiene, health, safety and nutrition at the relocation sites. The hazards of a policy that disregards these requirements became apparent with the recapture of the small town of Mugulama in the fertile district of Ile in Zambézia province on December 16, 1989. RENAMO retook the area over the next few weeks, and FRELIMO marched the civilian population thirty miles to the district capital, only to move them back again after the army gained complete control of the area on January 20, 1990. For the next two-and-a-half months, between 10,000-20,000 civilians, torn from their homes and with little food, began to starve. By the time the army gave clearance to international aid agencies to begin supplying the area on April 5, malnutrition among the 20,000 people there was estimated to be 50 percent. Twenty people were dying each day.

The government had begun using forced resettlement as a counter-insurgency weapon in the early 1980s, when the army created over 200 communal villages in the provinces of Manica, Sofala, Inhambane, Tete, and Zambézia to keep peasants away from RENAMO.¹⁵ Such villages, in turn, became principal rebel targets. In April 1988, farmers brought into the rebel base camp at Casa Banana at the base of Gorongosa mountain, complained that FAM troops were burning their crops to force them into the center for *deslocados*, or displaced. At the time, the camp itself consisted of tightly packed rows of mud huts housing 10,000 people surrounded by an eight-foot-high mud wall and guarded by Zimbabwean troops. When confronted with charges of forced resettlement at Casa Banana, the Sofala provincial director of the DPCCN, Manuel Nogueira, denied that the army was burning peasants' fields and explained the government's policy in terms of a civilizing mission:

The policy of FRELIMO is that these camps will become permanent settlements. The policy is to move them into permanent concentrations. We want to bring people together to live in villages, which will grow into cities. It might be a drastic change, but it is a change that brings a higher standard of living, with greater civilization. It is necessary to take this

¹⁵ Hanlon.

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measure. These people have lived dispersed for 500 years, and what has this gotten them?¹⁶

The Casa Banana deslocado camp was abandoned the following year.

A major rebel push along the heavily-populated Zambezi river valley in 1986, nearly dividing Mozambique into two parts, sparked an FAM counter-offensive which saw dozens of deslocado camps established in government-held garrison towns. Typically, army troops dug in around the town center which was ringed by packed camps of displaced civilians who depended on airlifts of food for their survival. The cramped conditions sparked epidemics, such as measles, with which the government's overstretched emergency relief effort could not cope. In the Zambézia mountain village of Gile, an estimated 2,000 people, mainly children, died of measles between October and December 1988. By the end of that year, one-third of Zambézia province's three million people depended on international food aid.

After establishing control of most district capitals in Zambézia, government forces began to push into the interior in 1989, retaking areas held by the rebels for the previous three years. The FAM army would attack a RENAMO zone and move its civilian population to camps around government-controlled towns and villages.

That same year the charismatic traditional healer, Manuel Antonio, successfully led a pro-government militia armed only with spears and knives against RENAMO bases in Nampula province. The *Naparama* warriors crossed into Zambézia province from Nampula province in early 1990. As the militia scored victory after victory against the rebels, tens of thousands of civilians were uprooted from their homes and brought into government zones. The displaced civilians, army personnel and international aid workers reported that the militia and government troops were using scorched earth tactics in the rebel zones. The government's relief effort, despite aid from non-governmental organizations such as CARE, Save the Children, World Vision and ActionAid, proved incapable of meeting all the civilians' food, medicine and shelter needs. In certain deslocado camps, whole communities were reported to have run away in 1990. In Alto Molocue in northern Zambézia, for instance, 2,500 people reportedly disappeared in one night. During a visit to Alto Molocue in May-June 1990, one security officer pointed out a woman who had twice run

¹⁶ Interview with Manuel Nogueira.

away to RENAMO areas.

One member of the FRELIMO army reconnaissance described the situation in Alto Molocue in June 1990.

When Naparama goes into an area, they play *chifras* [horns]. They all wear red ribbons so that they know who each other is, so the population does not get into the formation. They do not destroy the people's farms, only their houses. They burn the houses so that the people will leave and come to the district headquarters.

I spoke with the battalion commander himself, and I said, listen, since Molocue is really full of people, we should work another way. Go along the road to Nauela and once we have taken an area, we leave troops with the people to guard. Because here there is very little food. People are running away to the bush because there is no food here. If the army had taken this advice, right now all those places would be full of population. The people coming here are not content, no way.

Before we went into Nauela, we sat down one morning with the military commander, the director of security and another man I cannot remember his name. We discussed it, and I gave them my opinion. Let the people stay and leave soldiers in the area. But they don't want to hear these opinions. They fear that if they agree, then someone in Quelimane will find out and call them.¹⁷

The success of the Naparama militia in "recuperating" civilians from zones was striking in Alto Molocue. From January to March, when the militia first arrived, about 500 civilians reached Alto Molocue each month. The figure for April, when the militia began operations, was 2,001, and for the first three weeks of May 1990 it rose to 3,583. By early 1991, Antonio claimed to have "liberated" 149,000 civilians in Zambézia province alone.

The recuperados were first brought for questioning to a "reception center" run by the army and the security police, SNASP. The displaced civilians were mostly dressed in tree bark, and they complained of severe shortages of salt, soap and cooking oil in the RENAMO zones.

¹⁷ Author's interview with an army reconnaissance sergeant.

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But, as in most areas in the fertile highlands of Zambézia province, they were well fed. There were common complaints that the militia and the army had forced peasants to leave their homes, fields, even family members.

Joaquina, a thirty-two-year-old woman from the locality of Nimala, said in mid-May 1990 that militia and FRELIMO forces had entered her home area on April 29, burned down the peasants' houses, and brought all the civilians they could find back to Alto Molocue town. The woman did not know the fate of her husband and two children who had run away from the arriving government forces.

Vicente, a sixty-year-old man from Noeula locality, said that he was pleased to be taken from the rebel zone, so onerous had RENAMO demands for food become. He reported, however, that government troops who arrived after the Naparama militia had sacked villagers' homes and then burned them. In the ensuing chaos, one of his two wives and four of his eight children were left behind.

A thirty-eight-year-old woman named Diolaida was at the Alto Molocue hospital with her two-year-old who was dying of measles and diarrhoea, illnesses that were sweeping through the camps for the displaced at the time. She had been brought in the week before from Nauela in an army sweep of the locality. Her husband and four older children were left behind.

Several civilians forced into Alto Molocue reported that RENAMO and the mambos had warned them that if they were captured by FRELIMO they would be eaten by a white Portuguese or flown off in planes to Quelimane to be sold into slavery.

"People fear FRELIMO soldiers. They call them the *Samoras* [after the late President Samora Machel]," said a former RENAMO mujiba who operated at a rebel-controlled zone in Vuruka in the district of Namacurra. "The *Samoras* come and take people back to Namacurra. When the *Samoras* come to the area, everyone flees. People were very scared of the *Samoras*."

A twenty-two-year-old farmer from the district of Mopeia described aerial bombings of civilian areas by government forces in 1985 and 1986 and later his capture by government troops in 1990.

I never saw any planes except when FRELIMO bombarded the area in 1985 and 1986. There were MiGs and helicopters. When the planes would come, the people would run and hide in the river. Sometimes people were wounded but I never saw anyone killed in the bombardment. The bombs destroyed many homes. The FRELIMO soldiers came on July 6, 1990. I was at home with my wife, my father and mother, my brother, two

sisters and my aunt. It was night and we were sleeping. The troops came at midnight. They gathered up fifty-six people, and they said "let's go, let's go." They also captured one RENAMO soldier. They took us . . . and divided us up. The women and children were sent to the villages controlled by the government. We men were sent to Licaune and then to the army barracks in Quelimane.

Recent cases of forced resettlement by the government took place in mid-1990, when Antonio's militia routed RENAMO forces stationed around the rebels' Maciwa base in central Zambézia. The rebel-controlled towns of Murrua and Mulevala fell to the army in July and August, and an estimated 70,000 people were brought into accommodation centers. When the army allowed international aid agencies to begin relief operations three months later, the situation was desperate. At least 3,900 people died in Mulevala alone in November and December due to malnutrition and an outbreak of cholera.

The brother of the chief Mambo of Mulevala described the recapture of Mulevala by the Naparama militia.

The people first heard of Naparama through the occupation of Murrua. They knew Naparama was coming on a day when they started seeing rising plumes of smoke from the burning houses as the Naparamas advanced. Everyone started running, leaving most everything behind. RENAMO told the people not to mix with the guerrillas. They had told people that if they returned to FRELIMO control, all the men would be killed and the children would be flown off to Quelimane and sold. Naparama occupied Mulevala and then went into the bush to retrieve the people. They brought them into Mulevala, and took the little food, like chickens, which the people had.

RELOCATIONS SINCE DECEMBER 1990

On December 1, 1990, government and rebel representatives, in Rome for a fourth round of peace negotiations, signed an agreement with the ICRC which "affirmed that Mozambican civilians may move freely either from one zone to another within the country or from neighboring countries to their places of origin, where-ever they may be."

Since then, accusations of forced resettlement carried out by the government army have declined sharply. Peasants in the district of Nicoadala in Zambézia province report, however, that they were

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forced to move to camps for the displaced in February 1991, and other reports suggested that army units in isolated garrisons in Sofala province continued to use civilians as porters for food supplies. 12,000 people in Meconta, Nampula were reportedly resettled. In most areas, the government has also abolished the *guia da marcha*.

Eyewitness testimony also emerged that, despite the accord on free movement, RENAMO units continued to kidnap and detain civilians, especially children, and to force them to become porters or to enlist in the rebel army. In April 1991, RENAMO forced 2,000 civilians to move fifty kilometers from their homes in Monjicual district, Nampula, while in the nearby Murrupula district, 18,000 people were forcibly displaced.

Freedom of travel and domicile inside the country was also agreed by the government and RENAMO on March 12, 1992, when a third protocol was signed. Article III of the protocol guaranteed that:

- (a) All citizens have the right to travel throughout the country without needing administrative authorization.
- (b) All citizens have the right to take up residence in any part of the national territory, and to leave the country and return.

Africa Watch welcomes these provisions, which, if enforced, should ensure that freedom of movement and domicile are fully respected. However, during 1992 Africa Watch has continued to receive information about the forced relocation of farmers in rural areas, particularly by RENAMO around Gile, Ile and Murrua in Zambézia. These relocations have been related to new strategies adopted by both sides in response to the severe drought of 1992 (see chapter 6).

CONCLUSION

The systematic attempts by both RENAMO and FAM to exercise as much control over the civilian population as possible has led to a range of abuses of human rights. These include forcible relocation, which is itself a violation of human rights except when necessary for the security of the civilians relocated or when required by imperative military necessity. In addition, the destruction of life and property associated with the relocation, the failure to receive those relocated in appropriate circumstances and measures taken to enforce internment in militarily-controlled areas have involved numerous abuses. The strategies of population relocation, together with restrictions on

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migration and trade, have been important in creating famine (see chapter 6), given the lack of adequate assistance provided to the relocated or restricted population.

5. FORCED RECRUITMENT

During the war, both sides have followed practices for recruiting combatants that involve widespread violations of human rights. RENAMO's practices appear to be the more brutal and frequently involve children under the age of fifteen.

FORCED CONSCRIPTION INTO THE MOZAMBIQUE ARMY (FAM)

The *Serviço Militar Obrigatório*, or military draft, is the main form of recruitment for the FAM. According to the law, military service is compulsory, but should be fulfilled by non-forcible, legal means. In 1991, men born between 1961 and 1971 were obliged to present themselves to recruitment centers; in 1992, men born between 1962 and 1972 face a similar obligation.

However, illegal conscription of youths into the FAM and militia forces appears to be widespread, with soldiers picking up young men as they emerge from schools, cinemas and discotheques. The Mozambican media have reported occasionally on such incidents. One such case was brought to public attention by Morgado Radio, the Judge President of Vilankulos, in Inhambane province. In a letter to the national news agency, AIM, Radio described the scene on December 1, 1990, a day after Mozambique's new constitution took effect. At 9:00 P.M. on Saturday night, soldiers blocked exits from discotheques and began forced recruitment. Roads to the town were blocked. Shots were fired.

Given the situation of insecurity in the vicinity, we thought that there were bandits attacking the town. So our surprise can be imagined when we discovered they were recruiting young people for military service. Is it really possible for any soldier to pick up a gun and on his personal initiative recruit young men at dances and in the streets at night?

AIM reported on June 15, 1990 that the Commander and Deputy Commander of the People's Militia in the locality of Chicamala, in Erati district of Nampula province were relieved of their duties after firing their guns illegally during celebrations of International Children's Day on June 1 and for illegally recruiting youths for military service. The commander was detained.

An inevitable result of forcible conscription is mass desertion. In October 1987, in an operational area in Jangamo district, Inhambane

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province, desertions in the army camp were running at three to five per day. On a single day, thirty-two men ran away at dawn.¹

In 1992, the government has continued to experience difficulty in recruitment. This has led to the maintenance of coercive practices in some areas. On February 5, Radio Mozambique reported that in Gile district of Zambézia province:

Military units have been illegally and forcibly drafting youths into compulsory service since the beginning of the year. The report says that the local residents have protested about the fact that drafting has sometimes been carried out in a violent manner.

Meanwhile, desertions are increasing. Although the government is trying hard to increase the number of new conscripts, its 1992 compulsory military service campaign has again had to be extended because of a low turnout.

CONSCRIPTION BY RENAMO

Forced conscription appears to be the primary form of recruitment by RENAMO, its parallel to the Serviço Militar Obrigatório of the government. A large majority of prisoners and detainees who admitted during interviews with Africa Watch to having been members of either RENAMO or the *mujiba* police, nineteen out of twenty-three, said they were forcibly conscripted. Several of those, however, said they later came to identify with the rebel cause. Three of the prisoners said they had joined RENAMO willingly after suffering an alleged injustice by FRELIMO, although one, originally a deserter from the FRELIMO guerrilla movement during the independence war, later quit the rebels. A fourth said he joined the rebels after the local chief in his area told the villagers that they must cooperate with the rebels.

Young men and boys, and sometimes women, captured during rebel attacks on government-held zones or simply found in the countryside are vulnerable to conscription into the RENAMO army. The laws of war forbid the enlistment of combatants under the age of fifteen. Reports of children being conscripted are most common in the south because the tradition of labor migration of adult males to South Africa has meant a shortage of adult men, but they occur in the rest of

¹ Trip with FAM.

the country as well. Some recruits are also taken from their homes in rebel-controlled zones, often with the cooperation of pro-rebel *mambos* [chiefs]. This practice seems more common in the central and northern provinces where local chiefs continue to wield great authority. After being abducted and chosen to become a soldier, a recruit is usually marched long distances from his or her original home to a RENAMO base. Recruits picked up in secure rebel-controlled areas, on the other hand, are often trained at the local base. In some cases, new recruits are temporarily imprisoned before training begins, which some observers have described as an attempt by RENAMO to force the men "to forget their past."² Others start their military instruction immediately. Training usually lasts three months, although the length of time can vary between several weeks and six months. Part of the training appears intended to brutalize the conscripts and break any passive resistance to being required to fight. The penalty for attempted desertion can range from one week's detention to execution. During their training, most recruits learn Ndaou, a Shona language spoken in the central provinces of Sofala and Manica which is the lingua franca of the RENAMO army. RENAMO leader Afonso Dhlakama is Ndaou, as was his predecessor, Andre Matsangaissa, and many of his most important commanders.

There are reports that new conscripts are systematically forced to undertake mutilations and other forms of violence against civilians, so that they are complicit in atrocities, tied psychologically to RENAMO, and afraid of the consequence of deserting to the government.³

Nevertheless, RENAMO, like the government army, must grapple with a serious problem of desertion. Several former RENAMO soldiers interviewed by Africa Watch said that some fellow soldiers attempted to flee, especially after engagements with the army. An indication of the gravity of the problem in RENAMO's ranks emerges from a message sent on May 6, 1988, from the rebels' presidential office to the Chief of the General Staff. The message, one of many documents captured by the army when it overran a RENAMO base at Nhamagodoa in Sofala province in April 1991, said:

I report that the Second battalion of General Avelino reports that since the beginning of recruitment seventy-four recruits

² Geffray.

³ Vines.

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have already fled, because they are from here [Gorongosa]. Right now there are 159 recruits. I report further that an average of five recruits are fleeing a day. In this context, I propose evacuation of all for the Center of Services where they will be later sent to Tete province. Awaiting your decision.

CASUAL ENCOUNTER—OR JUST BAD LUCK

A significant number of recruits are taken by RENAMO units when they come across them by chance in the countryside while working in their fields, fetching food, or tending animals. One young man, held in a security jail in Quelimane, said he was picked up by RENAMO soldiers in 1985, when he was thirteen years old. He was marched from his home area of Mogovolas in Nampula province, south through rebel-controlled areas in Zambézia province and into Sofala where he was finally stationed.

I was with four friends and we were tending twenty cows. We were sitting down on a log when a large RENAMO group arrived. They had guns, and I knew they were *Matsanga*. They told us that we had to go with them. We began walking. They said we were going to Sofala. It took us one month to get there. Along the way we saw a lot of people. That is who gave us our food. The commander would talk to the local mambo, and then the population would bring the food. The commander never had to threaten the population to get the food. We passed by the Alfazema base, and then crossed the Zambezi river near Caia. They said we were going to Gorongosa. In Sofala we saw many "state" farms and family farms. There was plenty of food Civilians looked happy along the way when the RENAMO soldiers passed. We finally reached a base called Matsembosa. My friends were sent elsewhere. RENAMO told me that I must work at the farm. I worked with men and women on a farm which they called a "state" farm. The people there seemed happy. I received two months training and then received an AK. I guarded the farm, mainly to keep the pigs out of the crops. There were many pigs. We ate pigs, buffalos and hippos⁴

Another young man was sixteen years old when he was picked up by a RENAMO unit in November 1987 near the end of a journey from his brother's house in the city of Beira to his parents' home in the district of Chibabava in Sofala province. The rebel group was marching a group of ninety recruits picked up in southern and central

⁴ This interviewee was subsequently convicted of being a member of RENAMO and sentenced to eight years in prison.

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Mozambique to the Alfazema regional base in Zambézia province in the district of Morrumbala. Alfazema was reported to be the site of training for many recruits. After walking for two weeks, the column crossed the Zambezi river and reached Alfazema. The young man trained for three months before he and three friends, all members of the Ndau ethnic group, attempted an escape at night.

We reached the Zambezi river near Caia and came upon a group of fishermen there. We asked them to lend us a canoe so we could cross. They told us to wait, and we thought they were going to help us. But these were RENAMO people, and they had sent someone to the base to tell RENAMO that we were trying to escape. A group of soldiers came and took us back to the base. They put us in the jail for one week, but they never hit us. The commanders threatened to kill us if we tried to escape again.⁵

A forty-one-year-old man, born in Cape Verde and a former member of the Portuguese colonial army in Mozambique, was picked up by three uniformed RENAMO soldiers in the far south of the country near the town of Namaacha, on the border with Swaziland, at 9:00 P.M. one night in 1984 with three friends after they had been drinking at a bar. The RENAMO soldiers killed his two friends with bayonets after they refused to carry the rebels' bags and called them "armed bandits." He too was bayoneted in the left shoulder-blade but survived. He was marched to the regional rebel base, Matsequenha, near Namaacha and underwent three months of military training by South African instructors, who, he said, remained at the base until 1988.

The man reported that women and children were also trained at Matsaquenha, and that the young boys were especially good fighters. After the training, he entered an eighteen-man attack unit that targeted factories in the greater Maputo area, and began receiving a monthly salary of 15,000 meticaís. After some operations, he was given permission to spend holidays in Swaziland, where he would get work as a mechanic to earn money. Interviewed at a maximum security prison at Machava outside Maputo, he said he now believed that RENAMO was fighting for a just cause.

One twenty-year-old was picked up by RENAMO in January 1989 while walking from his home in the river town of Marromeu in Sofala province to his uncle's house in the countryside. The rebels put him in a canoe to cross the Zambezi river and together they walked to the

⁵ Subsequently convicted and sentenced to twenty-six years in prison.

Cashiti base near the town of Luabo. He trained for six months before participating in his first operation, a July 1989 attack on Luabo.

The soldiers were from all over, Zambézia, Inhambane, everywhere. It is difficult to get away because RENAMO has controls around the base area . . . Some of the soldiers seemed to be happy in RENAMO. But it was impossible to know because I could not see into their hearts.⁶

A forty-three-year-old man, the father of seven children, was working in his fields in the district of Morrumbala, in Zambézia province, when a RENAMO column passed by on October 29, 1984, carrying thirty-eight wounded soldiers.

They said they were going to Gorongosa. They asked me to help them carry the wounded. I did not want to so, I stayed where I was and continued working. Two RENAMO soldiers came up to me hit me in the face. They said I was delaying. So I went with them.

We walked to the banks of the Zambezi river near Mopeia. We stayed there until night. RENAMO feared the helicopters would come and see them. We crossed in canoes. The trip lasted one week and we passed through many bases. We slept one night before we came to the Boaze base, then Sungwe, Ngoro, Nyamacala, Nyajambe, Njose and Casa Banana. We stopped at a base just below the Gorongosa mountain. There was an airstrip and a river there. The wounded were taken on up to the mountain where there was a hospital. I had a bad stomach illness. They sent me for military training, but I lasted one month. I could not continue. Eight of us tried to run away, but RENAMO soldiers caught us. Two of us were shot dead. The commander decided it was dangerous to be shooting because the enemy might be near, so four others were bayoneted. I do not know why the two of us were not killed. I was sent to work on a "state farm" north of Casa Banana called Nyapera. There were about fifty people there, all of them sick and unable to do much else. The commander was Francisco Beli. No one could flee because we were all far away from home. We did not know

⁶ Subsequently convicted and sentenced to twenty-two years in prison.

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where we were. The troops *sjamboked* [lashed] people who disobeyed.⁷

One captured former rebel said he was inducted into RENAMO in 1983, when a unit entered his village near the town of Pembe in the southern province of Inhambane. The rebels looted the village. Beds, dishes, clothes and food were piled up and distributed to the villagers who were forced to carry the goods to a rebel base at Vavate. After one week, the young man, then seventeen, was marched with other recruits to the Inhamunge base for three months of training. He completed his training in early 1984 and fought as a RENAMO soldier for three years.

RAIDING PARTIES

RENAMO obtains other recruits during its raids on government-controlled zones or on villages situated in no-man's land between the two armies. The testimony of a nineteen-year-old man from the Nauela locality of Alto Molocue concerning his abduction with 271 others and forced relocation in a RENAMO-controlled zone has been recounted in the previous chapter. He also described his conscription into RENAMO forces:

In December the [RENAMO] base sent a unit to the house [where I was sick] to take me back. It was the police of RENAMO, the *mujibas*. The *membro* [political commissar] said that I was still sick, but the *mujiba* said they had orders. The *membro* accompanied us to the checkpoint and talked to the soldiers there. He said I was too sick to become a soldier. He said my convulsions could come at any time, and I would not survive. The soldiers said that I was not taken to become part of the population; I was taken to be a soldier. All the others of my group had already trained and they had arms. The *membro* then came to me and told me that I had to go. He could do nothing. I entered the base in January. They took me to a base at Namanjavira [in the neighboring district of Mocuba] and told me that I was going to train to be a soldier. They trained me and gave me a gun. Two days later, we left for a mission in Jonge. It was January 29. We talked for two days before we

⁷ Subsequently convicted and sentenced to eight years in prison.

reached Vuruka. The people there had a lot of food. In RENAMO zones, there is plenty of food. We stayed there several days. Then we left one morning with twenty-five soldiers and three canoes. We walked two days before reaching the Jonge river. We crossed the next morning. Four of us stayed behind while the rest of the soldiers went into the village. They said we should stay behind because we were new.⁸

A fifteen-year-old boy was recruited into the RENAMO ranks as a mujiba after a rebel attack on the town of Inhaminga, in central Sofala province. He told his story:

I was sitting at my home early on the morning of April 24, 1989, when RENAMO soldiers attacked Inhaminga. My family and the neighbors, we all ran into the nearby forest to hide. But the [RENAMO] soldiers came looking for us and found us. They said "let's go to our zone where things are better." They took a lot of us away with them, men, women and children. We had to carry the food and the clothes which they took from Inhaminga. There were many soldiers so we could not flee. They said that if we tried to flee they would beat us. That first night we slept along the route. They gave us maize porridge to eat for supper. When we got to the RENAMO zone, called Matsembosa, we were ordered to drop the goods at a control post. The soldiers picked up the goods and took them into the base. Then they gave my family a house, a farm, and farm implements to begin work. My father later died of an illness, and so did my mother. I received one week of training and then began working with the mujibas. We would go from house to house to ask people for food for RENAMO. The mambo told us to do that. The mujibas did not have to threaten people, because there was plenty of food.⁹

Pedro, a nineteen-year-old clerk in a shop at Marromeu, went to visit relatives across the Zambezi river in Luabo in 1988 just before the rebels attacked the town.

⁸ Subsequently convicted and sentenced to twenty years in prison.

⁹ This interviewee, who talked to Africa Watch while in prison, was later released.

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They robbed the people of food and clothes and then took men, women and children with them to carry the goods to the base at Cashite. I was taken with them. It took one about one day to reach the base. The ones who could not walk were left behind. They kept me in a house outside the base for six months while I underwent military training. The people who trained me spoke Ndau and Sena. The commander of the base was called Açã. He was from the province of Manica. He used to talk to us and to the people in meetings. He said RENAMO was fighting for independence and against communal villages. Independence from what, I do not really know . . . After the training, they gave me an AKM [AK-47]. My first combat was an assault on Mopeia in 1989. It was during the rainy season, and it was a big battle. We won the battle, and we stayed in the town for one week. We took food, clothes and medicines and sent them to the base. The cargo was carried by soldiers and local people.¹⁰

One former fighter from Maputo province, who now says he supports RENAMO, described his abduction at the age of fifteen in 1984.

I was sleeping at my father's house when a group of RENAMO soldiers came. It was on September 5, 1984. They took me, my brother, and my mother, who was thirty-four years old then. The next day, they let my brother and mother return. They marched me ten days to the Gumbene base on the Gaza-Maputo border. I was there for six months training with guns.

When I finished they sent me to Makene, near Moamba. There were twenty-seven soldiers there. Most of the time we would steal food from the villagers and take it to the base. There was no civilian population living around the base.

The main RENAMO commander I was under was named Timose. He was a Mandau [Ndau]. We received ammunition and radios sometimes from planes. It was not normal to kill civilians, but if they did not cooperate we often beat them. In Macaene, for example, the local population gave us food voluntarily. In FRELIMO zones, we burned houses. RENAMO

¹⁰ Subsequently convicted and sentenced to eighteen years in prison.

opposes communism. Commander Mario [Frank] used to stay that Machel could continue as president as long as he dropped communism. A lot of the local population did not like FRELIMO. They did not like the communal villages. We RENAMO fighters could sleep in the villages with no problem. There were people from all over Mozambique in the RENAMO ranks, but we mostly spoke Mandau among ourselves.¹¹

In March 1988, a fourteen-year-old boy, attending third class at a school in Mocuba district of Zambézia, went to visit a sick uncle who lived about thirty kilometers away in an area known as Namanjavira. He spent one night at his uncle's house, and the next morning the rebels attacked the area. RENAMO rounded up the people and marched them to a rebel-controlled zone in the same locality of Namanjavira. There they left the women, children and elderly. Eighteen young men were separated from the group and marched for a month to the Alfazema base. Some of the men were able to escape at night. The boy received two weeks of training before a rebel commander, Peter Manyangarane, an Ndau, picked him to become his personal aide. Because the youngster's native language was Lomwe (a Makuwa dialect), he and Commander Peter were forced to communicate in Portuguese.

RENAMO had entered the locality of Namanjavira in 1986 and obtained the support of a local mambo. One young man who lived there at the time described his induction into the RENAMO army.

RENAMO came into my area in 1986. The local mambo, Badge, said that we must work with them, but he did not explain why. He had also worked with FRELIMO. The mambo organized the mujibas to get the food from the people and then take it to the control post outside the base. Civilians never entered the base. The mujibas came every Friday every week. The people did not flee because they did not really suffer. There was plenty of food. In 1989, I don't know the month, five soldiers came to our house and told me to come with them. They were dressed in civilian clothes. Most people had no clothes. They took me to their base and gave me training for one month. I was with many other trainees. Some spoke Chuabo, others spoke Lomwe. The commander spoke Lomwe and wore civilian

¹¹ According to Africa Watch's most recent information, this interviewee was still awaiting trial at Machava prison.

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clothes. He told us not to flee or the FRELIMOs would kill us. After one month, they gave me a gun. Then they said we had a mission.¹²

A twenty-two-year-old man, held at a security jail in Quelimane on charges of supporting RENAMO, recounted how he was forced to be a teacher in a rebel school in a rebel-controlled zone in Mopeia district in southern Zambézia province. He dropped out of Mangobe primary school in 1984 after finishing fourth form to get married. RENAMO arrived the next year. He left his parents home and was given a piece of land by Chief Mugrumba, who ran the area with lower chiefs, *mwenyes*. His brother ran away and became a FRELIMO official in the Josina Machel communal village in Micuane.

In 1986 they began building schools. The teachers ran the school. This year, one of the teachers was eaten by a crocodile. The director of the school sent a message for me to come to see him. He told me that they had lost a teacher and that I should come to teach. I told him I was not qualified. I had only fourth class education. The director said that was all right because he had only fourth class. I continued to refuse, and he said I should help them. If I did not, he said he would send me to the base. I was scared they would beat me.

The school had no building, it was just some huts. There were 170 students and five teachers. There were no books except a second class book which the director had. It was from a FRELIMO school. The parts that said "Viva FRELIMO" the director said leave those out. I taught the children how to read a little and write their name. We wrote with charcoal on a piece of wood. He sang one of the songs which he taught his students:

*Somos Filhos de Dhlakama
Vamos todos avante
Libertar nosso povo
O povo resistência*

We are children of Dhlakama
Together let's march ahead

¹² Subsequently convicted and sentenced to twenty-six years in prison.

To Liberate our people
The people's resistance¹³

Forced conscription by RENAMO continued through 1991. Recent reports indicate that the movement has been forcing people in Changara district, Tete, to join its ranks.

CHILD SOLDIERS

The accounts given above make it clear that RENAMO has been recruiting children of under fifteen into its armed forces, contrary to international law. In addition, there is evidence that, since the late 1980s, the movement has recruited much larger numbers of even younger child soldiers, some of only ten years old or younger. Commenting that this was unknown in the early 1980s, Alex Vines describes the practice in these terms:

RENAMO's child combatants appear to be undisciplined and sometimes to be on drugs. They too [i.e. like adult recruits] appear to have been put through psychological trauma and deprivation, such as being hung upside down from trees until their individualism is broken, and encouraged and rewarded for killing. Some commentators believe that massacres in southern Mozambique are committed by these child combatants, who have been programmed to feel little fear or revulsion for such actions, and thereby carry out these attacks with greater enthusiasm and brutality than adults would. What this really demonstrates is RENAMO's increasing difficulty in recruiting in the south.¹⁴ The war is increasingly being fought by those with no memory of the independence struggle or of older policy disputes.¹⁵

This finding is supported by a March 1991 US Defense Intelligence Agency (DIA) report, summarizing the findings of the interrogation of

¹³ This interviewee, detained at the time of Africa Watch's interview, was later released.

¹⁴ This is related to the shortage of adult men in the south because of large-scale labor migration to South Africa.

¹⁵ Vines, pp. 95-96.

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an eighteen-year-old rebel deserter, Macuacua, earlier that month. Captured by RENAMO in 1984, when he was aged ten, together with seventy other boys of similar age, Macuacua was trained in South Africa as a boy soldier to operate in Gaza province. The following is the conclusion of the DIA interrogator, identified only as RO:¹⁶

Macuacua's story, only partially told [here], paints a picture of how RENAMO recruits were trained and how they operate. It is certainly not news that many of RENAMO's combatants are young boys in their teens. It is, however, eye-opening to sit down and talk to an unassuming young boy who has experienced so much violence. What was equally surprising was the unemotional matter-of-fact way he explained his experiences.

Macuacua was probably a good soldier, although at some stage in his young life he began to question his actions. Macuacua himself explained the utility and rationale of why RENAMO uses young boys as foot soldiers, when RO asked Macuacua if his father had also been a soldier. He answered that RENAMO does not use many adults to fight because they are not good fighters. He said kids have more stamina, are better at surviving in the bush, do not complain, and follow directions.

This indicates that it is possible that in some circumstances, RENAMO actually *prefers* children to adult combatants.

More information on the recruitment and training of child soldiers comes from a study undertaken by Save the Children Federation and the Mozambican National Director of Social Action.¹⁷ Based on interviews with 504 children, the investigators found that 28 percent of the children abducted by RENAMO were subsequently trained for combat. The average age of those who trained in the south was eleven-and-a-half years; in other areas it was two or three years older. One eleven-year-old boy from Gaza described how he and other boys were taught to march, to run and to attack, in three lines—one to kill, one to loot, and one to capture people. Then they were taught how to use a

¹⁶ US Defense Intelligence Agency, Report on RENAMO deserter, March 1991.

¹⁷ Neil Boothby, Peter Upton and Abubacar Sultan, "*Children of Mozambique: The Cost of Survival*," Duke University, Institute of Policy Sciences and Public Affairs, February 1991.

gun: "They lined us in rows and fired guns next to our ears so we wouldn't be afraid of the sound. Then they had us shoot the guns and kill cows...."

Part of the training was requiring the boys to kill others so as to accustom them to death. The study gives one example of how a boy was forced to kill three of his fellow trainees with a bayonet, because they were "making mistakes and falling behind." Another boy was required to stab an old woman to death after she was caught trying to escape, and then cut off her head.

Needless to say, the psychological consequences of participating in these atrocities are devastating for the children. These are described in detail in the study, which concludes with a series of recommendations for the social and psychological rehabilitation of former RENAMO child combatants and other children traumatized by their experiences during the war.

RENAMO's use of child combatants continues, and is even increasing. Africa Watch investigated an attack on Maputo's Laulane suburb on the night of April 23, 1992. Eyewitness accounts confirmed that a group of over one hundred child combatants, all poorly-dressed and led by some men in their twenties, participated in the attack. From this account, and others obtained from ambush victims and recent arrivals from RENAMO-dominated zones, it appears that in the south the age of many combatants is dropping to as low as eight years. Combatants as young as six and seven have also been reported, though it is often impossible to verify the exact ages of children.

Information given to Africa Watch from individuals who have operated in RENAMO zones from Nampula, in the north, also suggests that in 1992, the age of many of the combatants has for the first time clearly fallen to under fifteen. This may indicate that RENAMO finds it difficult to obtain recruits in this area also.

THE VOLUNTEERS

Several prisoners interviewed by Africa Watch said they had joined RENAMO voluntarily because they had become disillusioned with the government and, in one case, because South African intelligence agents had offered substantial payments.

A sixty-two-year-old man serving an eight-year sentence at Machava security prison for his membership of RENAMO said:

I am in jail because I am against the system. We are fighting against exploitation of man by man. There was far more exploitation after independence in 1975. There were re-

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education camps, Operation Production. We had fought against colonialism, but today it is worse.

In 1976 they sent my son to a re-education camp. Now I don't know if he is dead or alive. His name is Lamo Francisco Tembe. He went out with friends to see a film and never came home. The police picked him up. He had never had problems with the police. It was part of a big campaign to produce food for the government. Someone saw my son in Lichinga [capital of the province of Niassa] in 1979.

My troubles began in 1976. I had a boutique here in Maputo. The PIC police came to the boutique in October 1976 and told me that "you cannot just own things. This system of government does not allow a national bourgeoisie. This is no longer a capitalist system, and everything belongs to the people." They said I had to turn the shop over to them, but I refused. They arrested me the same day and took me to the Civil Jail, where I was held for three months incommunicado. I was beaten on my back. I surrendered in Maputo, and said they could have the shop. Then I was taken to Beira for three weeks, flown in an Antonov. I stayed in the Grand Hotel prison of Beira. That was January 1977. After I got out of jail I went to South Africa. I had been there before independence and owned part of a small grocery store there. When I went there I met some friends in Soweto, and they asked me if I wanted to join an opposition movement. They took me to a meeting. I was furious with revenge so I accepted. There were a lot of Mozambicans in Soweto. I registered as a member of Renamo and got a registration card, and made a donation of five rand.

I started travelling back and forth into Mozambique on another passport . . . I was trained in 1979-80 in Phalaborwa. The South Africans would pay for my trips. I used to come twice a month and recruit here in Maputo. There was no problem recruiting people in Maputo. I used to take twenty people or so across into South Africa. I would just pay the border guards to let us through.

A thirty-year-old former police officer and former RENAMO reconnaissance specialist said he became disillusioned with the government in 1978 when the authorities closed down the Catholic seminary in which he was studying in the Nauela locality of Alto

Molocue district in Zambézia.

They took fifteen of us seminarians to Nampula and kept us in the military barracks there for four months. Then they sent us to Maputo to take courses in security. We were taken to Political Preparation Center in Matola Gare. Some of us went to SNASP, and some went to PIC. We had Mozambican and Tanzanian instructors. The course lasted about six months. I went to the PIC. I was very unhappy in my job. It was not what I wanted to do.

In 1986 I was recruited by South African military intelligence to work directly with RENAMO. I was doing *trabalho operacional secreto* [secret operations] for PIC, so I would spend a lot of time in public places, in hotels etc. When I was watching a hotel, I met some whites who guaranteed me work in South Africa. They offered me up to 25,000 rand, although I never got all of that. They told me to work with RENAMO. I would provide information on the position of FRELIMO units in the Maputo area . . . Later, I started travelling to the northern provinces, Sofala, Tete, Nampula and Zambézia making contacts with RENAMO. They would sometimes meet me at airports.

Finally, I decided to leave PIC for good. I had no confidence in them. I made contact with the South Africans and went to the bush in Moamba. I stayed for a while in the Pequenos Limbombos. Then I went to Namaacha and stayed at the Hotel there. That same night the South Africans came to Namaacha and told me to go the next day. They went back the same night. Then I went to the RENAMO base at Gungwe . . . I spent fifteen days there. Then I went to South Africa, to Phalaborwa for training. That was in 1988. I trained for three months in reconnaissance and sabotage. Upon arrival I was paid fifteen rand and received another fifty rand for the course. When I returned back to Gungwe base, I received a monthly salary of 50,000 meticaís. I was a corporal. I worked in Gaza and Maputo, and became head of reconnaissance in Maputo city. RENAMO does not just exist in the bush. They are everywhere . . . I was still going back to Maputo, and I kept my flat there. I never formally left PIC and I was still receiving my salary. I fell in love with a woman in Maputo, and I wanted to marry her. But I suspect she was in contact with SNASP. I told her I was working with PIC, and an inspector in PIC, who was also in

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RENAMO, covered for me. My *guias da marcha* [internal travel documents] were made by RENAMO in Gungwe. They were very easy to falsify. But sometimes on operations, I had to come to Maputo in FRELIMO military uniform, with a corporal's rank. I often had to visit military bases for reconnaissance . . .

In 1989, just before the Fifth Congress, I came back to Maputo in uniform. I stayed at the Tivoli Hotel. I went to my place to get some clothes and I saw my girlfriend. Later a couple of SNASP agents came by to talk and have a drink. But it was OK and they left. I went back to the bush. On December 15, 1989, after the FRELIMO Central Committee meeting, I was getting ready to go back to Gungwe base . . . As I was leaving Maputo I met some RENAMO elements coming to town. It was decided that I would present myself to a police station. It was part of a job, I had to reach a certain place, but I cannot tell you where or why for security reasons.¹⁸

A third prisoner who admitted to joining RENAMO voluntarily was a former FRELIMO guerrilla from Cabo Delgado province who had deserted the nationalist ranks and had been captured by the Portuguese. At independence, he was arrested and sent to a re-education camp from which he escaped and later joined RENAMO in Nairobi, Kenya. But after receiving reports of RENAMO atrocities, he quit the rebel movement too and attempted to return to his home in Mueda, Cabo Delgado where he was arrested by government security police.¹⁹

CONCLUSION

Africa Watch does not oppose the practice of non-voluntary recruitment per se. It is the legitimate right of a government to employ the draft to obtain personnel for its armed forces when national security is threatened. However, when that process of recruitment is violent and arbitrary, without a due process which allows for appeal against conscription on the grounds of conscientious objection, when

¹⁸ According to Africa Watch's most recent information, this interviewee was still awaiting trial.

¹⁹ This interviewee, detained at the time of Africa Watch's interview, was later released and returned home.

children under fifteen years of age are conscripted, or when conscripts are ill-treated and denied the opportunity to correspond with their families, it involves violations of basic human rights. There is evidence that FAM has used violent and arbitrary methods, without due process, to obtain conscripts, in violation of the conscripts' human rights. The right of an insurgent movement such as RENAMO to employ the draft is more open to dispute. When a rebel organization is in control of significant areas of territory, and exercises effective civil administration, it may be said to take on the responsibilities of government towards the population under its control. A rebel movement that succeeds in discharging some of those responsibilities, for instance by maintaining law and order, administering justice, and providing basic services may be considered to obtain a corresponding obligation from the population to provide manpower for the rebels' armed forces. In such cases, therefore, a rebel organization may legitimately employ the draft. In the case of RENAMO, however, it is highly questionable that the movement has met these basic requirements, even for the relatively well-treated populations in its "control" zones. Consequently, any involuntary recruitment by RENAMO has at best dubious legal status. In addition, many of RENAMO's recruits are obtained from areas where RENAMO does not exercise effective jurisdiction; such forcible recruitment is a clear violation of human rights. Finally, the use of violent and arbitrary methods, the lack of due process or right of appeal, and the conscription of children under fifteen are all flagrant violations of the rights of the conscripted individuals.

6. FAMINE AND FOOD AS TOOLS OF WAR

Mozambique is a fertile country which, under conditions of peace, would have no difficulty feeding its small population and exporting food or other agricultural products to the world market. However, during 1983-84, large areas of south-central Mozambique descended into famine. The most commonly cited figure is that 100,000 people died, though this remains no more than a rough estimate. Since that date, food security has become an increasing nightmare for the country.

A second major famine hit the country in 1987, on this occasion centered on Zambézia province, and caused in large part by war. Since then, Mozambique has become a "chronic emergency," in which humanitarian agencies were confronted with a famine, that simply has not improved with time.

In 1992, the specter of a third serious famine now looms. Another year of disaster is in store for Mozambique's long-suffering peasantry. The food self-sufficiency of the rural population has been disastrously eroded, and the large urban populations are entirely dependent on a fractured marketing system. Millions of Mozambicans, both inside the country and as refugees in neighboring countries, are dependent on internationally-donated relief supplies for their basis sustenance.

By June 1992, the whole country south of the Zambezi river was seriously affected by drought. Throughout the south and center of Mozambique the rains have been late (delaying sowing between one and two months). Even when they arrived they were extremely irregular, and rainfall in the six affected provinces has been between 30 and 70 percent of normal. Almost all grain needs in these provinces will therefore have to come from food aid as the full harvest for 1992 is expected to reach only 400,000 tons, about one-quarter of needs.¹

As a result of the production failure, the United Nations' estimate for Mozambique's food needs has increased by 80 percent since September 1991. The UN currently estimates that 3.1 million Mozambicans will need emergency food aid, and that the total food input now needed (including food for marketing at subsidized rates) is 1,316,050 metric tons (MT) for the twelve months from May 1992—an amount valued at US \$270.7 million. A government appeal document, drawn up with the collaboration of the UN specialized agencies and delivered at a further appeal on May 13, foresees a famine that could wipe out one-fifth of Mozambique's fifteen million people unless food aid arrives on time.² While mass mortality at such levels is extremely

¹ AIM, March 11, 1992.

² AIM, May 14, 1992.

unlikely—it would count as the highest rate of famine deaths for a national population in recorded history—there is no doubt that Mozambique is facing a food crisis that surpasses all that it has suffered in the last decade.

The relief agency World Vision reiterated the government's urgent call for more relief aid on May 21. It estimated that about two million people urgently need food aid, a number which will grow to about 3.3 million unless assistance is rapidly provided. The Mozambican government released its first official figures of famine deaths on May 22, which were forty-eight people who had died in Sofala province. These, the first confirmed victims of the current crisis, are doubtless only the most visible victims of a disaster that is already claiming lives in hundreds of unseen villages.

BACKGROUND

In January 1992, the population of Mozambique was reported to be approximately fifteen million, growing at an annual rate of 2.5 percent. Half of this number are under twenty years of age. Life expectancy rates for men and women are low, between 45-50 years. Child mortality levels are extraordinarily high; between 30-40 percent of the children born in Mozambique die before their fifth birthday, with most deaths in rural areas due to measles, diarrhoea, respiratory infections and malaria.³

Mozambique's per capita income level is among the lowest in the world at around US\$ 80-100—down from US\$ 300-380 in 1980. At least 90 percent of its population is said to be living below the poverty level and 60 percent of these people are living in absolute poverty. Hunger is endemic. In November 1991, the US Agency for International Development ranked Mozambique as the "hungriest" of ninety-one surveyed nations around the world, with a daily per capita food consumption amounting to 1,605 calories—below Ethiopia.

UNICEF has claimed that the effects of insurgency, war and famine killed some 600,000 people by 1989, including nearly 500,000 children. Given the lack of reliable information and the absence of any functioning system for collecting and processing statistics, this remains no more than a rough estimate open to a very wide margin of error. UN estimates for mortality in famines invariably err on the side of pessimism, so it is possible that the figure is, in reality, significantly

³ Julian Quan, *Mozambique: A Cry For Peace*, Oxfam, 1987, p. 20.

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lower.⁴ Others have, however, put the death toll at one million or more.⁵ Whatever the truth, it is certain that the human cost of the famine has been enormous.

UNICEF attributed the deaths to RENAMO's destruction of health and education facilities, the dislocation of communities, the loss of food production, and the reduction of the budgets for health and water as a result of increased military spending.⁶ The nationwide primary health care system, FRELIMO's proudest post-independence achievement, lies in ruins. Per capita spending on health by the government dropped from US\$ 4.26 in 1981 to 68 cents in 1988.⁷ About five million Mozambicans have been displaced from their homes.⁸ On the basis of the US State Department report authored by Robert Gersony,⁹ it was estimated that, in addition to those people directly killed in the actual fighting, 150,000 people had died from famine and 260,000 infants had died due to the chronic lack of food and health care, on account of the war conditions. These are also no more than rough estimates. With some 5,900,000 additional people directly and indirectly threatened by the famine, together with the destruction, between 1981-87, of 490 health centers, 1,800 schools, 150 villages and 1,500 rural shops, it was estimated that Mozambique had suffered over US\$7 billion worth of damage because of the war.¹⁰

As a result, Mozambique has become dependent on external aid for 90 percent of its marketed and relief cereal needs.¹¹ In 1986, the

⁴ As discussed below, at least one independent survey suggests that UNICEF estimates for the infant mortality rate during the 1983 famine may be too high.

⁵ Joseph Hanlon, *Mozambique: Who Calls the Shots?* London, 1991, p. 42.

⁶ Derrick Knight, *Mozambique: Caught in the Trap*, Christian Aid, London, 1988, p. 14.

⁷ Hanlon, 1991, p. 180.

⁸ Knight, 1988, p. 50.

⁹ Robert Gersony, *Mozambique Refugee Accounts of Principally Conflict Related Experiences in Mozambique*, Washington D.C., 1988.

¹⁰ COCAMO, *Mozambique: Apartheid's Second Front*, Ottawa, 1988, p. 6.

¹¹ Government of Mozambique & United Nations, *The Emergency Situation in Mozambique: Priority Requirements for the period 1990-1991*, New York, 1990.

international community donated 253,000 metric tons of grain for the estimated six million Mozambicans "in need"; enough for perhaps one-quarter of their minimum needs. By 1988, the donations had doubled; they still remain at an extraordinarily high level. With gross domestic product estimated at US\$ 2.3 billion, aid inflows valued at up to US\$ 1 billion contribute nearly one-third of GNP, and a far higher proportion to government revenue.

Though climatic adversity played an important role in the famine of 1983-84, and has continued intermittently throughout the country since then to become a major cause of famine again in 1992, the principal reason for the enduring famine in the country is the war. This chapter examines how the military strategies and human rights abuses committed by RENAMO and the Mozambique army (FAM) were instrumental in creating famine conditions.

COPING WITH FAMINE

Droughts and famines have been known in Mozambique for as long as anyone can remember, but in the past, people were able to cope with famines in various ways and their "survival strategies" usually enabled them to come through the leanest periods with minimal loss of life. Before Portuguese colonial rule, people ate drought-resistant crops, such as millet, sorghum and cassava. The Portuguese introduced maize, which became the national staple. This crop is much more dependent on adequate rainfall and its adoption heralded a more precarious food security situation for Mozambicans.

In addition to the change in the staple diet, the Portuguese also introduced two further measures which weakened the food security system in place among Mozambicans. They forced African men to grow industrial crops like cotton and they also forced them to provide labor in the mines in South Africa. This left women in the position of having to grow the bulk of the food crops in Mozambique, on top of their other domestic and reproductive duties, without adequate support from men.¹²

Two detrimental effects of labor migration in Mozambique have been dependency on food imports and the failure to use the money earned in South Africa to develop agriculture. Colonial exploitation and migrant labor eroded the former safeguards against crop failures erected by peasant communities.¹³ Throughout the 1940s and 1950s

¹² Quan, 1987, p. 12.

¹³ Kenneth Hermele, *Migration and Starvation: An Essay on Southern Mozambique*,

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famines were increasingly common,¹⁴ and in 1965, the Portuguese began a "scorched earth" policy along the Tanzanian border against supporters of FRELIMO. This often led to starvation because of the lack of sufficient land for farming after peasants had been herded into protected villages encircled by barbed wire.¹⁵ The use of famine as a weapon thus predates the current war between FAM and RENAMO.

At Independence, FRELIMO moved to take control of all local trading, arresting women traders carrying baskets of rice to village markets. When policies of villagization and collective production began to be imposed uniformly on Mozambique's great variety of soils, climate and farming practices, agricultural production was severely affected.

FRELIMO's agricultural strategy concentrated on the development of large-scale mechanized farming, to the neglect of peasant agriculture. The state farms were both costly and inefficient, producing only about 15 percent of total agricultural output at their peak. This was achieved at the cost of diverting governmental resources away from the smallholder sector, and creating an urban population reliant on food produced through a centralized and mechanized production system. The disruption of inputs to these farms and to the bulk distribution system was later to prove disastrous for the urban food supply. However, in 1981, state farms produced more than half of the total marketed food production.¹⁶

The years after Independence saw an unusual number of natural disasters. In 1977, the Limpopo and Incomati rivers flooded, causing widespread damage to crops and livestock. In 1978, the Zambezi river burst its banks and 220,000 people were driven from their homes. In 1979, Cyclone Justine hit northern Mozambique damaging agriculture.¹⁷ Up to 1980, the Mozambican government was able to contain the effects of the natural disasters and drought. The Department for the Prevention of Calamities and Natural Disasters

AKUT 32, University of Uppsala.

¹⁴ A. & B. Isaacman, *Mozambique: From Colonialism to Revolution*, Gower, 1983, p. 55.

¹⁵ Isaacman, 1983, p. 101.

¹⁶ Isaacman, 1983, p. 150.

¹⁷ Quan, 1987, p. 10.

(DPCCN) was established, and the government was able to mobilize resources to deal with the crises, and even turn them to its advantage by making the creation of communal villages a priority for the flood-affected population. Substantial amounts of food were imported—more than 350,000 tons in 1977-78.

South African policies were also damaging for Mozambique. On several occasions, Mozambican migrant workers in South Africa were expelled, removing one of the country's largest sources of foreign exchange. South Africa is not a signatory to any refugee convention, and has refused to recognize that any Mozambicans in South Africa may be deserving of refugee status; regarding them as economic migrants, the South African government has felt free to repatriate any Mozambican found inside its territory by force. South Africa also cut back traffic on the railway line to and from the port of Maputo.

However, it was only after the intensification of the war in 1981-82 that the processes which were to lead to widespread famine were set in train.

OUTLINE OF THE FAMINE

The human and economic resources of Mozambique have been ravaged by almost a decade of famine, and, according to UNICEF, 600,000 lives have been lost. This is a death toll that compares with that caused by the Ethiopian famine of 1983-85. However, except for some isolated occasions, notably during the year 1983-84, there have not been scenes of mass starvation in Mozambique. Instead, famine has meant chronic shortages of food and all consumer goods, constant insecurity and frequently homelessness, loss of assets such as livestock, and being forced to survive on a reduced and unpleasant diet of leaves and roots, and perhaps wild game, until it is possible to reach a food distribution center or plant and harvest a crop. There is no fully appropriate term in the English language to describe this prolonged state of destitution, misery and struggle to survive. Starvation as such occurred only in a few instances, such as re-education camps and some centers for the displaced, notably in Zambézia in 1987.¹⁸ However, the 1992 drought combined with continued warfare threatens a more severe crisis.

The statistics for Mozambique show, despite their limitations, an extraordinary record of precipitate decline. There can be few countries

¹⁸ W. Finnegan, "A Reporter at Large," *The New Yorker*, May 1989, and *A Complicated War: The Harrowing of Mozambique*, Berkeley, 1992.

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in the world where the existence of a functioning integrated economy has been so completely shattered. The fact that the majority of the Mozambican rural dwellers managed to survive at all is a tribute to their resilience, skill in obtaining food under great difficulty, and hardiness; it is also, to a lesser extent, a tribute to the Mozambican and international famine relief efforts.

Between the mid-1950s and the late 1960s, marketed production of maize and rice ranged between 70-125,000 tons a year. From 1970-75, this rose to between 150-230,000 tons a year. From 1977-84, it fell to about 100,000 tons a year and from 1985-1988, it fell to a mere 40-75,000 tons a year.¹⁹ Meanwhile, between the 1950s and the 1980s, the population doubled.

Between Independence in 1975 and 1983, the proportion of land under cultivation in Mozambique rose to ten percent.²⁰ By 1989, the war had reduced this figure to only four percent.²¹ In 1974, there were an estimated 1,400,000 head of cattle in Mozambique. By 1988, there were only 490,000.²² This decline in the peasant sector was matched by disaster in the state farm and commercial sector. In 1983/84, 4,032 hectares of maize were grown in these sectors; in 1986, only 285 hectares were grown. In 1983, ninety-nine hectares of beans were grown; in 1986, no beans were grown at all.²³ In 1983, the Fourth FRELIMO Congress announced a change in policy in favor of the peasant family farming sector. This was both a bid to retain the allegiance of the peasantry in the war against RENAMO and a recognition of economic imperatives.²⁴ This came too late, however, for the policy to have a significant impact, as the rural marketing system was approaching collapse.

Three factors contributed to the sharp decline in food production

¹⁹ Government of Mozambique & World Bank, *Mozambique Food Security Study*, Washington, 1989, p. 7.

²⁰ Isaacman, 1983, p. 8.

²¹ Finnegan, 1989.

²² Mozambique Information Office, *News Review*, No. 175, March 21, 1990.

²³ Mozambique Information Office, *Drought Plus Bandits Equals Famine*, September 1986.

²⁴ Quan, 1987, p. i.

and marketing after 1980. One was RENAMO's war against the economic infrastructure and the widespread population displacement that resulted from its activities. The second was the government policies restricting rural trade, setting up communal villages, and forcibly recruiting laborers in Operation Production. The third factor was the weather, which in 1983-84 turned the economic disaster into widespread human tragedy.

In the early 1980s, an unusually severe drought affected much of central and southern Mozambique. The poorest families began to suffer extreme hunger. In Tete Province, many people died as a result of a famine that received no publicity.²⁵ In Gaza and Inhambane provinces, where RENAMO activities were most intense, by August 1983, people had lost much of their remaining foodstocks and cattle to RENAMO forces and were running out of roots and berries in the bush.²⁶ An estimated 25 percent of the normally marketed grain was lost due to RENAMO action.²⁷ The exodus of people fleeing from RENAMO attacks began in earnest, and the following year there were 100,000 Mozambican refugees in Zimbabwe.²⁸

One of the few systematic surveys of famine mortality in Mozambique was conducted among displaced people in three villages, two camps and one orphanage in Gaza and Inhambane in October and November 1983.²⁹ This discovered a death rate of 96 per thousand per year, about five times normal. While this level of deaths is comparable to the general population in the famine-stricken areas of Ethiopia in 1984, it must be remembered that mortality among displaced people is typically several times higher than among the remainder of the population. The infant mortality rate was 146 per thousand, considerably less than the 240 per thousand estimated by UNICEF for the general population in the period 1982-85. Together with a child malnutrition rate of 19 percent, this indicates that although serious famine conditions existed, mass starvation was not occurring.

²⁵ Quan, 1987, p. 1.

²⁶ Joseph Hanlon, *Mozambique: The Revolution Under Fire*, London, 1990, p. 252.

²⁷ Hanlon, 1990, p. 87.

²⁸ Quan, 1987, p. 8.

²⁹ G. W. Rutherford and A. E. Mahanjane, "Morbidity and Mortality in the Mozambican Famine of 1983," *Journal of Tropical Paediatrics*, 1985, 31, pp. 143-9.

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International aid was slow in coming until the crisis had already struck. In early 1983, Zimbabwe (itself drought-stricken) was the major food aid donor to Mozambique.³⁰ It was not until early 1984, following a visit by US Senator John Danforth, that food aid commensurate with the size of the problem was forthcoming.

Mozambique became massively dependent on international aid after 1984. Food shortages became chronic and food became almost unobtainable on the official market.³¹ Food surpluses, where they existed, were sold on the black market or else bartered directly for other goods.³² In some provinces, including Gaza, more than half the peasant surplus was going into the black market.³³ By 1986, the harvests of some major crops stood at roughly ten percent of the 1981 levels. The collapse of the rural trading networks led the peasants to stop producing a surplus since there was nothing for them to buy.³⁴

Mozambique has large urban populations, and in the mid-1980s there was a fast-increasing population of people displaced from the countryside. About 6.2 million Mozambicans are estimated to buy all or part of their food through market channels. With the simultaneous collapse of the state farms and the peasant marketing system, the towns and displaced people have become almost wholly reliant on international food aid. This aid has not prevented malnutrition worsening in the urban areas to alarming levels. Between 1982 and 1990, the number of children admitted to Maputo Central Hospital with acute malnutrition tripled.³⁵ Most famines selectively affect the rural population, with urban dwellers escaping hunger: Mozambique has been an exception to this rule.³⁶

1985 and 1986 saw no let up in war-created hunger. The major

³⁰ Hanlon, 1991, p. 21.

³¹ Quan, 1987, p. 1.

³² Quan, 1987, p. 12.

³³ Hanlon, 1990, p. 89.

³⁴ Finnegan, 1992.

³⁵ Mozambique Information Office, *News Review*, December 12, 1990.

³⁶ Frances D'Souza, "Famine: Social Security and an Analysis of Vulnerability," in G. A. Harrison (ed.) *Famine*, Oxford, 1988, pp. 31-2.

RENAMO offensive in Zambézia Province in late 1986 coincided with the planting season. Around 600,000 people in the districts around Mocuba were without supplies after RENAMO began attacks on the road from Quelimane. There were 20,000 displaced people in the town alone.³⁷ Over 500,000 people were reportedly "at risk" from famine and 270,000 were displaced.³⁸

There was also a grave shortage of food amongst the poorest people in the far northern Niassa Province. Some 430,000 people were said to be "at risk" from famine as a result of floods, poor harvests and RENAMO attacks. In 1986, floods in the Zambezi Valley washed away some of Tete Province's first harvests after three years of drought. Some 458,000 people were at risk due to food shortages, and deaths from starvation occurred in Moatize District.³⁹

Meanwhile, famine spread to the far south, even reaching the outskirts of the capital. In Maputo Province, some 248,000 people (60 percent of the province's population) were facing serious food shortages in 1986. A further 22,000 people were displaced following RENAMO attacks along the border between Mozambique and South Africa. In Inhambane Province, some 430,000 people or 38 percent of the population were described as "at risk"; and in Sofala Province, some 570,000 people were in danger and 464,000 had been displaced by the war. Serious malnutrition was reported in the Chibabawa area, where some 2,500 tons of maize had been burned by RENAMO. Along the border with Malawi, some 38,000 people were facing the risk of starvation around the Angonia Plateau.⁴⁰

In 1986, many of the 650,000 registered Mozambican refugees in Malawi were undernourished and their nutritional status was deteriorating with an estimated 50 percent chronic malnutrition rate among children under five years of age.⁴¹

UNICEF estimated that 82,000 children under five died in 1985 and a

³⁷ Quan, 1987, p. 1.

³⁸ Mozambique Information Office, *Drought Plus Bandits Equals Famine*, September 1986.

³⁹ Quan, 1987, p. 1 & p. 10; Mozambique Information Office, September 1986.

⁴⁰ Mozambique Information Office, September 1986.

⁴¹ Diana Cammack, *Mozambique and the "Human Face" of Destabilisation*, March 1986.

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further 84,000 in 1986 from causes related to famine and war.

Overall, there was a marginal recovery in 1987, when agricultural production grew by seven percent. There was, however, a crisis in Zambézia, previously the richest and least famine-prone of the provinces. After 1983-84, this was the second major famine emergency in Mozambique. This followed on the successful FAM counter-offensive of that year. One aid agency worker wrote:

A big Frelimo offensive backed by Tanzanian and Zimbabwean troops has cleared the Zambeze valley of Renamo forces. The offensive has uncovered large numbers of people, mainly women and children, living in pitiful condition under rebel control, or hiding for months in bush and mangrove, living on wild leaves, roots and sometimes coconuts and fish, since fleeing from Renamo attacks in 1986. Mass arrivals of these people at established relief centres has put enormous strain on DPCCN and Red Cross facilities. These people are characterized by complete destitution, exhaustion, trauma, and very poor nutrition; most are naked or dressed only in bits of sack and rags.⁴²

While it is undoubtedly true that large numbers of people had become destitute and were suffering hunger on account of the RENAMO occupation of most of Zambézia, the famine of 1987 cannot be blamed on RENAMO alone. The FAM's counter-insurgency strategy throughout 1987 involved large-scale population displacement, so that people who had been scattered throughout the countryside, surviving on what they could grow and what they could obtain from the forests, were herded into army-controlled garrisons where no food was available, and none could be grown. Famine conditions among the displaced people in Zambézia in 1987 were the responsibility of the FAM as much as RENAMO.

Throughout 1987, 1988 and 1989, the main famine conditions were to be found in camps for displaced people in the war zones. Mortality rates reached great heights among these populations. For example, one survey done in nine camps in Lugela district, north of Quelimane, in 1989 found that 17.7 percent of the children under four years of age had died during the previous year, a rate several times normal.⁴³

⁴² Quoted in Hanlon, 1991, pp. 37-8.

⁴³ Bernard Pecoul, Olivier Cohen and Marie-Jose Michelet, "Mozambique: Mortality among Displaced Persons," *Lancet*, March 17, 1990, p. 650.

National growth in food production was repeated in 1988, but with poor weather dropped to 2-3 percent in 1989. Maize production rose by 32 percent between 1987 and 1989, and in 1990, marketed maize production was estimated at 78,437 tons, its highest level since 1984. However, international aid was still responsible for contributing more than 80 percent of Mozambique's total marketed grain supply.⁴⁴ By 1989, almost 20 percent of the population was dependent on food distribution.⁴⁵ In 1990, domestic marketed production of maize only covered ten percent of Mozambique's needs. For 1991, it was estimated that Mozambique needed 800,000 tons of grain as food aid. Of this, 243,000 tons were for emergency relief and 550,000 tons were to be sold on the market at subsidized prices.⁴⁶ Other estimates of emergency relief needs ran as high as 290,000 tons.

Since 1987, the international community has donated nearly US\$ 1 billion worth of emergency aid to Mozambique every year following annual appeals launched by the United Nations.⁴⁷

Since 1988, RENAMO has generally been on the defensive, losing about one-third of the areas it formerly controlled to the FAM. The army's advance has also led to the identification of more communities in need of food assistance. The explanation for this, from both the government and most relief agencies, has been that the needy people were either "uncovered" by the army's advance, or were willingly "recuperated" from RENAMO-controlled areas. Testimonies obtained by Africa Watch, plus the assessment of food needs made by relief agencies such as the ICRC, cast doubt on this assessment. As in the case of the 1987 counter-offensive in Zambézia, it appears that the FAM policy of forcible relocation of the population is a major contributor to famine conditions.

As mentioned above, the drought of 1991-2 has again threatened severe famine, with recent estimates of food aid needs exceeding 1.3 million tons.

⁴⁴ Julian Ozanne, "Wilting in the Shadow of War," *Financial Times*, January 15, 1991.

⁴⁵ Government of Mozambique & World Bank, 1989, p. 11.

⁴⁶ Mozambique Information Office, *News Review*, No. 198, April 4, 1991.

⁴⁷ British Broadcasting Corporation, *Summary of World Broadcasts*, October 22, 1991.

FACTORS IN THE CREATION OF FAMINE

There is little evidence that either army has deliberately intended to create famine as such in Mozambique. However, the basic military strategy of aiming to control the civilian population leads to famine as a direct and foreseeable consequence. Both RENAMO and FAM attempt to destroy the infrastructure in the other's area, and often in disputed areas as well. Both sides forcibly relocate populations away from their farms and means of livelihood, and prevent them from moving freely. This combination of destruction, forced displacement and prevention of movement is tantamount to a sentence of famine, short of the provision of large-scale compensatory assistance. The logic of the war-created famine has not been not one in which starvation is used to kill people, but one in which the threat of starvation is used to control people.

The abuse of food aid has also become an important element in maintaining famine conditions in many parts of Mozambique. Both RENAMO and FAM have been responsible for attacks on relief convoys and warehouses, and there is systematic diversion of large amounts of food aid donated to Mozambique by corrupt government officials and merchants.

The Legal Regime

The legality of these methods of conducting war is open to dispute. Protocol II Additional to the Geneva Conventions (which governs internal conflicts) makes starvation⁴⁸ of civilians illegal:

Article 14—Protection of objects indispensable to the survival of the civilian population

Starvation of civilians as a method of combat is prohibited. It is therefore prohibited to attack, destroy, remove or render useless, *for that purpose*, objects indispensable to the survival of the civilian population, such as foodstuffs, agricultural areas for the production of foodstuffs, crops, livestock, drinking water installations and supplies and irrigation works (emphasis added).

⁴⁸ "Starvation" in the sense it is used here refers to the process of depriving a person of food, not to the biological condition of a high risk of dying due directly to lack of food.

The phrase "for that purpose" makes it necessary to demonstrate that starvation of civilians is the motive of a combatant force in order for its actions to be prohibited. This would make a charge of using starvation, made against either RENAMO or FAM, almost impossible to prove. However, Protocol I, which applies only to international conflicts, goes further, removing the words "for that purpose" and adding the following statement:⁴⁹

. . . for the specific purpose of denying them for their sustenance value to the civilian population or to the adverse Party, whatever the motive, whether in order to starve out civilians, *cause them to move away*, or for any other motive (emphases added).

Under this broader definition, many of the acts committed by RENAMO and FAM in order to establish and maintain a civil base of control, or to deny that base to the opposing party, are certainly prohibited. It is arguable that the customary laws of war are reflected in Protocol I, and not in the more limited provisions of Protocol II, thus implicitly binding both sides to the stronger provisions. In any case, Africa Watch believes that any actions undertaken by a warring party, for whatever reason, which have famine as a foreseeable consequence, are violations of basic human rights and as such are prohibited.

GOVERNMENT ABUSES

Relocations

There is little direct evidence that the government has deliberately pursued a policy of creating famine. But, FAM's basic strategy of aiming to control the civilian population leads inexorably to the preconditions for famine. A government military officer explained:⁵⁰

We do move people into protected zones. It is for their safety. Otherwise the bandits would make them feed them. In remote areas we then destroy the fields—so the bandits will not become

⁴⁹ Article 54(2).

⁵⁰ Interview with FAM commander, July 1989.

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fat.

A peasant farmer from Mabote, speaking in 1990, gave a different perspective: "They say as well that they are regrouping us to protect us, but isn't it rather to hide themselves behind us during attacks? So we are afraid of all men we come across."⁵¹

The government's strategy has centered on protected villages and more recently, on moving people to district centers and accommodation camps for *deslocados*. Between 1986 and 1988, 466 such centers were set up. Many of them are nodes of government control in a sea of insurgency. Without international aid they could not be maintained. Access to international food relief is therefore one of the government's greatest assets in the war. Government relocations and the prevailing insecurity mean that local populations are deprived of their subsistence base. Without the options of migration or buying food from retailers, they come to be fully dependent on emergency food aid. When food relief is delayed or inadequate, nutrition rates plummet, and may become significantly worse than in some rural areas controlled by RENAMO.

Scorched Earth Policy

The only tangible evidence that the government has used systematic destruction of crops as a weapon of war comes from Zambézia, and particularly the campaign of 1987.

The government's counter-insurgency in Zambézia throughout 1987, assisted by Tanzanian army units and Zimbabwean special forces, involved large scale population displacement. Many districts had come under rudimentary RENAMO administration. In the army counter-offensive, large areas of farmland were burned, a tactic which contributed to the 1987 famine. As will be discussed below, Zambézia is a strategic area over which both sides fight especially hard for control.

The increasing violence in the province in 1987 also saw an increase in brutality, as RENAMO, government and allied forces herded civilians into their respective controlled zones, causing a large displacement of population trying to escape both sides.

Attacks on Food Relief

⁵¹ Quoted in Vines, 1991, p. 100.

A major responsibility for FAM throughout the 1980s was the protection of relief convoys. However, in recent years the ill-fed and ill-disciplined troops have themselves become responsible for robbing relief supplies. Some garrisons have remained neglected, failing to receive rations or wages for months. Since 1990, reports have emerged of FAM soldiers and militiamen rebelling and stealing food shipments destined for hungry and displaced civilians.

The problems along the Limpopo railway line provide one good example. In one emergency train shipment in December 1991 along this line, only 140 tons out of a total of 1,000 got through to the destination. The train was twice derailed by hungry soldiers deployed to protect it. A government inquiry concluded that the rail authorities and the army colluded in the theft. Six soldiers and eleven civilians have been detained in connection with these thefts. But the problem continues. A broadcast by Radio Mozambique on March 5, 1992 gives an indication of what continues to be a serious, indeed increasingly common, problem.

A group of Mozambique Armed Forces soldiers stole seventy-four tons of maize in Gaza province in January. That maize was intended for war-displaced and repatriated people currently living in Chicualacula. That maize was stolen from a Mozambique Railway-South train. The FAM soldiers have said that they have received no pay or food rations in a long time. Chicualacula railway station chief Benjamin Pirame, who reported the problem, has also said that government soldiers were responsible for the theft of another twenty-three bags of maize.

Such accounts are now common all over the country. In Pebane, Zambézia, the largest center for displaced civilians in the country, soldiers attacked the warehouses at least once in 1990 and once in 1991. On May 15, 1990, soldiers stationed in Pebane fired into the air to scare people away and then began stealing sacks of maize that had arrived on a boat. The battalion in question was running out of control. After the incident, the military commander in Quelimane dispatched a helicopter with officers, including his deputy, to arrest a number of the ringleaders. The latter were brought back to Quelimane. Their fate is unknown. A year later, on April 6, 1991, FAM and *Naparama* militia again assaulted the grain stores in Pebane.

In March 1990, the relief agency World Vision had to suspend an airlift to Murrua, Zambézia, when a combination of troops, militia and

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Naparama militiamen repeatedly assaulted arriving food shipments and dislocated the arms of one of the loaders.

A mob of FAM soldiers, militiamen, and civilians looted trucks belonging to the DPCCN, in the district of Murrupula, in Nampula province, on April 9.⁵² The trucks were bringing food for 18,000 civilians displaced by the war. The following day militiamen and Naparamas threatened DPCCN officials in locality of Kakuzo, Murrupula, when they sent food there. Shots were fired and DPCCN officials scrambled on board the trucks and fled. On April 15, DPCCN officials went to Murrupula district to investigate, but found a mob of soldiers, Naparama militiamen and soldiers looting the warehouse. A truck set off for the outlying locality of Namaita but was ambushed at 4:30 P.M. and the DPCCN delegate, Luciano Henriques, was shot four times in right leg. The district secretary of the Mozambican Red Cross and the driver were also wounded. The site of the ambush was just 400 meters from a FAM encampment.

In February 1991, soldiers assaulted a delegate of the DPCCN in Maganja da Costa, Zambézia because he refused to open the lock to a warehouse with grain. A soldier threatened the man and then put a bayonet between his two front teeth and twisted his wrist, breaking off the teeth.

In the same month, troops escorting a convoy of relief goods for the village of Mulevala in Ile district halted the vehicles approximately thirty kilometers from its destination and looted the entire shipment. Officials of the Provincial Emergency Commission in Zambézia said that two army officers in charge of organizing military escorts for the convoys, a Major Lopes and a commander known as "Deos da Montanha" (Mountain God), had repeatedly organized theft of aid shipments.

The situation in Nampula province continues to be of particular concern, with government soldiers and militiamen disrupting the distribution of food aid, seizing the food for themselves. Attacks on relief goods have forced one voluntary agency, German Agro Action, to suspend operations in Nampula to ensure the safety of its personnel. Following complaints from the voluntary agencies and the local population, the Attorney-General, Eduardo Mulembwe, opened an inquiry into military discipline and morale in the province in February 1992.

⁵² Report published by *Notícias* on April 19, 1990.

Diversion of Food Aid

It has become increasingly clear in recent years that large amounts of internationally-donated food aid, principally the majority of the aid that is destined for sale at subsidized prices, is being diverted for individual profit. This corruption is of concern to Africa Watch because it plays an important role in sustaining famine conditions that are causing large scale suffering and death.

One instance that has recently come to light relates to corruption among the armed forces in Nampula. Reports from military sources suggest that military officers are engaged in relief distribution rackets and that the seriousness of the situation goes beyond that already made public by military attorney Capt. Muzamilio Cassimo earlier this year.

Capt. Cassimo was detained by the military for eight hours on February 14, 1992, after making a long list of allegations against the Nampula military hierarchy, including the provincial commander, Lt.-Col. Lourenço Baptista, and the chief of operations, Capt. Coelho. The allegations were that military combat rations due to be sent to operational garrisons in Ribaué district had been exchanged for cigarettes and that a prominent Nampula trade unionist had been severely beaten. The Attorney General intervened to secure Cassimo's release and has ordered an investigation. At the time of writing the investigation continues, but the Attorney General admitted to Africa Watch in May that it is being hampered by lack of funds.⁵³ There are indications that if the investigation is pursued, evidence for the diversion of relief aid will be uncovered.

It is evident that the government is divided on the question of how best to pursue the issue of military corruption. It is a crucial issue, and one on which the very survival of the government may hinge. Attorney General Mulumbwe announced in an address to the Assembly of the Republic on March 24, 1992, that his office had declared war against corruption, particularly in the armed forces. Africa Watch commends this action, and is seriously concerned at reports that the Attorney General has since begun to receive death threats. Africa Watch believes that the government should give full assistance to the Attorney General's office on this issue.

Reliable estimates for overall losses to the aid programs through corruption and the diversion of food aid are difficult to come by.

⁵³ Africa Watch interview with Attorney General Eduardo Mulembwe, London, May 12, 1992.

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Between 1986 and 1990, 246 cases of misuse of food aid by government authorities were investigated. Sixty-seven were brought to court. There was a loss at Maputo port of 2.1 percent of the 66,000 metric tons of relief food that arrived during a six month period in 1989-90. During the same period, there was also a 2.9 percent loss of the 140,000 metric tons of relief food distributed by the government.⁵⁴ These rates of loss fall within the limits of what is considered "acceptable" by international agencies. The suspicion must, however, remain that not all incidents of diversion or loss, particularly in the provinces, were included in the figures.

Research done by the European Community Food Security Department in 1991 produced more substantial estimates of losses, this time considering the provision of food aid for sale at subsidized prices.⁵⁵ The scale of diversion revealed by this investigation—75 percent—implies that the very low levels recorded by the UN in earlier years are unrealistic. It also reveals the extent to which corruption within government contributes to the suffering of ordinary Mozambicans.

The subsidized sale of food aid has become one of the most important sources of food for the urban and peri-urban Mozambican population, complementing the provision of free food for emergency purposes. In theory, the subsidized system functions through parastatal enterprises as receivers and wholesalers of food aid, and through private retailers who have their quotas decided by the government.

The practice is somewhat different. Huge profits can be made by selling food on the parallel (free) markets in urban areas, where the price of food is high because of continuing shortages, but local currency (meticaïs) is abundant in the pockets of some consumers. In fact, according to the European Community investigation, the food aid destined for subsidized sale is distributed in the following manner:

1. Ten percent is diverted by soldiers, militiamen, security men, port workers and railway workers, and is taken before the food, having been unloaded from the ship, reaches the first warehouses of the

⁵⁴ United Nations Disaster Relief Organization, "Situation Report No. 17, 90/0127," January 24, 1990.

⁵⁵ H. Gebaver, "The Subsidized Food Distribution System in Mozambique and its Socio-Economic Impact," Technical Assistance, EC Food Security Department, Maputo, 1991.

parastatal enterprises.

2. Fifteen percent is diverted by all retailers included in the ration system and distributed on parallel markets in the neighborhood of their shops. This diversion is facilitated because most families do not have enough cash to purchase all of their monthly ration at once.
3. Fifty percent of all food aid is diverted directly from parastatal enterprises to the parallel markets. Government officials issue authorizations to numerous retailers who employ (through middlemen) thousands of saleswomen (most of whom have no formal income) to sell the food to the final consumers.
4. Only 25 percent is distributed within the subsidized system at the official price level, which corresponds to about half of the parallel market prices, in accordance with the agreement reached between the donors and the government.

Thus, most of the subsidized food allocated to the country is diverted. Food intended for the hinterland is bought by urban consumers, and much of that which does reach provincial centers is then diverted to the residents of small towns. Moreover, poor urban consumers receive only a fraction of their allocation at the subsidized price.

An important result of these diversion/distribution systems is the generation of an annual commercial and personal capital wealth estimated at US\$ 100 million among retailers of Indian origin and members of the party and government structure. These profits are then largely utilized in luxury consumption and capital flight.

The failure of food aid to reach its targeted destination means additional suffering and constant insecurity in areas that need not suffer. Two thirds of the urban population earns such a low income that they are estimated to cover only 64 percent of their calorie and protein needs, earning the majority of their income in the informal sector. The other, richer third of the population is obliged to spend much of its time on informal activities to earn an income, taking time and energy away from activities in the formal sector.

In June 1992, the Niassa Province emergency commission presented a report that concluded that the majority of the aid destined for the province was being "diverted and used illegally." The

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commission had only been able to distribute 8,553 tons out of a planned 22,131 tons (39 percent).⁵⁶

A similar tale comes from Zambézia. DPCCN noted in June that more than half the emergency goods sent to Mopeia district accommodation centers for the displaced was being diverted, leaving some 40,000 people at risk. In an attempt to improve the situation, future relief convoys are to be escorted by private sector security companies.

Africa Watch conducted a limited investigation into the diversion of subsidized food aid in the Maputo area in April 1992. Although it could not replicate the figure of 75 percent of food aid diverted arrived at by the EC investigation, a still substantial diversion rate of 55 percent was estimated.

Government taxation of food aid and lengthy bureaucratic procedures at ports and airports have also facilitated corrupt dealings in the past. On May 25, 1992, the government belatedly responded to pressure from voluntary agencies and lifted the levy of US\$ 150 per ton exacted on all airlifted food aid, also making all goods intended for free distribution exempt from import duty, together with vehicles intended for the transport of relief goods. At the same time, a special unit inside the National Customs Directorate has been set up in order to deal with all paper work relating to the import of goods for relief programs. These measures should make emergency food aid less trapped and abused by bureaucratic procedures.

RENAMO ABUSES

The first account from RENAMO itself about its tactics related to food comes from its first president, Andre Matsangaissa. In June 1979, Matsangaissa gave a vivid depiction of the movement:⁵⁷

We are not interested in policy making . . . later we will work out politics but first communism must go from our country. It is killing us, we have to kill for everything we want. We kill for food, for pills, for guns and ammunition. We have not enough guns for all our recruits and many are armed with knives, sticks and even bows and arrows. Whenever we can assist the

⁵⁶ BBC, *Summary of World Broadcasts*, ME 1404, June 11, 1992.

⁵⁷ Quoted in Vines, 1991, p. 76.

locals with food, seeds or whatever medical supplies we can obtain, we do.

This accurately reflected the way that RENAMO units appear to have operated in the early years of the war. An early South African training manual, which taught how to ambush, retreat and where to leave RENAMO propaganda, also advised units "to live off the land" by capturing supplies and destroying everything remaining so as to deny the enemy access to it. Although under Rhodesian management there appears to have been some encouragement of an embryonic "hearts and minds" campaign in 1978-9 in the Sierra de Gorongosa, the Lancaster House agreement and the transfer of operations to South Africa in 1980 appear to have ended such attempts, at least until more recently.

Destruction of Infrastructure

RENAMO targets have included railroad lines, bridges, trucks, shops, FRELIMO offices, clinics and schools. In 1982 alone, RENAMO burned 140 villages and in 1982-83, it destroyed 900 rural shops.⁵⁸ The lack of internal marketing that resulted was disastrous for rural people, who could no longer sell crops nor buy consumer goods. This was intensified after the partial disengagement of South Africa following the 1984 Nkomati accords. Documents captured at a RENAMO camp at Casa Banana in 1985 revealed that they had recently been instructed by the South Africans to wreck the transport systems in Mozambique, to destroy the Mozambican economy in the rural areas by hindering the movement of domestic produce, and to target expatriate workers providing development assistance.⁵⁹ The destruction of infrastructure is also a symbolic act, cleansing an area of government presence, providing an outlet for the accumulated grievances of the populace, and returning the countryside to a subsistence condition.

RENAMO members have on occasions polluted existing water supplies by putting dead bodies in them and in areas faced with droughts, deep boreholes, which are the only source of water, have

⁵⁸ Joseph Hanlon, *Beggar Your Neighbours: Apartheid Power in Southern Africa*, Catholic Institute For International Relations, 1986, p. 141.

⁵⁹ Derrick Knight, *Mozambique: Caught in the Trap*, London, Christian Aid, 1988, p. 33.

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been sabotaged.⁶⁰

⁶⁰ Knight, 59, p. 14.

Attacks on Famine Relief

One of the most devastating consequences of RENAMO's policy, followed on South African advice, has been the obstruction or diversion of famine relief supplies. Between 1984 and 1987, RENAMO destroyed twenty-five trucks and damaged another fifty providing famine relief. Fifteen drivers were killed and 450 tons of food and relief supplies were stolen or destroyed. At least half this destruction took place in 1987, contributing to the crisis in that year, in which some 4.5 million people faced famine and 1.6 million more were displaced.⁶¹ In 1988, another forty trucks were destroyed and twenty-three drivers and assistant drivers killed; in 1989 the figures were thirty-seven trucks destroyed and five killed.⁶² The European Community relief program estimates that it continues to lose 10 percent of its food in RENAMO attacks. Government and aid agencies blamed RENAMO attacks for cutting off one million people from food relief.⁶³ Between March and April 1989, RENAMO forces stole or destroyed food in attacks on Iapala town on the Nacala-Malawi railway line and Nacarua town in Nampula Province.⁶⁴ Over 2,000 tons of food intended for famine victims were destroyed by RENAMO when it attacked Iapala town.⁶⁵

By June 1991, deaths from starvation were running at over twenty a day in parts of Nampula Province. RENAMO was blocking attempts to send relief food supplies to Mogincual District, where the famine was most acute.⁶⁶ In August 1991, RENAMO attacked a food convoy in Gaza Province, killing a driver and destroying three trucks.⁶⁷ In October, a plane carrying relief supplies to displaced people in Sofala Province

⁶¹ Mozambique Information Office, *News Review*, No. 122, January 28, 1988.

⁶² Hanlon, 1991, p. 74.

⁶³ Emily MacFarquahar, "The Killing Fields of Mozambique," *U.S. News & World Report*, May 2, 1988, p. 45.

⁶⁴ *Mozambique File*, No. 154, May 1989, p. 23.

⁶⁵ Mozambique Information Office, *News Review*, No. 152, April 13, 1989.

⁶⁶ Mozambique Information Office, *News Review*, No. 204, June 28, 1991.

⁶⁷ Mozambique Information Office, *News Review*, No. 208, August 22, 1991.

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was attacked. RENAMO also prevented relief supplies from reaching Quixaxe.

Such attacks continue into 1992, notably in Maputo and Gaza provinces (see below).

Impositions on the Population

A senior RENAMO official recently confirmed the central role of food in RENAMO's strategy when he said:⁶⁸

Food is a tool of war, we use it to make strategic gains, but so do the FRELIMO Marxists! The key to our success is that our forces fight on full stomachs. FRELIMO is the word for hunger—the people know this and join us. The ancestors are well fed by us too. This gives us strength and fertility: we are winning. FRELIMO has none of this.

It is however a somewhat contradictory statement. RENAMO members may eat well, but often at the expense of the farmers who have grown the food. The reference to "the ancestors" refers to the "war of the spirits," which RENAMO can no longer rely on winning.

In the early 1980s, Joseph Hanlon obtained accounts from peasants of RENAMO introducing itself into new areas by giving a party and serving stolen food.⁶⁹ RENAMO also selected for attack those who had cheated the local population, as well as corrupt government officials; a practice that at times amounted to a type of "social banditry." When shops were sacked, goods were often distributed to the local population. When Luabo was first captured in 1985, RENAMO used the captured landrovers and tractors to transport some of the booty to surrounding villages for distribution among the local population. In Nampula province RENAMO appears to refrain from attacking the agricultural marketing network until the peasants have sold their crops.

From the mid-1980s, any generalization about RENAMO's operations is difficult. RENAMO's treatment of populations under its domination varies considerably. According to the accounts of Mozambicans who have experienced it, RENAMO's administrative

⁶⁸ Interview with RENAMO official Jose Augusto, Lisbon, April 1991.

⁶⁹ Hanlon, 1984, p. 229.

setup can be classified according to geographical, logistical and local political factors. Robert Gersony attempted to categorize the areas into "tax," "control" and "destruction" areas, but, given the fluidity of the insurgency, the categorization given to any particular area must be treated with caution. However, in each category of area, a different strategy towards food security can be identified.

Tax Areas

"Tax" areas equate with much of RENAMO's dominated territory. Their main function is to produce food and services for the organization, with RENAMO frequently only imposing on the local population light tribute demands, sometimes no more than that previously demanded by headmen or chiefs. Research by Ken Wilson in Zambézia suggests that tribute demands amounted to a day a week on food production in some districts.⁷⁰

Control Areas

In the "control" zones RENAMO's presence is more visible. Evidence from Gorongosa district (Sofala) in 1985, suggests that RENAMO attempted to set up an alternative administration, with crude health clinics and even some schools.⁷¹ In many cases these were poorly-resourced replicas of the government system which RENAMO had deliberately destroyed. It appears that a similar but more sophisticated system was created in western Zambézia in 1986-87.

The degree of benevolence in any RENAMO-administered district is determined by the war's progress. Military logistics, such as changing battle-fronts and the need for protection from air attack, have influenced rebel behavior. Quite sophisticated settlement patterns developed in rebel areas before 1985 in central Mozambique (these can be picked up with remote sensing and satellite photography and are confirmed by refugee accounts). Gogogo base (Sofala), subsidiary of Casa Banana headquarters, maintained a clinic, a school and extensive areas of cultivation. Civilians were required to work in the cultivated fields two days a week for which they received in return the very limited services on offer. Luxury items from Casa Banana were given

⁷⁰ Interview with Ken Wilson, Refugee Studies Programme, Oxford, June 1992.

⁷¹ Fieldwork, central Mozambique, 1985.

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only to combatants and RENAMO officials. No freedom of expression (except in religion) was permitted. When special meetings took place at Casa Banana, the Gogogo population was required to provide labor and food. These food and labor exactions meant that the civilian population starved at times.⁷²

When Zimbabwe entered the war fully in 1985, RENAMO faced an additional threat from the air. Their large bases fragmented, the key ones moving to more inaccessible locations, such as marshes or caves in kopjes. Food supplies for the resident populations in RENAMO areas deteriorated considerably. As these areas came under military pressure, RENAMO forced more peasants to enter into portering duties or forcibly relocated them. Many food production areas also returned to government control. As a result, RENAMO taxed the local populations remaining in its zones more heavily. What local support RENAMO had earlier gained, was replaced by growing ambivalence from 1985-6 as a result. As one refugee from the area said in 1989: "all soldiers want our food and daughters."

The experience at Gogogo base is part of a recurrent pattern in the Mozambican conflict. When RENAMO comes under military or logistical pressure, it becomes more authoritarian and repressive, and imposes greater exactions on the local population.

As an old man from Sofala who had just left RENAMO areas, told Africa Watch in April 1992:

Matsanga eat every thing. All our chickens, and goats are for them. If we do not fee them they beat us or take us to their base. It used to be like a light breeze; now it is a storm. This is why I left Matsanga, they eat all my food. There is more food with the *Samoras* these days.

RENAMO's tribute demands on the peasantry are a major deciding factor for the survival chances of the local population and correspondingly for the measure of local support RENAMO obtains. Accounts from RENAMO dominated zones are full of examples of different methods for escaping tribute. There are also accounts of tensions within RENAMO structures over how much should be demanded, how frequently should it be delivered and to whom it should be given.

Until recently, food has been more abundant in the areas RENAMO

⁷² Fieldwork, central Mozambique, 1985.

fully controls. The lack of an effective trading system has however meant that when natural developments such as drought created a localized shortage, hunger would ensue. A prolonged shortage would lead to starvation, as for example occurred between January and March 1989, when 5,200 people are estimated to have died from famine in Memba district in Nampula province.⁷³ The immediate cause of the crisis was a drought that had aborted two successive harvests in the district. Some rain fell in 1988, but it was only possible to plant cassava. People ate the cassava but it did not last long. Some seeds distributed in October 1988 were eaten rather than planted, while those planted did not germinate. Most famine deaths were reported to have occurred in areas overrun by RENAMO, which prevented people from leaving its controlled areas. The villagers' diet was quickly reduced to wild roots, some of which were poisonous. Once RENAMO realized it could not feed the people under its control, it belatedly allowed them to leave. Some died during their journey, others from advanced malnutrition. RENAMO continued to raid the town of Memba whenever the Mozambican government sent relief supplies.⁷⁴

Destruction Areas

Maputo and Gaza provinces are "destruction" zones. RENAMO officials have admitted as much. It is in these destruction areas that the seemingly wanton destruction of health, educational and economic infrastructure, and food stores and food aid convoys most often occurs. Reports from south and central Mozambique in 1992 describe vehicles full of food aid being burned rather than the rebels first removing their cargos. On March 9, RENAMO killed three people and wounded a further five in an ambush against a truck at Incaia in Gaza province. The truck, loaded with maize, belonged to the private wholesale company, Dilishai distributors. The rebels set it alight, utterly destroying it and its cargo. A further attack took place on April 5, at Alto Changane in Gaza province, in which RENAMO attacked and destroyed a convoy of five DPCCN trucks carrying relief aid. Two women and a child were also killed in this attack.

A different type of attack is the targeting of empty trucks, further

⁷³ Donald Arden, *Mozambique: Horror and Hope*, August 1989.

⁷⁴ Robert Vaene, "Memba: Death by Famine," *Emergency Mozambique*, No. 4, July 1989, pp. 23-4.

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weakening the government's relief efforts. This is what happened during a recent attack on February 26 on a convoy of nine trucks at Saleta, near the Nchacangare river, in Barue district in Manica province. Thirty-three people were killed, six of whom were government soldiers attempting to protect the convoy. RENAMO burned eight of the nine trucks, seven belonging to the DPCCN. The trucks, which had just made a delivery of some food aid to Tambara district, were empty on their return trip when the attack took place.

Such conspicuous displays of destruction of food are used as powerful symbols of RENAMO's destructive capacity. Not just as RENAMO claims: "to stop food reaching enemy positions." In several incidents there was time and sufficient porters to remove the bags of rice and maize if the rebels had wished. Like conspicuous consumption and ritualized brutality, the conspicuous destruction of food aid is a deliberate and effective weapon of war. It sends a very vivid message to the thousands of hungry *deslocados* (displaced people) waiting for food relief to arrive in their accommodation centers and is very effective in eroding morale. As one old man in Derre, Zambézia, said in October 1991:⁷⁵

RENAMO keeps us in Derre like an animal in a sack; anyone leaving the security of the town for food or to open farms as the rains start is liable to be killed or kidnapped. Four of us were killed yesterday and eight this morning.

The people in Derre, as in many other areas of Zambézia must choose between starvation and RENAMO. Only World Vision airlifts of emergency food avert full scale starvation.

FOOD SECURITY AND ITS EFFECTS ON THE PEACE PROCESS

Increasingly, food security dictates military strategy. As one RENAMO official admitted: "our soldiers come first, they are fighting for freedom."⁷⁶ It also contributes to the timing and progress of the peace talks which have taken place in Rome (Italy) since July 1990.

The War for Zambézia and the Naparama

⁷⁵ Quoted in *Africa Confidential*, No. 32.23, November 22, 1991, p. 5.

⁷⁶ Interview with RENAMO official João Alimante, July 1991.

Probably the best example of the importance of food security for the rebels is the history of the neo-traditional movement *Naparama* in Zambézia.

Naparama was a volunteer militia army led by Manuel Antonio, a twenty-eight-year old traditional healer, who claimed special magical powers that could protect his followers from RENAMO. Belief in his power grew so quickly that between March 1990 and March 1991, he and his 20,000 warriors were able to advance into large areas of RENAMO-dominated territory and free it. In this way many RENAMO camps were captured and hundreds of Mozambicans released from RENAMO control, the rebels having fled convinced that it was futile to fight against the spiritual protection given to Naparama's followers by magic.

A vicious series of events took place, clouded in secrecy and magic, but based upon logistical necessity. Control of Zambézia is essential if RENAMO is to negotiate a ceasefire from a position of strength. The province's fertility makes it the breadbasket of Mozambique. In 1986-7, the rebels set up in many areas a food production system based on *misonko* (taxation) and *zunde* (labor) to exploit this potential. This posed a serious threat to the government and provoked a vicious and militarily successful scorched-earth policy by the army to deny RENAMO access to supplies by making many areas uninhabitable. Most of the one million refugees now in Malawi fled this callous tug of war for control of their land. By 1989, RENAMO had to partly retreat and rely on other, less fertile, areas for food production. But with late rains in 1990, resulting in crop failure, RENAMO needed to control the most lush and fertile land, especially because it also wanted to develop a constituency of support it could dominate to give credence to its bid for power. The density of population in Zambézia made the province particularly attractive for this purpose.

In March 1991, a crack RENAMO unit, the *Grupo Limpa*, was sent north to win control of Zambézia. By August 1991, very serious fighting was taking place and RENAMO leader Afonso Dhlakama himself directed military operations in Zambézia against Naparama. Between August 9 and September 19, Dhlakama remained in the bush out of touch from the mediators of the peace talks. A late August RENAMO statement ruling out more peace talks until an (improbable) conference on Southern African peace was designed to give RENAMO time to make the military gains it needed.

RENAMO's recapture of Lalaua (Nampula province) on September 19 marked the beginning of the end for Naparama. Although, as first reported in the press, one thousand Naparamas did not die, forty-

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seven were killed and several ritually brutalized, with some having their decapitated heads left on shop shelves. This demonstrated beyond doubt to the local residents that "Naparama's magic is not as strong as the Matsanga." Once Naparama had begun to decline and fragment, Dhlakama could feel confident about participating in the peace process, knowing his forces were once more making gains throughout Zambézia. In secret talks in Malawi after Lalaua with the official mediators from Italy, Dhlakama agreed to compromise and enter the peace process more seriously. By December, Manuel Antonio was dead, killed by RENAMO; Dhlakama had toured Europe and two protocols on peace in Rome had been signed.

Many areas of Zambézia remain under RENAMO domination and some surviving Naparama units are now in loose alliance with RENAMO. Afonso Dhlakama confirmed this saying:⁷⁷

I can confirm that once Manuel Antonio was killed Naparamas realized that they had been tools of the Marxist-Leninist FRELIMO regime and so joined my forces to fight for true peace.

Other Naparama units, like that under Commander Cinco in Namapa district (Nampula province), have become fully independent bandit groups, attacking RENAMO, government and international relief efforts. Independent banditry is a problem which will have to be faced long after a ceasefire is signed. Africa Watch believes that this may account for as much as 20 percent of incidents, many of them blamed on the government or RENAMO. Largely for this reason, the government banned Naparama.

Having strengthened its grip again on Zambézia, RENAMO is hoping to build up a constituency of support there. Hoes and seed obtained in Malawi have been distributed to the people, as have captured food supplies in certain areas. The patronage linked to the distributions are recognized by the rebels as important in their attempts to win support from the increasingly ambivalent peasantry.

As part of this policy, Dhlakama has focussed on obtaining agricultural aid during his visits to the ICRC in Geneva, and educational and electoral assistance in his meetings with western diplomats and officials during 1991-2. Reports coming out of Zambézia in May and June 1992 suggest, however, that because of serious drought south of Zambézia, RENAMO has dramatically

⁷⁷ Africa Watch telephone interview with Dhlakama, Nairobi, May 20, 1992.

increased its tax demands on peasant food production there, causing great hardship.

RENAMO blames natural disasters on the Mozambican government. In a letter to U.S. televangelist Pat Robertson in November 1986, Dhlakama wrote: "we realize that the calamities of the past ten years have not been accidental, they are direct results of an atheistic system. We in RENAMO attribute our growing victories in our struggle to liberate Mozambique to our faith." In many areas, RENAMO has been quick to blame famine and illness on FRELIMO and its "evil spirits." Refugees speak of strange rituals being used in times of famine in RENAMO areas—droughts and crop failures being blamed on FRELIMO magic. Fertility of the land and food production remain critical considerations both in the secular and spiritual spheres of RENAMO's operations.

The Offensive on the Towns and Cross-Border Raids

Since December 1991, there has been a large scale RENAMO offensive on the towns, aiming to instill further insecurity in the urban areas and to erode further confidence in the government's capacity to govern. Some members of RENAMO's National Council still believe that the government will collapse from continuing military pressure, and that RENAMO will gain power by default.

The international community is concerned that this should not happen. It hopes to suck RENAMO so deeply into the peace process through a mixture of pressure and incentives, that it will be difficult for the rebels to disengage.

RENAMO's response has been to increase raiding as the peace process progresses. RENAMO believes it must capture as much territory as possible before signing a serious ceasefire agreement. As in Angola, some of the fiercest fighting of the war will take place in its final months. But there is another reason why the violence will continue to escalate. The drought in the south has forced rebel units into further raiding. Booty-rich locations in the rural areas continue to diminish. Since December 1990, RENAMO policy has been to avoid raids across the Zambian or Zimbabwean borders, thereby further limiting possible targets. This has recently changed. RENAMO attacks in Chisumbanje district in the Eastern Highlands of Zimbabwe were reported in May 1992.⁷⁸ Attacks on grain stores by suspected RENAMO

⁷⁸ *The Herald*, Zimbabwe, May 22, 1992.

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units in southern Malawi have increased since December 1991. These cross-border raids focus on food pillaging, a reflection of the current preoccupation of the RENAMO units concerned.

Raids on Mozambique's main urban and peri-urban areas have also increased, especially against the *zonas verdes* (food production zones). In January 1992, there were seventy-one attacks on Maputo alone, very largely to obtain food supplies. As long as the drought continues, this type of attack will increase.

DEMILITARIZED ZONES

The suggestion of demilitarized zones or corridors has been raised again in response to the current famine in Mozambique. Neutral relief corridors operated with varying degrees of success in Sudan, Angola and Ethiopia during conflicts there. Similar ideas have been circulating in Mozambique since the mid-1980s. The first concrete move in this direction was by the ICRC, which in 1988 obtained the government's reluctant permission to fly relief by scheduled flights along predetermined routes to recognized airstrips within RENAMO dominated territory. Until 1990, the flight arrangements were transmitted to RENAMO from ICRC headquarters in Geneva (Switzerland) via Tom Schaaf and his Mozambique Research Center (MRC) in Washington D.C. The MRC supplied RENAMO with solar-energy battery chargers, lap-top word processors and printers which could be linked into TR-48 radios for the purpose.⁷⁹

Around the same time, the Malawi government suggested that a small section of Mozambique adjoining their western border should be established as a safe zone for repatriated Mozambicans. It would be administered by Malawi with the help of an international peacekeeping force. The proposal was ignored.⁸⁰

In June 1991, the ICRC tried to develop this concept by lobbying for international support for setting up "neutral safe zones" in RENAMO areas, similar to what had been adopted in Iraqi Kurdistan. This also came to nothing, partly because of the cost, and partly because of a consensus among western donors that the situation in Mozambique did not resemble that in Kurdistan.

This was followed in October 1991, by Dhlakama announcing that

⁷⁹ Interview with informal RENAMO lobbyist Tom Schaaf, Washington D.C., December 1989.

⁸⁰ Finnegan, 1992, pp. 160-1.

his forces would no longer attack the Limpopo corridor (in fact they have continued attacks). In November, Dhlakama also suggested that the border town of Ressano Garcia could be treated as a "peace zone," as long as the government also demilitarized the town. If successful, other peace zones would follow. Nothing further happened. Finally, on December 1, 1990, at the same time as the Rome Agreement partial ceasefire was signed, it was announced that both RENAMO and the Mozambique government would from that date allow the ICRC a free hand in its relief operations inside Mozambique.

Although international efforts to create them have failed, neutral areas in rural Mozambique do nevertheless exist. This is because of agreements between neo-traditional authorities and the warring factions; the Mungoi and Samantanje examples have been mentioned in chapter 2. Commercially-based agreements have also been successfully negotiated. In return for payment, RENAMO stopped attacking the Nacala railway line in August 1990, and since February 1991, the Cahora Bassa power lines. There are even accounts of local RENAMO commanders making local agreements with FRELIMO or Zimbabwean units not to fight each other. The lesson from these agreements is that RENAMO can arrange a significant reduction of violence if it decides to, allaying fears that it is unable to control its forces.

The government in Maputo has now also begun to consider neutral relief corridors. The extent of the 1992 drought and the need to regain influence in rural areas have contributed to this change in thinking. Jacinto Veloso, Minister for Cooperation voiced this change on March 11, saying that he could see "no objection" to the concept of neutral relief corridors. The government continues however to hold reservations over how such a proposal would be put into practice.

Both the government and RENAMO are conscious of the political implications of relief distribution. The government's greatest concern is how to establish its own authority in the distribution of food aid so that RENAMO's combatants do not obtain access to relief supplies.

ICRC distribution of relief aid in rebel areas is, as the officials themselves concede, "not fool-proof." When the ICRC set up semi-permanent clinics in RENAMO dominated zones in 1991, the rebels moved strategic installations close to them. This gave RENAMO better protection against air attack and immediate access to ICRC facilities. It also symbolically strengthened RENAMO's attempts to demonstrate to the peasantry in its zones that it too had the capacity to attract international relief aid. Since early 1992, the ICRC has abandoned this type of operation, returning to distributing aid through mobile means rather than at set positions—making this kind of strategic military

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abuse more difficult.

RENAMO also takes an interest in "neutral relief" because many of the areas it holds are seriously affected by drought. The increasing numbers of peasants moving out of RENAMO dominated territory since March 1992 raises problems for RENAMO too.

On March 13, Dhlakama claimed that his negotiating team needed a "holiday" period in Gorongosa (Sofala province) after the end of the tenth round of peace talks in Rome. This is similar to the delay in the peace process it sought in August 1991, when RENAMO had its sights on destroying Naparama. In a communique issued on April 10, 1992, following a seven day meeting of RENAMO's National Council, Dhlakama demanded that the pre-set agenda in Rome on military issues in the eleventh round of talks should be ignored and that instead discussions should be undertaken on the "Constitution in order to suspend all the articles which jeopardize the democratization process." The communique is deliberately double-edged. The Constitution is by far the most contentious issue in the peace negotiations, although technically it should have been resolved earlier in Protocol One. By digging its heels in on such a contentious issue, RENAMO has found an efficient delaying tactic concealing its difficulties in working out a negotiated position on other, less controversial, issues—among which questions relating to food security rank high.

Events since then (and comments by RENAMO officials) show that logistics on the ground, especially food supplies, continue to preoccupy RENAMO. Since December 1991, RENAMO has been demanding large amounts of financial assistance as a condition for continuing to participate in the peace process. In December it asked for US\$ 3 million. The figure has now reached US\$ 10-12 million.

The wrangling over access to food aid is therefore doubly critical for RENAMO. It recognizes that it is more vulnerable to the drought than the government. Taxing the already struggling civilian population in its dominated zones to feed its combatants further erodes whatever support it enjoys and encourages migration to government zones. Although RENAMO has some stockpiled food, the surplus from past taxation of the peasantry, this is in secluded and well-guarded grain bin camps (often in caves in kopjes) and is not sufficient to feed civilians. By July, this reserve will be nearly, if not completely, exhausted.

Although RENAMO issued a call on April 9, for the establishment of neutral corridors, it is divided over strategy. As a result, several attempts by the mediators and the US government to discuss the drought situation with RENAMO across a table failed that month. The drought has clearly created a crossroads in RENAMO's peace process

strategy.

On April 25, Afonso Dhlakama met Herman Cohen, US Assistant Secretary of State for African Affairs, in Lilongwe (Malawi). He agreed to return to the set agenda of the Rome peace process, dropping his demand that constitutional issues should be discussed before military matters. But he rejected a US proposal that a temporary truce should be declared throughout the country so that relief could be freely distributed. RENAMO continues to support aerial corridors only, and rejects overland distribution of relief. For its part the government responded to Cohen's proposal by offering to stop fighting in certain zones. President Chissano went a step further on May 1, saying: "the government is ready to allow the international community to go and help the Mozambican people wherever they are, even if they are with RENAMO rebels."⁸¹

Air corridors for mass relief distribution are not popular, even with the ICRC, which has been using them since 1988. They are the most expensive way of transporting food, as each flight can only carry three or four tons. The depth and urgency of the current famine requires the immediate use of land transport if deaths on a large scale are to be avoided. It is therefore imperative that RENAMO modify its position. Following a private visit to Britain organized by "Tiny" Rowland, head of the British company Lonrho, between May 14 and 19, Dhlakama stated to Africa Watch that: "The roads will be opened as soon as the international mechanisms for effectively monitoring relief distribution are in place."⁸² It remains to be seen whether this statement is followed by deeds. In late May, UNICEF and the World Food Program held discussions with RENAMO over opening up relief corridors. These made little progress.

The battle over famine relief continues meanwhile. RENAMO has clearly more to lose than the government. Paradoxically climatic disaster has given the government several advantages. The large numbers of peasants flooding back into government areas and its access to international relief aid have strengthened its hand. If the government can ensure its troops do not pillage and divert the food aid from the needy it may even gain votes in the proposed elections. RENAMO's options are limited. If it makes relief distribution difficult in its zones, people will leave for government locations. In Manica and

⁸¹ Africa Watch present at address by President Chissano, May 1, 1992.

⁸² Africa Watch interview with Dhlakama, May 20, 1992.

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Sofala provinces these are the very people RENAMO is targeting for votes and support once a ceasefire is signed. In some districts the drought is already destroying RENAMO's attempts to develop a more benign administration. Tax demands for hungry combatants and military offensives are making such attempts irrelevant. Access to food and water are clearly the main political tools of the moment.

A peasant farmer interviewed by Africa Watch in May 1992 in Maputo province, is fatalistic, saying:

Matsanga is angry and is hungry because he has nothing to eat. They can sign a peace accord, but Matsangas will keep killing because they are hungry.

CONCLUSION

The chronic famine which has affected Mozambique, both rural and urban, has been the way in which the war has most severely affected the largest number of ordinary civilians in the country. The degree of suffering and numbers of deaths caused by hunger and disease are far greater than those caused directly by the fighting itself. While there is only limited evidence to suggest that either side has deliberately planned to reduce the civilian population to conditions of famine, this has been the inevitable and foreseeable result of their military policies since 1984 at least. While not expressly forbidden by the applicable law (Protocol II Additional to the Geneva Conventions), military operations of this kind are contrary to the spirit of the customary laws of war. They are also morally reprehensible.

An agreement for the distribution of relief supplies to all needy people is needed urgently if further tragedy among the Mozambican peasantry is to be averted. Thousands of lives are at risk because, in 1992, severe drought has created additional calamity. An immediate truce is by far the best way to ensure the preconditions for the distribution of relief; if this cannot be achieved, then an agreement for the free distribution of relief is required, if necessary with protection provided by a neutral force to ensure safety from attacks by bandits and undisciplined RENAMO or FAM combatants.

7. THE CONSTITUTIONAL ORDER

Mozambique's post-Independence constitutional history falls into two distinct phases: a period of a systematic attempt at building a socialist society, followed by a period of increasingly liberal reform, culminating in the new constitution of November 1990, and related legislation. Underlying this dramatic reversal, however, is a common theme: poverty, lack of education and the absence of the independent institutions needed for civil society to function make the contents of the constitution irrelevant to many Mozambican citizens. Changing the law is only the first step to changing the practicalities of respect for human rights.

INDEPENDENCE

Mozambique's first constitution was approved on June 20, 1975, five days before independence, by acclamation by FRELIMO's Central Committee. The document was essentially a set of guidelines on how FRELIMO would rule the country. The president of the party automatically became the president of the People's Republic. The Central Committee had the power to amend the constitution while the Council of Ministers had legislative authority pending the establishment of a national parliament.

The 1975 Constitution embodied the Marxist ideology that had informed FRELIMO policies since the late 1960s. Its stress was on social and economic rights, rather than civil and political liberties. President Samora Machel was primarily committed to two principles: the transformation of the material base of the life of the Mozambican people, and the continuation of the struggle. Article 4 of the constitution began:

The People's Republic of Mozambique has the following fundamental objectives:

- * the elimination of colonial and traditional structures of oppression and exploitation and the mentality that underlies them.

The claimed need for socialist transformation—emphasized in the amended constitution of 1978—followed from the failure of centuries of colonial rule to deliver any substantial improvements in the living standards of ordinary people. The continuation of the armed struggle was said to be necessary because of the presence of militarily aggressive white minority regimes in neighboring South Africa and Rhodesia and the existence of "internal enemies" within Mozambique

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who were hostile to the FRELIMO government and prepared to collaborate with its external foes. The combination of the two created an example of what has been called by Prof John Markakis, elsewhere in Africa, "garrison socialism."

During the transitional government in 1974, FRELIMO had relied almost exclusively on the Dynamizing Groups (GDs), which were groups of eight to ten people organized in factories, urban neighborhoods and villages to implement party directives. These directives were largely concerned with mobilization for defense, political education and the implementation of radical social and economic policies. FRELIMO was committed to destroying the colonial apparatus, which it labelled (correctly) both racist and fascist, and replacing it with a new system that gave FRELIMO absolute control, ruling through the concept of "democratic centralism."

In 1977, FRELIMO became a Marxist-Leninist vanguard party tied to a host of "mass democratic" organizations grouping youth, women, workers, journalists and others. There was to be "unity of power." The Central Committee report to the Third Party Congress in 1977 described the structure as:

A single center which enjoys the confidence of all militants and of the masses in general, to lead the party organizations in their entirety. Our party represents the interests of the labor classes as a whole, and not the private interests of individuals or isolated groups. Therefore, the party has to carry out the gigantic task of bringing together all the forces existing within the masses, and orienting them in the direction of a single directive, thus lending unity to disparate actions. The party can only realize these tasks if the leadership is centralized.

Parliament, in the form of the People's Assembly, was created in 1977 together with an hierarchical system of indirectly elected assemblies at the provincial, district and locality levels. A fifteen-member Standing Commission of the People's Assembly, which included six members of FRELIMO's Politburo and four other members of its Central Committee, had full legislative powers when the Assembly was not in session.

Election of deputies to the People's Assembly consisted of the party's presenting a list of nominated candidates and the provincial assemblies approving it. At the locality and district levels, some elections that resulted in victories by candidates whom FRELIMO opposed, usually traditional chiefs, were annulled. The Elections Act of September 1, 1977, said that deputies "do not serve nor represent the

particular interests of any village, locality, district, province, region, race, tribe or religion" but should serve the interests of "workers and peasants" in carrying out FRELIMO's policies.¹ The assemblies' legal basis was established on August 15, 1978, with amendments to the Constitution.

By the early 1980s, the People's Assembly had become a rubber stamp, with no policy-making or legislative functions and even failing to meet the statutory twice a year. When the government took the controversial decisions to expand the death penalty to cover economic crimes on March 16, 1983, and two weeks later to re-introduce flogging, one of the most hated forms of punishment under colonial rule, the Assembly did not debate either issue.²

REPRESSION AND RELAXATION

Despite the enthusiasm for the purity of Mozambique's Marxism in left-wing circles in the late 1970s, the country was not destined for socialism. The international environment, the war, and the flexibility of the FRELIMO leadership meant that ten years after the achievement of independence, the socialist transformation was, slowly at first, put into reverse gear.

The late 1970s and early 1980s saw the government award itself a range of arbitrary powers, with a consequent disregard for human rights. In 1979, President Machel introduced capital punishment, making the death penalty mandatory for certain offenses such as high treason and armed rebellion. Cases were heard by a Revolutionary Military Tribunal, a five-member panel of Armed Forces members. The accused, whose investigations were carried out by the security service, SNASP, had no right of appeal. The first ten defendants, who had committed their alleged crimes before the new law was passed, were sentenced to death retroactively on March 31, 1979, and executed by firing squad the same day.

In January 1983, seven alleged RENAMO members were killed in the southern provinces of Maputo and Gaza in two public executions. Flogging was introduced for use by all courts in March, and in the same month the list of crimes warranting the death sentence was expanded to include black marketeering and armed robbery. In April,

¹ Margaret Hall, "The Mozambican National Resistance."

² Hanlon, *Revolution under Fire*.

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a train driver, Jose Manderero, and an Indian businessman, Goolam Nabi, were executed for smuggling prawns, a crime which did not carry the death penalty when they were alleged to have committed it. Machel closed the Faculty of Law at Eduardo Mondlane University after accusing the law profession of defending the nation's exploiters at ordinary people's expense. It was only re-opened five years later.

During the early 1980s there were, however, some encouraging signs of recognition of the importance of the rule of law. In November 1981, following reports of abuses, Machel launched the *Ofensiva pela Legalidade* (Legality Offensive), created the State Inspectorate to look into cases of abuse of authority, and, according to official sources, dismissed 400 security officials. SNASP kept its powers of indefinite detention, however, and there were continued reports of torture.

In April 1984, acknowledging continuing complaints about human rights violations, the People's Assembly ordered that the 1981 Legality Offensive be continued. The judicial authorities reviewed cases of long-term detainees in July, and in September fifty were released. By 1985, there were fewer reports of torture. The last death sentences in Mozambique were carried out on ten people convicted of RENAMO-linked crimes between February and May 1986. Flogging also declined sharply. The government created the National Institute for Legal Assistance (INAJ) in April 1986, with seventy members, thirty of whom were qualified lawyers.

By the mid-1980s, the simultaneous intensification of the war and the precipitate decline in the economy were forcing FRELIMO to examine the fundamentals of its policies. Fundamental among these re-examinations was a policy of economic *perestroika*, whose origins predated that of the USSR. The economic reforms have relevance to the examination of human rights because they illustrate a readiness for rapid retreat from counter-productive doctrinaire positions, which was later to augur well for the adoption of a constitution embodying guarantees for basic human rights.

The Soviet Union refused to allow Mozambique to join the Communist trading bloc, Comecon, which obliged the government to look to the west for economic assistance and trading relations. The USSR also declined to provide large-scale military assistance, in contrast to other socialist states in Africa such as Angola and Ethiopia. Such lack of external supply made "garrison socialism" impossible. President Machel had been instrumental in persuading Robert Mugabe, soon to be President of Zimbabwe, to accept the British-sponsored Lancaster House agreement of 1979, which led to Zimbabwean independence in 1980. In 1983 Machel called in the debt, visiting London and avowing his admiration for Prime Minister

Margaret Thatcher. British backing helped President Machel to meet President Ronald Reagan two years later. Negotiations with the International Monetary Fund and the World Bank were begun, to introduce major reforms of the economy, which came to fruition in January 1987 with the adoption of the Economic Rehabilitation Program (PRE). This called for a much greater role for the private sector, major spending cuts, and massive devaluations of the national currency, the metical: it signaled the end of Marxist economics in Mozambique.

Even while President Machel was still alive, comparable political reforms were underway. These accelerated under his successor, President Joaquim Chissano, so that by 1988 significant steps had been made towards political and judicial systems that respected basic human rights.

The People's Assembly's first major amendment to the constitution came on July 25, 1986, when the offices of the Prime Minister and President of the People's Assembly were created. The creation of a Prime Minister's office was officially designed to allow President Samora Machel to devote more time to the war effort; it also signaled a marginal delegation of powers away from the President.

The second general elections since independence were held between August 15–November 15, 1986, to elect deputies to assemblies at all levels. There were several significant changes to the voting. Unlike the 1977 polls, when deputies to the People's Assembly were nominated by the FRELIMO Central Committee and simply ratified, this time the provincial assemblies actually chose the deputies, who, although nominated by FRELIMO, did not have to be party members. The war, however, disrupted the elections in certain areas, principally Sofala, Zambézia and Tete provinces.

The Constitution, as subject to revision in 1986, envisaged for the first time the elections of the President of the Republic, to be carried out by the Provincial Assemblies, for a five year mandate. This would enable the presidential elections to coincide with the periodic assembly elections.³ Explanatory notes with the draft also indicate that universal suffrage had also been seriously considered, but rejected on account of the war.

In the confused situation following the death of President Machel in an air crash on October 19, 1986, the constitutional revision process was suspended. Although a revised constitutional text was approved

³ Article 63 of the revised draft of the Constitution, 1986.

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by deputies in September 1987, during the second session of the People's Assembly, it was apparently not acceptable to President Joaquim Chissano, Machel's successor, who returned it to the Commission for Revising the Constitution for further review.⁴

Much more radical reform was then instigated by President Chissano. In December 1987, the People's Assembly approved legislation which granted amnesty to RENAMO fighters who turned themselves in. The assembly substantially reduced the sentences of many security prisoners—sentences of between two and eight years were cut by one-half, those of between eight and twelve years were cut by one-third, and sentences longer than twelve years were cut by one-quarter.

At the end of the year, the People's Assembly approved an amnesty law that freed many political prisoners and offered RENAMO members the chance to surrender without fear of legal prosecution. By 1988, the number of security detainees had fallen to 1,400, and official sources put the number of rebels who took advantage of the amnesty at 3,000. In May that year, the government granted the International Committee of the Red Cross (ICRC) access to security prisoners. In July, a law setting up military courts came into force, thus separating the military and civilian jurisdictions. In August, the People's Assembly ratified the African Charter on Human and People's Rights.

The Supreme People's Court was set up almost exactly a decade after it had been originally proposed by the People's Assembly in December 1978. The Revolutionary Military Tribunals were abolished in March 1989, with Chissano calling an independent judiciary "a decisive condition for the protection of human rights." An estimated 1,000 political detainees were released. Later in the year, flogging was halted and habeas corpus restored.

In the mid-1980s, FRELIMO also began an attempt to improve relations with the churches. The Roman Catholic Church in particular had been a target of FRELIMO hostility because of its failure to support the independence struggle, and because of the prominence of individual Catholics in RENAMO. In 1983, Chissano met with senior Mozambican clerics to discuss improving state-church relations, and over the following years the relations slowly but significantly improved. One issue that continued to sour the dialogue, however, was the Catholic bishops' call for peace negotiations with RENAMO. The government-controlled daily newspaper, *Notícias*, called them "the

⁴ Margaret Hall and Tom Young, "Recent Constitutional Developments in Mozambique," *Journal of African Law*, 35 (1991), pp. 105-7.

apostles of treason." The FRELIMO party *Boletim de Celula* asked: "How can representatives of the Catholic Church even think of upholding such a criminal and immoral position which runs against all the principles of their religion?"

Another religious group which had suffered at the hands of FRELIMO was the Jehovah's Witnesses. Following independence, most were confined to re-education camps. In 1987, Jehovah's Witnesses who had been in a camp that was overrun by RENAMO were allowed to return to their original homes, rather than continuing in internment.

PEACE NEGOTIATIONS

The fundamental obstacle to the achievement of respect for civil and political rights was the war. The Nkomati agreement of 1984 was a mutual non-aggression pact with South Africa, involving no concessions to RENAMO, and South Africa failed to abide by the agreement. For a further four years, FRELIMO's internal political developments were not accompanied by further attempts to achieve peace, other than public complaints about South Africa's continued support for RENAMO.

In late 1988, this began to change. President Chissano met with South African President Botha at Songo and secured a pledge that Pretoria would abide by the Nkomati peace accord. At the same time, Chissano gave senior officials of the Roman Catholic, Anglican and Protestant churches permission to open direct contacts with RENAMO leaders. A breakthrough came in February 1989, when a delegation of Mozambican Catholic and Anglican bishops travelled to Nairobi, Kenya, to meet two senior rebel leaders from inside Mozambique. They returned to Maputo to tell Chissano that they believed that RENAMO too was tired of the war and that peace negotiations were possible.⁵

As a result, the FRELIMO leadership drew up a twelve-point position paper which called on RENAMO to halt its attacks and offered "a dialogue about the ways to end the violence, establish peace and normalize the life for everyone in the country." The so-called "non-paper," which Chissano revealed in July 1989, marked FRELIMO's first concrete step on the road to a negotiated solution to the conflict. It won wide international approval.

At its Fifth Congress held in Maputo later the same month,

⁵ Interviews with the bishops.

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FRELIMO dropped its commitment to Marxism-Leninism, claimed to represent all Mozambicans and not just the working classes, and supported a mixed economy. The congress theses had been discussed in party-run public meetings throughout the country. Chissano had referred to RENAMO, dubbed *bandidos armados* by the state-controlled media, as "our brothers in the bush." When the gathering opened, amid power cuts and attacks on Maputo's outskirts, there was little surprise that FRELIMO would drop its commitment to Marxism-Leninism, open its doors to everyone from business people to polygamists, and endorse Chissano's effort to negotiate a peace deal. In many respects, FRELIMO had returned to mid-1960s, the days of the national front.

While the political reforms came at breakneck speed, the peace process only plodded, despite diplomatic contacts with both sides by the United States, South Africa, Kenya and Portugal. Afonso Dhlakama did not respond to FRELIMO's twelve-point "non-paper" until August, as heavy Zimbabwean attacks around Gorongosa delayed his departure from Mozambique across the Malawi border en route to Nairobi. By the end of the year, the first round of talks had not taken place. Chissano's calls for the rebels to participate as individuals in the constitutional revision process, made in late-1989, went unanswered. RENAMO leader Afonso Dhlakama renewed his demand for the election of a constituent assembly to draw up a new constitution.⁶

At a rally in Maputo on January 9, 1990, Chissano unveiled a draft constitution that would radically reshape the legal basis of society. The proposal would guarantee basic individual freedoms, universal suffrage by secret ballot in direct elections to the presidency and legislature, an independent judiciary, a free press, habeas corpus, the right to strike, and a ban on the death penalty. Three months later, the constitution was submitted to a public debate, as the government sent brigades to towns and villages to discuss the draft.

Chissano's announcement came amid rising public criticism of the government and the worst outbreak of strikes ever seen in independent Mozambique. The economic adjustment program saw food prices soar, the metical's value plummet, and the state budget cut. Over \$800 million in foreign aid accounted for three-quarters of the government's budget.

Many Mozambican journalists saw the draft constitution as a chance to push for a freer press. In February, 165 journalists

⁶ Interview with Dhlakama in Nairobi, December 1989.

nationwide signed a petition to President Chissano entitled "The Right of the People to Information."

The first round of direct negotiations between FRELIMO and RENAMO delegations began in July 1990 in Rome, with the Roman Catholic Archbishop of Beira, Jaime Gonçalves, and representatives of the Italian government and the Santo Egidio community, a Catholic lay charity, sitting in as observers.

After the negotiations, and when the public debate had officially closed, Chissano announced on July 31 that the FRELIMO politburo unanimously favored the adoption of a multi-party political system. In August the Central Committee endorsed that view and voted that the word "People's" should be dropped from the names of the country and state institutions, such as the People's Assemblies and the People's Tribunals. On November 2, 1990, the People's Assembly approved the new 206-article constitution, and at midnight on November 30, the People's Republic of Mozambique became the Republic of Mozambique. The word "People's" was dropped from all official names.

THE 1990 CONSTITUTION

With the new constitution, which entered into force at midnight on November 30, 1990, Mozambique took a major step toward setting up the institutional framework to guarantee the human rights of its citizens. The new constitution envisages periodic elections for the presidency and the legislature with universal suffrage by secret ballot. Sovereignty resides in the people. Article 96 says, "Individual rights and freedoms shall be guaranteed by the state and must be exercised within the framework of the Constitution and the law." The establishment of an independent judiciary and an Attorney General's office, the abolition of the death penalty, provision of habeas corpus, and the right to the presumption of innocence were the center of the government's legal reforms. The constitution also established a multi-party political system and the unfettered right to own private property.

While the Independence constitution enshrined the leading role of FRELIMO, the basic principles of the new constitution limit themselves to praising the party for its role in winning independence from Portugal. They define the Republic of Mozambique as an independent democratic state of social justice in which sovereignty resides in the people. Portuguese is the official language, but the state is committed to promoting the development of national languages. The principles also pledge state respect for "the activities of religious denominations

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in order to promote a climate of social understanding and tolerance, and to strengthen national unity."

All Mozambicans are to be treated equally before law, and the constitution guarantees the right to life and physical integrity, free from torture or cruel or inhuman treatment. Freedom of religion, expression, and association are also guaranteed. Other rights include freedom of movement, recourse to the courts in case of a violation of constitutional rights, and the right to strike. Citizens shall be presumed innocent until proven guilty and those detained or imprisoned illegally have the right of habeas corpus. The state is liable for damage or injury caused by illegal actions of its agents. These rights may be limited or suspended only during states of war, siege, or emergency, which can be declared by the President and must be ratified by parliament, the Assembly of the Republic. States of siege and emergency must be renewed after six months.

All forms of ownership, including private, shall play a role in the economy. The constitution says the economic order shall be based "on the value of labor, on market forces, on the initiatives of economic agents, on the contributions by all types of ownership, and on the role of the state in regulating and promoting economic and social growth and development. . . ." ⁷ The state retains control over land, however, and in determining how it will be used, "shall recognize and protect rights acquired through inheritance and occupation. . . ." ⁸ The state can only expropriate property on grounds of public interest with just compensation. Forced labor is forbidden, and all employees have the right to form associations and trade unions. All citizens shall have the right to medical care and education.

The constitution guarantees popular participation in politics through "universal, direct, secret, and periodic suffrage, through referenda on major national issues, and through permanent democratic participation by citizens in the affairs of the nation." ⁹ Anyone over eighteen years of age can vote and be elected. It defines political parties as "expressions of political pluralism" which must work "as fundamental instruments for the democratic participation of citizens in the government of the country." Political parties must, however, defend national interests and not advocate or resort to violence.

⁷ Article 41.

⁸ Article 48.

⁹ Article 30.

All representative organs of state must be chosen through elections. The head of state and government is the President, who is to be elected by direct universal suffrage for a five-year term and can be re-elected only twice consecutively. Previously, the president of FRELIMO automatically became the president of the nation. Each candidate must be a citizen by origin, as must his or her parents, and at least thirty-five years of age. The original draft constitution had proposed a minimum age qualification of forty years, which would have ruled out RENAMO leader Afonso Dhlakama, whose registered birthdate is January 1, 1953.¹⁰ To be nominated at least 5,000 voters, 200 in each province, must propose the candidate. The contender who wins a simple majority on the first or, if necessary, on the second ballot is elected.

The President's powers are vast under the new constitution. He can declare states of war, siege and emergency, although they are subject to ratification by the Assembly of the Republic, as are the presidential nominations of the President and Vice President of the Supreme Court, the President of the Constitutional Council, and the President of the Administrative Court. The President is commander-in-chief of the Armed Forces, appoints the Prime Minister, ministers and provincial governors, can dissolve the Assembly and is able call general elections and referenda. He appoints and dismisses the Attorney General and Deputy Attorney General of the Republic. The President can reject legislation, although the Assembly can override a presidential veto with a two-thirds majority vote.

The Assembly of the Republic, formerly called the People's Assembly, shall also be elected in direct elections by secret ballot. Its 200-250 deputies are elected for a five-year term and have the power to elect the President of the Assembly and the Standing Commission. The considerable powers previously enjoyed by the Standing Commission have been sharply reduced, leaving it as a "governing board of the Assembly of the Republic." Some of the powers have been taken by a new body, the National Defense and Security Council, a consultative body to the President. The council has powers to call for a state of war as well as the suspension of constitutional guarantees and the declaration of a state of siege or emergency before the President actually declares such measures. Under new security legislation passed on July 16, 1991, the Council will also assist the president in running the country's new intelligence agency, the SISE.

¹⁰ Birthdates are frequently not recorded in Mozambique, and people tend to register their birthdates on January 1 of the year when they believe they were born.

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The new constitution also provides for a Constitutional Council with powers both to decide on the constitutionality of acts by state organs and to supervise elections and referenda. Fundamental amendments to the constitution must be approved both by the Assembly and by voters in a national referendum, while a two-thirds majority in parliament can pass lesser changes.

DEVELOPMENTS SINCE NOVEMBER 30, 1990

The adoption of the 1990 Constitution marked a significant turning point for human rights in Mozambique. It was a clear and public commitment by FRELIMO to respect basic human rights and to the adoption of a pluralist political system. It was also an astute political move, because, by conceding the major political demands of RENAMO, the government left the rebels without a coherent political basis for continued armed opposition. However, progress towards peace and the establishment of respect for human rights has been extremely uneven.

On the following day, December 1, government and rebel negotiators meeting in Rome signed their first-ever agreement, to confine Zimbabwean troops to two transport routes, the Beira and Limpopo corridors, running through the central and southern parts of the country. In return, RENAMO agreed not to attack either the Zimbabweans or the transport routes.

To monitor the mini-ceasefire along the transport corridors, the two sides agreed to establish a Joint Verification Commission, with representatives of eight nations—Britain, the Congo, France, Kenya, Portugal, the Soviet Union, the United States, and Zambia—as well as of FRELIMO, RENAMO and Zimbabwe. The three rebel representatives arrived in Maputo with diplomatic immunity in late December. Despite early violations of the agreement, which the commission blamed on RENAMO, the ceasefire held for six weeks, from January 9 until mid-February. Then rebel spokespersons, alleging that Zimbabwean troops were outside the restriction zone in fifty-two places, publicly announced RENAMO's decision to violate the ceasefire.

On December 1, the two sides signed an accord with the ICRC promising to halt forced removals and to allow civilians to live where they chose.

The legislature, the Assembly of the Republic, approved a law regulating political parties in December. It required that, to register as a party, each movement must obtain 5,000 signatures from supporters, one hundred of whom must come from each of the country's eleven provinces. Government specialists had finished a draft electoral law by

February and promised to submit it to RENAMO and other opposition parties for their views.

In February 1991, the Liberal and Democratic Party of Mozambique (PALMO) held the first-ever press conference by an opposition political party since independence. In May, PALMO held its first national congress.

On April 16, 1991, the National Organization of Journalists (ONJ) held its Third Congress in Maputo, abandoning its direct link to FRELIMO and holding its first multi-candidate elections by secret ballot. The ONJ effectively became a trade union of journalists, with the first article of its new statutes describing the organization's task as uniting Mozambican journalists "for the defense of their socio-professional and trade union rights."¹¹ The trade union movement (OTM), women's organization and Mozambican Youth Organization (OJM) followed over the succeeding months.

In May, a long-time opponent of FRELIMO, lawyer Maximo Dias, leader of the Lisbon-based Mozambique Nationalist Movement, returned to Maputo after fifteen years in self-imposed exile.

In early July 1991, the newly renamed parliament, the Assembly of the Republic, passed a series of wide-ranging laws that abolished the state secret police, the People's National Security Police (SNASP), and guaranteed freedom of the press, association, and assembly. The July 16 unanimous vote to abolish SNASP, replacing it with the State Information and Security Service (SISE), represented one of the most important improvements in Mozambique's human rights situation. Since its creation in October 1975, SNASP had been guilty of widespread human rights violations, including extrajudicial killings and torture. The new body, the SISE, is to remain solely an intelligence-gathering agency with no police powers. The President of the Republic is to appoint the Director General of the SISE and his deputy and their names are to be published in the official gazette, the *Boletim da República*.¹² Nevertheless, all the documents regarding the SISE, including its internal regulations and the norms for admitting staff, to be drafted by the Director General, are to remain secret. The SISE's principal tasks will be "the collection, research into, centralization, coordination, study and production of information useful to state security." It shall also "prevent acts aimed against the constitution and

¹¹ Mozambique Information Office, News Review No. 199. April 18.

¹² Mozambique News Agency, July 16, 1991.

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against the organs of state power, espionage, and terrorism."¹³

"The transformations underway are irreversible," President Chissano told a five-day national meeting of FRELIMO cadres that ended on March 20, 1991. "We must all know how to live within them, accept differences, fight for the ideas that we believe in, and do so within the established norms and legal framework." FRELIMO held its Sixth Congress in Maputo in August and launched the biggest leadership shakeup in the party since independence. Elections to the central committee were carried out by secret ballot, and nearly 400 candidates contested 170 positions. Fifty-one percent of the central committee were new members, with eighty-six members of the outgoing committee being re-elected. Former top leaders such as Marcelino dos Santos, Jorge Rebelo and Oscar Monteiro did not contest the elections.

Despite these dramatic changes, RENAMO continued to reject the constitutional reforms as superficial and as an attempt to maintain FRELIMO in power.¹⁴

After several weeks of delays, the sixth round of peace talks opened in Rome on May 6, and by the end of the month, the two sides had agreed on a detailed agenda aimed at reaching an eventual ceasefire. The broad themes of the document included the law on political parties, the electoral law, the electoral process, guarantees on monitoring future agreements and the mechanisms for resettling refugees, and the integration of the two warring armies into a national armed forces.

RENAMO put forward its own draft constitution at the Rome peace talks. It too would guarantee individual freedoms and a democratic political system, but would also re-introduce the death penalty.¹⁵

The talks were suspended again in early June after disagreement surfaced over the first point on the agenda, the law on political parties. RENAMO's top negotiator, Raul Domingos, objected to the designation of the Ministry of Justice as the responsible body to oversee the registration of new political parties and to the requirement that a party must gather at least one hundred supporters in each of the country's eleven provinces.

¹³ Mozambique News Agency, June 28, 1991.

¹⁴ Telephone interview with Julius Seffu, RENAMO representative in the United States, March 25, 1991.

¹⁵ Article 1, paragraph 16.

The resumed peace negotiations collapsed again in early August, when RENAMO rejected a proposal put forward by the mediators that the rebels recognize the legitimacy of the Mozambican government in return for guarantees of a special status, distinct from other opposition parties, and guarantees that it could undertake political activities once a ceasefire is signed.

President Chissano again condemned the rebels for "time wasting maneuvers" while RENAMO continued to reject the new constitution as "Marxist." A RENAMO communique dated August 1991 and signed by Afonso Dhlakama stated:

The new FRELIMO constitution is good for democracy in Mozambique for FRELIMO, but not good for RENAMO and the people of Mozambique. Chissano states that his new constitution gives all that RENAMO asks but, the removal of certain Marxist slogans and statements does not make it a constitution of democracy. The basis remains the same—Marxist.¹⁶

An indication that not all members of the government and army were sympathetic to the policy of liberalization came on June 22. The government announced the detention of several officers, former officers and civilians on charges of plotting a coup d'etat against the government. Among the detainees were former Armed Forces Chief of Staff Col. Gen. Sebastião Mabote, a hero of the independence war against Portugal, as well as Boaventura Machel, a prominent businessman and brother of the late president, Samora Machel. The Interior Minister, Col. Manuel Antonio, was detained in August on suspicion of involvement in the plot. Manuel Antonio was subsequently released and reinstated in his post on January 31, 1992, on the recommendation of the Attorney General, because he had warned the government in advance of the coup plot. The remaining sixteen detainees were to be tried in a civilian court. President Chissano denounced the attempt as "contrary to the efforts that our government, and Mozambican society in general, are making in search of peace, for the deepening of democracy, and in the search for viable solutions to the economic and social problems that our country faces."¹⁷ The trial will be conducted at the Supreme Court in Maputo.

¹⁶ RENAMO communique August 1991.

¹⁷ Mozambique Information Office News Review No. 204, June 28, 1991.

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Serious violations of constitutional rights continued, with the Mozambican media reporting on illegal forced recruitment of youths into the army in Sofala and Nampula provinces and military attacks on aid shipments.¹⁸

Renewed charges of South African support for RENAMO surfaced in August 1991, with two Mozambicans who said they were kidnapped and forced to serve in the South African Defense Forces accusing the SADF of continuing logistical support for the rebels. The charge was backed up by the government's chief negotiator, Transport Minister Armando Guebuza, who blamed continued South African support for the rebels' alleged intransigence at the Rome negotiations.

THE DECEMBER 1991 ASSEMBLY DEBATES

The 1990 Constitution has been the subject of controversy, particularly in the peace talks with RENAMO. The Assembly of the Republic has also passed legislation with a major bearing on the provisions of the Constitution.

The December 1991 session of the Assembly focussed on the ratification of several important bills. Among those which were debated at length was the controversial one establishing the framework for private medical practice and for the future structure of the national health service.

The Assembly passed two laws on December 17, 1991, opening the country's financial sector to private initiative. Under the first law, new banks (at present there are only three, two of them state-owned) and credit institutions may be set up, if they possess a minimum amount of initial capital. A second law ended the state monopoly on insurance, which had dated from January 1977.

On December 14, the Assembly also approved a law on trade union activity. The new law guarantees workers the right to form trade unions of their choice, to join and resign from unions, and to pay union dues only to the unions of which they are members. The deputies also passed a law on employers' associations, giving employers the right to set up associations to defend their business interests. As under the new trade union law, these will acquire legal status by depositing their statutes with the Labor Ministry. These provisions are welcomed by Africa Watch.

The illegal recruitment of young men into the armed forces was

¹⁸ See chapter 5 and Mozambique Information Office, no.s 200, 204, 207.

debated in the Assembly, on December 19 and 20, 1991. The discussions confirmed that there are serious problems with the conscription process. General Alberto Chipande, the Defense Minister, told the Assembly that 96 percent of those people called up in 1991 had failed to respond. In Maputo, Sofala and Nampula provinces (which contain the country's main cities), 7,500 call-up papers had been sent out but only 308 men presented themselves for military service. Although the army offered an amnesty to former draft-dodgers in September 1991, few responded. In this situation, forced recruitment continues to be a serious problem (see chapter 5).

A bill denationalizing part of the state housing stock was rejected by the Assembly. Redrafted, it was finally passed on April 1, 1992. Offering compensation to former owners of houses built of reed, timber, zinc and similar flimsy materials that had been nationalized in 1976, the new law gives tenants the option of buying their homes. Compensation for former landlords is fixed at ten times the annual rent they charged at the time of nationalization. Property in the "modern sector" (i.e. former Portuguese housing) remains nationalized, with no plans for handing it back to former Portuguese settlers or their descendants living outside of Mozambique. There are indications however, that RENAMO may seek to amend this clause.

THE ROME PROTOCOLS

The eighth round of peace talks between the government and RENAMO, which ended in November 1991, made significant progress, with Protocols One and Two being signed on October 18 and November 12 respectively. Under Protocol One, RENAMO is to recognize the legitimacy of the laws of Mozambique, following a ceasefire, while the government will not hinder RENAMO's international publicity campaigns nor stop visits by the Joint Verification Committee (JVC) to RENAMO-dominated areas.

Under Protocol Two, RENAMO obtained the special guarantee of being recognized as a legitimate political party following a ceasefire. It will also have equal access to the media, and receive state funding for its election campaign. In return, the government retains the right to register political parties, an acknowledgment of its legitimacy.

The basis of both these Protocols was established at a meeting in Malawi on September 22, 1991 between RENAMO, church mediators and the Italian government. Dhlakama agreed then to drop his bottom-line demands that a transitional government be formed after a ceasefire, and his refusal to recognize the legitimacy of the government's 1990 Constitution.

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The tenth round¹⁹ of peace talks began on January 21, 1992, against a backdrop of behind-the-scenes diplomatic moves, including a meeting on January 10 between Zimbabwean leader Robert Mugabe and RENAMO leader Afonso Dhlakama. This round culminated with the signing of Protocol Three on March 12, establishing the future electoral process. Several minor constitutional changes will however have to be made to accommodate the Protocol. One is that the Protocol states that Presidential candidates must be proposed by at least 10,000 citizens of voting age, whereas the 1990 Constitution states 5,000. There will also need to be a change in the press law. The existing press law states that radio and television remain entirely in the public sector, whereas the Protocol gives every citizen the right to set up not only publications, but also radio and TV stations.

An independent National Elections Commission (Clause IV.3) will also be set up to supervise the electoral process. The government has also undertaken to help RENAMO to obtain buildings and resources in all the provincial capitals. Mozambican refugees will also be allowed to reclaim their property through the legal process.

However, no agreement could be reached on the Constitution. Under an agreed minute added to Protocol Three, discussion was postponed on the relation between the constitutional amendment and the new parliament. Throughout the Rome talks RENAMO has continued to demand that the Mozambican parliament should amend the constitution before elections. The government rejects this, saying that parliament is an independent elected body that should not be tied to decisions made in Rome.

The eleventh round of talks began in early June, focussing on military issues, such as demobilization, the terms for a ceasefire and the composition of the future army. For the first time, the official mediators were also joined at the talks by outside observers—the United States, France, Britain and Portugal. A United Nations observer also joined the talks on June 26.

After an initial period of deadlock, with RENAMO reverting to its call for constitutional issues to be resolved as part of the talks, a compromise was achieved. Both sides signed an agreed minute on June 19 altering the agenda. The eleventh round of talks now focusses on military questions, guarantees, ceasefire modalities, and a donors' conference on how to finance the electoral process and emergency programs for reintegrating the displaced and refugee populations. If

¹⁹ The ninth round lasted from December 18–20, 1991, and broke for Christmas.

these talks reach a successful conclusion, Protocol Four will be signed. Protocol Five will be the ceasefire itself. As discussed in Chapter 6, internal and logistical issues influence RENAMO's position in the Rome talks. The timing of a ceasefire will depend upon factors such as how the current famine affects the rebels.

8. THE RULE OF LAW

The new Constitution of Mozambique, which came into effect on November 30, 1990, contains a major commitment to the rule of law and the independence of the judiciary. This is in contrast to the early days of independence, in which the law was seen as an instrument of socialist transformation. The major problems which persist are the lack of educated personnel, the absence of the independent institutions of civil society, and the lack of a culture or tradition of respect for the rule of law. At a meeting in November 1990 with Africa Watch, President Chissano said the key to ending human rights abuses in Mozambique was to establish the proper legal framework and to educate the police and the public on their rights and duties.

Important issues concerning the rule of law include:

- * The structure of the legal system and the independence of the judiciary;
- * Detention without trial and the role of the security services;
- * Fair trials, especially the role of confessions obtained under duress and access to legal counsel;
- * The treatment of detainees.

THE LEGAL SYSTEM

According to the new Constitution, the Supreme Court is to be independent of government. Its President and Vice President are nominated by the President of the Republic but subject to ratification by the Assembly of the Republic. The President also appoints the Attorney General, the President of the Administrative Court, and the President of the Constitutional Council. The latter two are subject to ratification of the Assembly. Article 164 of the new constitution states that "In the exercise of their duties, judges shall be independent and owe obedience only to the law. Judges shall also be impartial and unaccountable."

The continuation of the war and Mozambique's severe shortage of lawyers and lack of trained personnel in the police forces, however, mean that it will take years to transform Mozambique's new legal system into reality. During the colonial era, education for Mozambicans was severely restricted and in 1975, the country had fewer than ten trained lawyers and about fifty courts. Most of the Portuguese judges and lawyers had fled with the collapse of colonial rule. The Faculty of Law at Eduardo Mondlane University was closed

for five years in the mid-1980s because lawyers were seen as enemies of the revolution. Today Mozambique has an estimated 100-200 lawyers, nearly all of them in the capital; only one in 160,000 Mozambicans has a degree in law. The situation is exacerbated by the fact that about 15 percent of trained lawyers work outside their profession.

The Minister of Justice, Ussumane Aly Dauto, estimated that at least 1,000 lawyers were needed. Further, in early 1991, there were only fifty public prosecutors in the entire country, and only two in the Attorney General's office in Maputo.

The same is also true of the National Legal Aid Institute (INAJ), created at the time of Independence as a free national legal aid service, when private legal practice was abolished. Currently the INAJ has just 127 defense lawyers registered on its books.

The situation is particularly critical outside the capital where there are only a handful of trained judges and virtually no lawyers. In early 1990, the judge at the Provincial Tribunal of Zambézia, the country's most populous province with three million people, had only a bachelor of law degree. In the capital, defendants usually have access to lawyers provided by the INAJ. Outside Maputo, defense counsel are usually court clerks appointed the same day by the trial judge. For example, in the central city of Beira, there was one lawyer. The provincial capital of Tete had just several paralegals, as did the northern provincial capital of Nampula. The majority of fourteen convicted security prisoners interviewed by Africa Watch said they met their legal counsel only a few days before their court hearing, at the trial itself, or they did not recall meeting them at all. Minister Dauto said that SNASP, which since 1989 was supposed to work under the Public Prosecutor, had the responsibility of informing detainees of their legal rights before questioning. This responsibility was to be overseen by the Public Prosecutor. However, interviews carried out by Africa Watch with security prisoners and detainees indicated that SNASP had failed to meet that responsibility (see below).

Outside the Supreme Court, only fifteen professional judges have law degrees. These fifteen all work in provincial courts, leaving 118 district courts without a single professional judge. The situation is even worse in the Criminal Investigation Police (PIC), which has had only one person working for it with a law degree in its sixteen years of existence.

The current political and economic transformations in the country are putting great strain on the legal system. By the end of 1991, the declining value of government salaries on account of the current economic policies had forced many government lawyers to leave and

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instead go into private practice. Meanwhile, there is an increasing load of new and pending cases. On January 1, 1990, there were 595,185 cases pending before the courts, with 19,892 new cases begun. One year later, the number of pending cases had risen to 606,783, and Africa Watch was told that the figures for January 1992 will show a further increase.¹

In 1978, the FRELIMO government set up a new criminal courts system that entailed local, provincial and supreme People's Tribunals. Sitting on the courts were professional judges with lay judges elected by local, provincial and national legislatures from lists submitted by FRELIMO. Students from Eduardo Mondlane University went to provincial courts as judges and prosecutors.

In February 1979, the government set up Revolutionary Military Tribunals, five-member panels of Armed Forces personnel which permitted no right of appeal, to deal with a wide range of offenses, from high treason and armed rebellion to "agitation" and insulting FRELIMO. The first ten defendants, sentenced on March 31, 1979, were executed by firing squad on the same afternoon.

Four years later, the list of crimes warranting the death sentence was expanded to include armed robbery and black marketeering. In March 1983, the People's Assembly introduced flogging for use by all courts and closed the Law Faculty at Eduardo Mondlane University after the late President Samora Machel accused lawyers of defending the interests of the rich. "A revolution that does not know how to defend itself is not a revolution," Machel said at the time.

The Law Faculty was re-opened in 1988, but its first class of 60-70 will graduate only in 1992. The rhetorical justification for the closure was to bring justice within the reach of the masses. But ironically the dearth of trained lawyers will make it much more difficult for the ordinary Mozambican to hire a lawyer—a right which is enshrined in Article 100 of the new constitution:

The state shall guarantee the access of citizens to the courts. It shall guarantee to persons charged with an offense the right to defense and the right to legal counsel . . . The state shall make provision to ensure that justice may not be denied for lack of resources.

Machatine Manguambe, Dean of the Law Faculty, estimated in

¹ Africa Watch interview with Deputy Attorney General Sinai Nhatitima, Maputo, April 1992.

February 1992 that to function properly, Mozambique's legal and police institutions needed at least 812 trained judges, lawyers, attorneys and other legal professionals. At the current rate of graduations at the law faculty, it will take twenty-five years to reach this requirement.

The establishment of what is provisionally known as the Center for Judicial Studies should help. Providing two or three year courses to train mid-level legal personnel to fill some of the current gaps in the legal system, the project is dependent on a soft loan from the World Bank. As the Deputy Attorney General Sinai Nhatitima explained to Africa Watch, projects of this kind are crucial "for the strengthening of the rule of law and safeguarding the rights and freedoms of all our people."²

"A decisive condition for the protection of human rights" was the way President Chissano described an independent judiciary on March 1, 1989, when the government abolished the country's Revolutionary Military Tribunals. Until the abolition of the state security police, SNASP, by a vote of parliament on July 16, 1991, there continued to be a distinction between security and ordinary criminal cases in that prisoners are held in different prisons before trial and are under investigation by different bodies—SNASP for security prisoners and the police for ordinary criminal suspects. However, in both types of cases, investigations were supposed to be conducted under the supervision of an independent procuracy.

The new constitution marks a further step on the road to reform. Article 161 says:

It shall be the function of the courts to guarantee and strengthen the rule of law as an instrument of legal stability, to guarantee respect for the laws, to safeguard the rights and freedoms of citizens, as well as the judicial interests of the various organs and entities with legal capacity.

The country's highest judicial body is the Supreme Court—the ultimate guarantor of "the uniform application of the law, at the service of the interests of the Mozambican people."³ It consists of both professional judges, appointed by the President of the Republic, and

² Africa Watch interview, April 1992.

³ Article 168.

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lay judges, elected by the Assembly of the Republic. The Supreme Court acts both as a trial court and an appeals court. Below the Supreme Court are provincial courts, which have the power to hear security as well as criminal cases, and district courts, which can impose sentences of no more than two years. Any sentence above eight years carries a right of appeal to the Supreme Court, but it is not automatic, and the onus is on the accused to request it.

An independent Procurator General's Office to "supervise and control legality, shall promote compliance with the law, and shall participate in defending the law of the land." It presents its annual reports to the national legislature, the Assembly of the Republic.

POLITICAL DETENTIONS

Political detentions were a feature of the early years of FRELIMO's rule. In May 1992, Africa Watch established that there were 533 categorized political detainees remaining in prison, a number slightly down from 1991. There is currently a concerted government attempt to bring to trial those who could be charged, while releasing the remainder.

The fate of a number of prominent political detainees from the early days of FRELIMO rule continues to be unresolved. These detainees include Basilio Banda, Paulo Gumane, Arcanjo Kambou, Veronica Namiva, Lazaro Nkavandame, Joana Simião, Uria Simango, Valentino Sithole, João Unhai, and more than a dozen others. Since June 1991, the government has privately briefed some of the families and other interested parties. On April 13, 1992, President Chissano admitted for the first time that opposition members had been executed by the security forces in the past, describing them as "traitors" who deserved their punishment. He also commented that the government should not be obliged to talk about the issue as it was "controversial" and would bring about disunity at a time when reconciliation was most needed in Mozambique.

Africa Watch pursued these cases in April 1992 in an attempt to obtain further information. According to reliable eyewitness accounts, Uria Simango and Lazero Nkavandame were seen alive in 1981 and 1982 at Majune reeducation camp in Niassa province. Evidence obtained by Africa Watch suggests that they were executed in May 1983. The decision to execute them appears to have been due to fears at the time that the South African security forces might have been able to free them and hand them over to RENAMO in an effort to boost the legitimacy of that organization. Many of the other prominent political detainees appear to have suffered the same fate at that time.

Africa Watch also attempted to respond to a call by the (unregistered) opposition National Convention Party (PCN), made on April 13, that the alleged disappearances of thousands of other people since independence should now be investigated.⁴ However, when approached by Africa Watch later in the month, the PCN leadership was unable to produce lists of names for their fates to be investigated. Although there is little doubt that twenty-five well-known dissidents were executed on government instructions, Africa Watch continues to lack evidence suggesting that thousands were killed.

Until its abolition, SNASP was the major organization responsible for political detentions in Mozambique. The abolition of SNASP has improved matters, but has not led to the complete halt of the practice.

Government officials, lawyers, journalists, and detainees are particularly critical of military personnel and the militia for overstepping the bounds of legality. While the militia has no powers of arrest, its members detain people routinely. Several prisoners interviewed by Africa Watch said their incarceration, on suspicion of being RENAMO members, stemmed from detention by militiamen who had destroyed their identification papers, robbed them of money and clothes, and handed them over to the police after accusing them of being armed insurgents. One detainee at Machava prison reported:

I used to go watch television at the *Grupo Dinamizador* [Dynamizing Group] office on Eduardo Mondlane Avenue. I went to watch TV there every day. One night the militiamen hanging around the GD building asked me for my documents. They were very drunk. I presented my *guia da marcha* [travel document] and my receipt [for his ID, which was being renewed]. The militia tore up the documents and said they were made illegally by the mafia. "You are a *bandido armado* [armed bandit]," they shouted. They broke four of my back teeth. I could not eat for three weeks after that. They took me to the [police station].

The prisoner said at the time of the interview in December 1990 that he had been detained for thirty months with no charge; in October 1991 he remained in detention. He had not seen a lawyer. One lawyer in Maputo said he knew of cases of people being tortured in the northern province of Nampula for not carrying identification

⁴ BBC, *Summary of World Broadcasts*, ME 1357, April 16, 1992.

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documents. The *Diário de Moçambique* newspaper reported in July 1990 that militiamen at a communal village outside the city of Xai Xai, provincial capital of Gaza, had buried alive a suspected RENAMO guerrilla after he was taken to a cemetery and told to dig his own grave.

The army's security arm, CIM, has no powers of arrest of civilians, except those suspected of specific crimes against the military, such as theft of army stores. But interviews with detainees, especially those apprehended in the war zones, indicated that CIM routinely detained civilians and waits weeks, sometimes months, before handing them over to SNASP. A number of prisoners reported being held for three months before being handed over to SNASP, and one remained in this condition for a whole year. Some reported being beaten by government soldiers.

An eighteen-year-old detainee claimed he was returning to his home in Xinavane, in Maputo province, when he was apprehended by militiamen.

When the truck stopped at Marracuene, I jumped down to relieve myself. Several militiamen stopped me and asked me for my documents. I had none. But I did have a *guia de marcha* [internal travel document]. I explained that I came from Xinavane, was going to South Africa, but I had to return because I had no passport. The militiamen said I was lying. They tore up my *guia de marcha*. They said I was a *bandido armado*. I told them I was not, but then they started beating me. "When you lie, you are a *bandido armado*," they said. The militiamen took my shoes and they left me in my socks. They took me to the jail . . . In July 1989 they brought me to Machava. The security agents used to beat me with the *sjambok*. "You have to stay here because you are lying."⁵

The new constitution says detention and preventive imprisonment should be fixed by law. Article 101 states:

Preventive imprisonment shall only be allowed in cases provided for by law, which shall limit the duration of such imprisonment. Citizens in preventive imprisonment must be brought to court within the period fixed by law. Only judicial

⁵ Africa Watch's most recent information indicates that this detainee has still not been charged.

authorities shall have the power to decide on the validity and continuation of imprisonment.

In criminal cases, the detention time varies from forty-eight hours to six months, according to the Attorney General's office. When the detention time expires, the case must be passed to the procurator who decides whether the prosecution should go ahead.

While SNASP, until its abolition in July 1991, appeared still to have the power of indefinite detention, it was required to bring the accused to court within thirty to forty days, or in a very serious case ninety days, to confirm the detention. Africa Watch's interviews with security detainees found many prisoners held for more than a year who said they had not been to a court. One such prisoner was Tomas Antonio Maia Magunge, who was originally detained in Maputo in July 1984, released in January 1985 and redetained in May 1985 on suspicion of being a RENAMO guerrilla. Magunge told Africa Watch that he had not received a charge sheet and had not been presented to court. Prison guards told him, he and other prisoners said, that the paperwork on his case had been lost by SNASP. He was later released and returned home.

ACCESS TO LEGAL COUNSEL

Interviews carried out by Africa Watch with forty-three prisoners held in security jails strongly suggested that in the vast majority of cases, the accused are ignorant of their rights to counsel and appeal and that many are held in long-term detention partly on the basis of confessions that were extracted under torture.

Over the past two years many prisoners who were previously detained without charge have been brought to trial, in an apparent effort to end the use of detention without charge. Hence there was a discernible pattern in the cases of many of those prisoners interviewed by Africa Watch, who had been detained for months or years before being finally brought to trial. Despite the improved formal guarantees under the new judicial system, however, Africa Watch found that in a number of respects the trial procedures still did not conform to international standards for a fair trial. For example, many prisoners reported that they had been represented by court-appointed lawyers who failed to put their case adequately. In a number of cases they also claimed that no witnesses were called; the evidence against them consisted only of documents submitted by SNASP. Sometimes the

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accused were convicted on the basis of confessions extracted under threat or as a result of torture, even though such statements are inadmissible. Indeed, Mozambican law does not allow conviction on the basis of uncorroborated confessions. Also prisoners were often not informed of their right to appeal or, at a later stage, of their right to remission.

The following excerpts are typical of the testimonies gathered by Africa Watch:

I was taken to the court on January 20, where my charge sheet was read. I met my lawyer . . . for about two minutes. Then I was taken to court again on February 20. The judge said my declarations were not valid, that he had no evidence "yet." I entered the court at 8:30 A.M., and then left for lack of evidence. I then was called in again at 15:30, but was sent out a few minutes later. At 16:00 I was called in again. That happened often. In all, I went to the court four times. My lawyer came the first time, but after that I did not see him again.

The charges were based on a statement made by my wife, saying that I was working for BOSS [the former South African intelligence service] and smoked *suruma* [marijuana]. There were no witnesses at the trial. My wife had returned to South Africa in April 1987. She never testified against me. Her father came to court to say that she had left the country.⁶

According to another prisoner:

On August 24, 1989, they called me and said I was getting out. I was on a list of prisoners to be amnestied. I signed three documents. They were documents for my release. Then I returned to the pavilions. Three of us were then taken off the lists. The others were called and they signed some other documents. They left the next day. I was told that our problem would be taken care of. Then came the accusation paper. I never met a lawyer. I was condemned for being a *bandido* on June 12, 1990, and sentenced to twenty years. The judge gave me eleven years off, leaving nine years. I told the judge of my treatment, and he said he too would have confessed. The judge

⁶ This detainee was later convicted and sent to Machava prison.

said there might be an amnesty.⁷

One man interviewed by Africa Watch admitted recruiting members for RENAMO and spying on strategic targets, but denied being involved in acts of sabotage as alleged at his trial. He said that he had joined RENAMO after his son had been taken to a re-education camp and "disappeared" in 1976. He only saw his lawyer the day before his trial:

The judge asked me why I had joined RENAMO, and I started to sing. I told the whole story. Why doesn't the government tell me where my son is. The same system is still in place. Nobody said anything. The so-called lawyer said nothing. Then the lawyer said, "I have no doubt that he was a member" of RENAMO. There were no witnesses in court, only the statements from security. On April 20, I went to court for sentencing and then again on April 24. They read the same charge sheet. I got eight years in jail and a fine of 303,614 meticaïs. I paid that.

There are a lot of people here who are not RENAMO. They are deported back from South Africa and forced to say that they are RENAMO. Security just writes up a statement, they read it back, and they are forced to sign it. In my trial, there were no witnesses. My lawyer just said "No objection your worship." They are all part of the same system.

I was never told I had the right to an appeal. We don't know about the possibility of going to the Supreme Court.⁸

CONFESSIONS OBTAINED UNDER DURESS

One detainee, picked up by soldiers in 1984, said he was held at the main army barracks in Maputo:

I was kept in an underground cell with eleven others from July to December. It was about two by five meters. The bathroom was in the cell. One of the detainees died. He had been shot in

⁷ This detainee was later convicted and sent to Machava prison.

⁸ This interviewee had already been convicted. He was subsequently transferred to Machava security prison.

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the head and he gradually went crazy. We fed him extra, but he died in the cell in the middle of the day. A FRELIMO delegation . . . came and took the body away in a truck.

One agent put a knife to my finger and said, "RENAMO or not." I said no, so he cut the little finger on my right hand. It was a small cut, but I confessed what they wanted to hear. They asked me who my instructor was, where I was trained. They did this every night for a week . . . they beat me up. My nose was bleeding. One guy opened a knife and threatened, "If you say you are not RENAMO, I will stab you." CIM beat me a lot. A soldier put a gun to my head and said "If you don't say you are RENAMO, I will fire."⁹

An illiterate fisherman, convicted in 1990 of working with saboteurs and sentenced to eight years' imprisonment, described the circumstances in which he confessed:

They sjamboked me. [He shows scars on right side of back and buttocks] They put a foot on my neck and beat me. "You are going to sign this document," Viriato [the SNASP interrogator] said. Then they put rocks on the floor and said that I had to crawl across them. I said I could not do that, that I would sign the document. Then they sent me back to Pav. 9 in isolation. They would not let me go to the bathroom. I had to urinate in the tea cup and shit on my dinner plate.

He showed scars on the right side of his back and buttocks which could have been consistent with his account of beating.¹⁰

An Angolan-born self-confessed South African sabotage agent, sentenced in 1990 to twenty years in prison on charges of attempting to bomb African National Congress (ANC) targets in Maputo, described his interrogation in March 1987:

They took me to the Technical Brigade of Investigation (BTI) on 24th of July Avenue. I underwent quite a bit of torture and beatings there. I had no blankets or clothes. After they beat you,

⁹ This detainee was later released and returned home.

¹⁰ This detainee had been convicted at the time of the interview. He was later transferred to Machava civilian prison.

they would pour water on you. I did not eat for ten to fifteen days. I was almost mentally ill then. They told me I must speak the truth or they would kill me. They threatened me with an AK-47 and a Moksrov pistol. My interrogators were one Mozambican and two Cubans. One of the Cubans said, "We are foreigners, and if we kill you, no-one will ask anything about you."

After an escape and recapture in late April 1987, treatment was equally as harsh:

They forced me to stand against the door. I had no food. I was not allowed to go to the toilet. They passed the food underneath the cell door. I had to pee in the tea cup and shat on the food plate. I had boils all over my body, and I had no strength in my legs. I started working out in my cell. On June 1, the South African army hit ANC targets in Maputo. All the foreigners in jail here were taken to the BTI. We had no food for three days, and we were not allowed to talk, although we did so through the windows. Fifteen days later we were brought back to the prison.¹¹

Another Angolan sentenced to ten years imprisonment for sabotage in 1990 said that at the end of 1987, he was given to African National Congress agents for questioning:

The police handed me over to the ANC. They took me to a house in Matola and began interrogating me. They stripped me and left me in my underwear. They took my watch, which was worth 1,250 rand. They then took me to the security headquarters. On December 13 they brought me to Machava prison and put me in Pav. 9 isolation. I was not beaten. I stayed there one year.¹²

Another prisoner, sentenced to fourteen years for sabotage, said he signed a confession because he could not bear the torture:

¹¹ This detainee was later convicted and sent to Machava prison.

¹² This detainee was later convicted and sent to Machava prison.

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I explained that the accusations were false. When I denied any knowledge of the radios, they started beating me. They broke one of my ribs. Once they broke my rib, I began agreeing to everything. I did not want to be bashed about. They were sjamboking me—a piece of hard rubber hose—and each one was really going for it. I signed the papers and they were really happy.

The prisoner said that he did not bother to appeal because he lacked confidence in the judicial system:

The judge said we could appeal if we wanted to, but knowing the situation and how the case was conducted, I decided it was not worth it. There were no witnesses at the trial. It lasted twenty minutes. What we signed, that's what the court based its case on.¹³

PHYSICAL ABUSE

For the past three years, the government has allowed the International Committee of the Red Cross (ICRC) to visit convicted security prisoners as well as detainees held in SNASP jails. SNASP, a secret police force under the Ministry of Security, was created in October 1975 to detain anyone suspected of anti-state activities. It was abolished by parliament on July 16, 1991. In December 1990, the government permitted ICRC access to detainees six days after they had been jailed. The Defense Ministry had not yet allowed similar access to detainees held by its Military Counter-Intelligence (CIM), although ICRC teams were able to visit CIM prisoners held in SNASP jails. Nevertheless, ICRC officials say that Mozambique is unique in Africa in allowing it to carry out almost 100 percent of its humanitarian work. Radio programs to educate security force personnel on their human rights responsibilities are sponsored by the ICRC, which also provides classes for army officers at military schools in Beira and Nampula on the need for humanitarian treatment of prisoners.

The Mozambique Government has given Africa Watch permission to interview security prisoners. These interviews have been conducted in conditions of total privacy similar to those enjoyed by the ICRC.

Of the forty-three prisoners interviewed in Quelimane and the

¹³ This detainee was later transferred to Machava prison.

main security facility in the Maputo suburb of Machava, eighteen complained of torture by security police, including beatings with rubber hoses [*sjamboks*] sometimes filled with sand, submersion in water, deprivation of food and sleep, and long-term isolation. In Quelimane, only three of seventeen prisoners interviewed reported such abuses which, they said, took place exclusively during their detention by CIM. At Machava, the alleged abuses were said to have occurred at a building commonly known as Casa Branca, or the White House. Reports of the use of torture since 1988, however, have declined sharply, and prison conditions have improved. One prisoner convicted on state security charges last year and held at a security prison at Machava, a suburb of the capital, said, "Compared to 1985, this place is not a jail; it is a hotel." Detainees at Machava complained that prison guards, known as *machinga*, or little chiefs, still beat prisoners, though far less frequently than in the past and apparently without authorization.

One ex-detainee, released unconditionally after being held for two months in July-August 1989 without charge in a security jail in the southern province of Gaza, also blamed prison guards for most abuses:

They used to handcuff people by their hands and feet to the window bars and then let them hang there. The person would lose all sense of feeling. The guards asked me to help them take one guy down who had completely lost his feeling. They beat one thirteen-year-old boy into unconsciousness. He had many injuries. The thing is, no-one controls what happens in the jail. None of the top officials, the Governor, they never visit the jail. They do not know what is going on in there. The Red Cross visits, but just once when I was there. The guards threatened people not to talk. They said, "Don't tell them what is going on in here, because they will be leaving, and then we will take care of you."

One seventeen-year-old captured RENAMO guerrilla in Quelimane told Africa Watch:

For one year I was under the control of CIM. CIM beat up people. Some detainees were taken away and sjamboked last year [1989]. The officials said they were not talking well enough. The beatings began to stop when the Red Cross started visiting. The food gets much better when the Red Cross

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delegate is about to arrive.¹⁴

Overcrowding, unsanitary conditions and lack of medical care remain chronic problems in Mozambican prisons, for both security detainees and common criminals. Police stations are no better. In July 1991, there were three reported deaths in police custody in Beira town, due to cholera and acute anaemia. The Police Inspector, Antonio Paulo, admitted that conditions in the cells were deplorable, and that a facility designed for seventy detainees was holding 216. In mid-1991, overcrowding was rendered worse by a large-scale crackdown on crime, in which over 800 suspected criminals were detained.

CONCLUSION

Mozambique manifests a particularly extreme version of a problem common to many former socialist countries making the transition to a western-style free market pluralist system. All the formal guarantees for human rights have been provided, but many of the material conditions for the fulfillment of those rights are not present, and indeed are being eroded by harsh structural adjustment measures. In the recent past, there have been numerous abuses of the legal system, including detention without trial, unfair trial, and physical abuse of detainees. There have been important steps to curb these abuses, leading to the release of the majority of the security prisoners. However, in the absence of resources to educate law enforcement officers—and even to pay them properly—and with a small and rapidly dwindling number of trained lawyers, formidable obstacles remain in the path of creating a legal system that both respects human rights and provides access to justice for all.

¹⁴ This detainee was later convicted and sentenced to twenty-six years in prison.

9. THE PRESS

As in the fields of political and legal rights, Mozambique's new constitution marked a radical change in the role of the press in society, providing, for the first time ever, basic guarantees of both its independence from the ruling FRELIMO party and for private ownership of the news media. Originally conceived as a key transmitter of FRELIMO's revolutionary policies to the populace, the press in Mozambique is expected to be independent in the future.

The constitution guarantees freedom of expression and freedom of the press. FRELIMO "can no longer go to the radio or the newspapers and say 'do this, write that,'" according to politburo member and ideology chief Jorge Rebelo.¹

Article 74 of the constitution states:

1. All citizens shall have the right to freedom of expression and to freedom of the press, as well as the right to information.
2. The exercise of freedom of expression, which consists in the ability to make known one's opinions by all legal means, and the exercise of the right to information, shall not be limited by censorship.
3. Freedom of the press shall include in particular the freedom of journalistic expression and creativity, access to sources of information, protection of professional independence, and confidentiality, and the right to establish newspapers and other publications.

While the phrase "the right to establish newspapers and other publications" suggested by omission that the state would maintain control of television, radio and the national news agency, government officials later suggested that "the possibility of authorizing private activity" in radio and television "remains implicitly open."² Legally, the state owns the national radio, Radio Mozambique, the sole television station, Experimental Television (TVE), the national news agency, the Mozambican Information Agency (AIM), and the Institute of Mass Communications (ICS). Technically, a range of key publications, including the two daily newspapers, *Notícias* and *Diário de Moçambique*,

¹ Interview published on April 28, 1991, in the Sunday newspaper, *Domingo*.

² Explanatory cover notes written by the Ministry of Information for the new draft law on the press.

the Sunday *Domingo*, the sports weekly *Desafio*, and the weekly magazine, *Tempo*, are not owned by the state. The government and ultimately the FRELIMO party have maintained control of the printed media, however, through the Ministry of Information, which has had the power to appoint and dismiss their directors and their chief news editors. The Minister of Information will continue to appoint directors of "public media"—those owned by the state—according to a press law passed by parliament on July 8, 1991. The continuation of the Minister's power to appoint and dismiss key media directors appears to contradict the law's provision that the public media are to be "free from interference by any interest or outside influence that may compromise their independence." The measure giving the minister such power was approved on July 5, 1991, by a margin of just seven votes.³ Many MPs were disturbed by comments made by the current Minister of Information, Rafael Maguni, who, when speaking during debate on the issue, said: "No political party that wins an election decides to continue with the same media directors who had been appointed by the losing party. The media are an important weapon and will not be left in the hands of directors whom the ruling party does not trust. This happens all over the world."⁴

Article 105 of the new constitution states that "the right of information, the freedom of the press, the independence of the media, as well as broadcasting rights and the right of reply, shall be guaranteed by the Supreme Council for Mass Communications."

The Press Law also established a watchdog body, the Supreme Council for Mass Communications (CSCS). The council is to be an independent body of eleven members, who can be neither government office holders nor leaders of political parties, chosen for a five-year term. The President of the Republic picks two members, four are chosen by the Assembly of the Republic, one magistrate designated by the Superior Magistrate Council of the Public Ministry, three by journalists' organizations, and one by media companies. The President of the Republic designates the President of the council. This method of selecting the council was sharply criticized by Mozambican journalists, who felt that they should enjoy at least as great a voice as the government in choosing the council membership.

One of the council's duties, according to the law, is to ensure that

³ Mozambique Information Office News Review No. 205, July 10, 1991.

⁴ Mozambique Information Office News Review No. 205, July 10, 1991.

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opposition political parties represented in the Assembly of the Republic have the right to air time on television and radio and the right of reply to government declarations which directly criticize their political positions. The law also gives the council the power to initiate legal actions against any public official or office for violations of the press law.

The press law says that journalists may not be arbitrarily detained or otherwise hindered in the exercise of their profession. If attempts are made to attack or intimidate journalists, their employers are obliged to take legal action against those responsible.⁵

In March 1992, Albino Magaia (formerly a senior official of the Mozambican Red Cross) was appointed as President of the Council. On March 10, the daily newspaper *Notícias* stopped running the "Viva President Chissano" slogan on the top right corner of its front page, thereby symbolizing the end of the close relationship the paper had previously had with the government. The first fully independent newspaper, *MediaFax*, was launched in May 1992.

BACKGROUND

On April 17, 1990, the Third Congress of the National Organization of Journalists (ONJ) voted unanimously to break its ties with FRELIMO and to commit itself to "the defense of their [the journalists'] socio-professional and trade union rights." Its goal now is "to promote freedom of expression, press freedom and the exercise of the profession of journalism in accordance with the principles of democracy, individual freedom, autonomy, social responsibility and professional ethics." Nowhere in the ONJ's new statutes is FRELIMO mentioned. The ONJ also altered its statutes effectively to bar any journalist working as a director of a press organ from assuming any position in the organization. After heavy debate, news editors, who in the past have taken management positions during labor disputes, were allowed to be elected to ONJ positions. The ONJ also tightened its membership qualifications to include only those Mozambicans whose "main full-time activity is journalistic production." Previously any media workers and employees of the Ministry of Information, including foreigners, were eligible for membership while Mozambicans working for foreign media were not.

Eschewing its former commitment to democratic centralism, the

⁵ Mozambique Information Office News Review no. 205, July 10, 1991.

ONJ elected its leadership by secret ballot and became the first major Mozambican organization to do so without closing its doors to outside observers. By a 62-27 margin, the congress delegates elected Hilario Matusse, news editor for the state television, TVE, as its new secretary general. Matusse, a former FRELIMO Secretary for Ideology in Niassa province, had worked at *Tempo* magazine and recently as the editor of the FRELIMO party monthly newspaper, *Vanguarda*.

The ONJ Congress' open debate and elections contrasted sharply with the ONJ's foundation in 1978 when its statutes described it as

an organization with political, ideological and professional goals whose fundamental objective is to promote the active and militant participation of Mozambican journalists in the revolutionary process led by FRELIMO and to contribute to the journalists' political, ideological, cultural, scientific and technical development . . . The ONJ is led by FRELIMO, is guided by its political line, bases its activity on the Party Program, organizes its members to resolutely support the revolutionary tasks defined by the Party and by the state for all of Mozambican society and, in particular, to integrally carry out tasks defined by Information.⁶

The creation of the ONJ followed the first seminar on information, in September 1977, at which a wide range of journalists, including some of the new government's strongest supporters, argued that the press should remain independent of the party. FRELIMO decided otherwise, and the ONJ program said that "it should be an instrument of the Party for the development of the revolution in Mozambique."

In the early 1980s, the ONJ became largely moribund when its first secretary general, Rafael Maguni, was named ambassador to neighboring Zimbabwe. The organization took no action when the then interim director of AIM, Carlos Cardoso, was detained for six days in 1982 after publishing an opinion article comparing RENAMO to Jonas Savimbi's National Union for the Total Independence of Angola (UNITA). Mr Cardoso's article violated a government directive to not publish anything about the conflict in Mozambique. After protests from within FRELIMO itself, AIM, and from foreign journalists resident in Maputo, Mr Cardoso was released from a cell in Machava security prison and resumed his post as AIM director.

⁶ Articles 1 and 2 of 1978 Statutes.

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A number of Mozambican journalists were detained in connection with their work. They included:⁷

- * Helidorio Baptista: detained for eight days in 1978 after writing about corruption and abuse in Beira city, in a series of articles entitled "On practice and contradiction."
- * Jorge Tembe and Gaspar Zunguene: Radio Mozambique journalists who were detained briefly in 1981 in the town of Xai Xai after the local authorities discovered that Radio Mozambique was not covering a meeting of the local authorities.
- * Carlos Cardoso: detained for five days in November 1982 after publishing an article entitled "Coincidences" which compared RENAMO and UNITA (see above).
- * Moises Sengulane: detained for one day in Maputo in 1984 after making a report for Radio Mozambique about the new food rationing system.
- * Custodio Inacio: a Radio Mozambique journalist detained for twenty-one days in 1986 in the town of Inhambane after writing a story about the preferential treatment the government's protocol department gave to "national journalists" compared to reporters based in the provinces.
- * João Batista José and Cesar Tomas: detained for ten hours in 1986 in Chimio after writing and reading a radio report on the police beating of civilians in public. Both went to court and their case was dismissed.
- * Carlos Mhula: detained for two months between July and September 1989 in the town of Xai Xai after reporting about the Mungoi spirit phenomenon in Manjacaze district.
- * Tome Griche: Radio Mozambique journalist detained for one day in Beira in July 1990 after reporting about disorganization in the Beira military hospital.

⁷ Source: National Organization of Journalists (ONJ).

- * Nogueira da Silva: Radio Mozambique journalist detained for three days in Beira in November 1990 after reporting about police beatings of civilians.
- * Basilio Langa, a journalist for AIM, was assaulted by the bodyguard of the National Director of Customs in July 1991.

In addition, Noe Ditimande, a journalist at *Notícias*, was sacked in April 1992 for criticizing Col. Sergio Vieira, Director of the Center of African Studies and Jorge Rebelo, FRELIMO's chief of the Mobilization Department, for their preference, as expressed in the previous parliamentary session, for a priest rather than an Islamic figure to be appointed to the Supreme Council of Mass Communications. According to both Ditimande and Magaia, the decision to sack Ditimande was made at the highest political level. However, the case was then interpreted as one of ill-researched journalism only, with Sergio Vieira himself writing to *Notícias* on April 7 calling for Ditimande to continue writing in spite of his errors.

Meanwhile, the death toll among journalists working in the war zones mounted. Fernando Juma, a twenty-year-old reporter for the Mass Communications Institute (ICS), died on April 9, 1986, when his car struck a land mine on a highway forty miles east of the provincial capital Nampula. Juma became the fifth ICS reporter and eighth overall killed. *Notícias* journalist Pedro Tivane was mutilated and murdered by RENAMO reportedly after presenting them his *Notícias* work card after an ambush.

The ONJ's subservient position towards FRELIMO was maintained at the Second Congress in 1986, where the vote of the new ONJ leadership consisted of delegates ratifying a list of names provided by the FRELIMO Central Committee. Ideology chief and Politburo member Jorge Rebelo, who presided over the meeting, criticized the ONJ for failing to play its role in "mobilizing and organizing the people for national defense." The goal of the ONJ, he said, should be "to make the information sector an advance detachment in the class struggle and the revolution." State control of the media was felt more strongly in the provinces, where governors could simply order local journalists to not publish certain reports.

In the late 1980s, the press became bolder in its coverage of corruption and abuses by the security forces. The more outspoken stance was spurred by the rapid political changes initiated by the government in an attempt to end the war. The Fifth Congress of FRELIMO held in Maputo in July 1989 saw the party drop its ideological commitment to Marxism-Leninism, but four journalists working at

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AIM, including its director, were either barred from covering the meeting or were thrown out by SNASP.

One journalist who followed the Congress proceedings from a security jail cell was Carlos Mhula, a reporter from the Mass Communications Institute (ICS) and a stringer for AIM in the city of Xai Xai, capital of Gaza province. Mhula was detained by SNASP on July 3, after his report on the surrender of twenty-six RENAMO fighters to a powerful local spirit medium named Mungoi was published in *Notícias*. Since independence, FRELIMO had been hostile to traditional political and religious figures who did not accept party control, and government officials in Xai Xai were worried about the growth of the influence of Mungoi in Majacaze district and neighboring areas. Mhula's report about Mungoi was the first to appear in the Mozambican press. The provincial Director of Security had originally instructed Mhula not to publish the story of the rebels' surrender, but two days later Mhula was called to the Governor's palace, with two other journalists, to interview the RENAMO fighters as they handed their guns in. The Governor and the Director of Security were present. AIM carried Mhula's story on June 28 with a significant error: it said that the Governor had met the spirit medium Mungoi when in fact he had only met the rebels themselves. Mhula said he talked to the Governor personally on July 2, who told him not to worry about the error. However, the following day a SNASP jeep picked Mhula up at 8:00 A.M. as he was walking to work and took him to SNASP headquarters.

After questioning him about the story, the SNASP agents took Mhula's shoes, jacket and watch and put him in a small cell in isolation. His family was not informed of his whereabouts. He was questioned every day for two weeks, and his cell door was opened only after one month. As FRELIMO's Fifth Congress opened in Maputo three weeks after his initial detention, Mhula requested and obtained access to a radio and newspapers to follow the meeting. In the middle of the second month, Mhula was allowed to leave the building for fresh air. On September 6, 1989, he was freed.

As in the Cardoso case, the ONJ, which was technically responsible for taking up Mhula's case, took no action. His colleagues at AIM, however, had lobbied the government to obtain his release. Several foreign embassies and human rights activists abroad also had brought the matter to the attention of the Minister of Justice, Aly Dauto. After his release, Mhula continued to have problems with his employer, ICS, which temporarily suspended him without pay on December 1, 1989, saying it was unaware of his work with AIM. There is no legal prohibition against a reporter at one media organ collaborating with

another, a practice which is quite common in the provinces because of the scarcity of funds and journalists. The Mozambican press did not report either Mhula's detention or his release.

On January 6, 1990, amid a wave of strikes and heavy press coverage of the fall of communist governments in eastern Europe, the then Minister of Information, Teodato Hunguana, dismissed Jose Catorze as director of *Notícias*. That same day, Calane da Silva, the chief editor of the television station, TVE, resigned over what he alleged was interference by the Ministry of Information with television news coverage.

While President Chissano was abroad visiting the United States and Britain, Minister Hunguana expelled Antonio Mateus, Maputo bureau chief of the Portuguese news agency, LUSA, and a stringer for Voice of America. After he refused to reveal his sources for a report on unrest in the capital, Mateus was given twenty-four-hours notice on March 16, 1990, to leave the country. Hunguana described Mateus' story as having "no basis in fact, causes serious damage to the image of the country abroad, and amounting to active disinformation." Mateus' expulsion drew protests from the U.S. and Portuguese governments. President Chissano later called the expulsion "lamentable" and said, "We are sure that it is not going to happen again."

Mr Chissano held a six-hour meeting with a group of journalists on May 29, 1990, to discuss a document entitled "The People's Right to Information" that had been signed by 165 media workers around the country. The document had been drawn up by journalists in February in an effort to lobby the government for greater press freedom.

On July 10, 1990, Tome Griche, a Radio Mozambique journalist in Beira, was detained for one day after he published a story about the reorganization of the Armed Forces. Upon his release the following day, the arrest was condemned as illegal by both civilian and military authorities, including the Minister of Defense, Alberto Chipande.

On October 18, 1990, a replacement was announced for Calane da Silva, the chief news editor at TVE who had resigned in January because of what he described as interference by the Ministry of Information in television news coverage. Information Minister Hunguana used the occasion to attack certain Mozambican journalists whom he accused of being an "operational extension" of forces bent on destabilizing the country and practicing "anarcho-liberalism" in the news room. Mr Hunguana's speech, which was reprinted in full in *Notícias*, came amid a controversial debate in the People's Assembly over the nationality law. "We witness deliberate distortions that seek to defraud citizens' right to information," Hunguana said. He was particularly critical of Mozambican journalists who "carry abroad the

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activity of disinformation and of denigrating Mozambican institutions." Such journalists, he said, "are in practice no more than an operational extension of those forces who were always dedicated to aggression against the country through all means, including active disinformation." Hunguana warned that "it is our duty to take necessary measures" to end such practices. The minister said he did not "appoint foremen or 'yesmen' as the anarcho-liberals claim. We try to appoint Mozambican citizens who are identified with the public interest and the Mozambican motherland." Hunguana appointed Hilario Matusse, then working as editor of the FRELIMO monthly *Vanguarda*, to fill the chief news editor post.

The following month, on November 9, the chief news editor at Radio Mozambique's station in Beira, Joaquim Nogueira da Silva, was detained by police for six days on charges of libelling the authorities. His arrest followed his eyewitness account published by the radio and the Beira daily newspaper, *Diário de Moçambique*, of five police officers beating two youths on November 3.

A series of strikes by media workers began on November 20, 1990, when 170 employees at the Mass Media Institute walked off the job demanding back wages from 1987-88. The same day, students at the journalism school boycotted classes claiming better conditions and the sacking of management for incompetence. The next day, thirty-five journalists at the *Sociedade de Notícias*, which owns the Maputo daily *Notícias*, the Sunday paper *Domingo* and the sports paper *Desafio*, stopped work, returning only seven days later.

On December 8, 1990, nine days after the new constitution guaranteeing freedom of the press had taken effect, Enoque Marcos and Fortunato Vicente, journalists for *Diário de Moçambique*, were beaten up by police and detained while covering a clash between the police and war-wounded civilians. The police reportedly damaged a camera, confiscated film and a notebook, beat the two journalists and detained them for several hours. The police officers involved denied mistreating the two journalists, who in turn produced a medical report confirming that Vicente had suffered cuts to the head and a split lip.

Following a three-day seminar on the press law in early November 1991, the ONJ expressed concern that the state continues to block access to information. The ONJ also noted that citizens could still be intimidated when attempting to talk to the press. Africa Watch was nevertheless struck by the improved press freedom in Mozambique. Both radio and the newspapers carry daily comments critical of government from individuals and the emerging opposition groups and political parties. But the editorials and the commentaries still rarely criticize FRELIMO. The President is never criticized directly.

Journalists interviewed by Africa Watch in 1992 allege that they still receive death threats from the armed forces if they attempt to cover corruption stories. Many journalists in ONJ are fearful of investigating corruption at senior government, military and business levels because of intimidation and fear of losing their jobs.

PRESS LAW

A press law was called for in the constitution, and the press law passed in July 1991 replaced a 1937 Portuguese colonial press law which was in still on the statutes after independence, though it was largely ignored. In piecing it together, the authors of the new law said they consulted legislation in eleven countries, ranging from Algeria and the Soviet Union to Britain and India, as well as Mozambican law.

The law says that all media, whether state or privately owned, must be registered with the Ministry of Information. State-owned media, radio, television and the national news agency, are to be run in the "public interest" and not as a "direct instrument of government."⁸ They are to be autonomous enterprises.

While the press law represents a major elevation of the press' status in society, some of its provisions are vague and could lead to abuse by the government. While the Supreme Council for Mass Communications is to guarantee respect for freedom of the press and equal access to the media, the Ministry of Information will continue to name the directors of public sector media. Further, as journalists pointed out at the Third Congress of the ONJ, they will be able to choose just three of the Council's eleven members.

Several journalists have questioned Article 4 of the law, which would commit the media to promoting a series of goals including "the consolidation of national unity and defense of national interests," "the promotion of democracy and social justice," and the fostering of the country's economic, social and cultural development. "The unfettered access of citizens to facts, information and opinions" comes fifth on the list of seven goals.

A broadly worded Article 5.2 commits journalists to carry out their work based on "respect for the constitution, for the dignity of the human person, for imperatives of foreign policy and national defense."

Article 46, which deals with libel, states:

⁸ Explanatory notes "Fundamentação do Anteprojecto de Lei de Imprensa," p. 2.

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The crimes of injury, defamation, threat, insult or provocation against the President of the Republic, members of Government, deputies of the Assembly of the Republic, magistrates, and other public authorities, or against the Head of State or members of a foreign government, or against any diplomatic representative accredited in Mozambique occur with the publication in writing or broadcast on radio or television or photos in which these offensives are verified.

Article 47.4 goes further, stating that effectively the journalist or publication is guilty of libel if the offended party is either the President of the Republic or the leader or ambassador of another country.

The law also provides that if a journalist accused of libel fails to prove his or her allegations, punishment could entail two years in prison and payment of damages of not less than 100,000 meticaís, the equivalent of about 75 U.S. dollars.

Press freedom and access to the media were also underlined in Article I of the Third Protocol signed in Rome on March 12, 1992, between the government and RENAMO. It guarantees that:

- (a) All citizens have the right to press freedom, and the right to information. These freedoms specifically include the right to found and manage newspapers and other publications, and radio and television stations, as well as forms of written or aural propaganda . . . These rights will not be limited by censorship.
- (b) In no case will administrative or fiscal regulations be applied in such a way as to discriminate or prevent the exercise of this right for political reasons.
- (c) Freedom of the press also includes freedom of journalistic expression and creativity and protection of their independence and of professional confidentiality.
- (d) The mass media of the public sector will enjoy editorial independence and will guarantee the right of access to all Parties without political discrimination . . .

Africa Watch welcomes these undertakings and urges that RENAMO and the government adhere to the provisions and the spirit of Protocol Three.

CONCLUSION

The press is an area where there has been marked and substantial progress in the last year, with journalists increasingly demonstrating independence.

10. UNITED STATES POLICY

Despite the FRELIMO government's historical ties with the Soviet Union and long-standing United States opposition to Soviet influence in Southern Africa, the United States maintained ties with the Mozambican government throughout the Cold War. In recent years, relations between the two countries have grown stronger, as the United States has come to play a constructive role in the peace process between FRELIMO and RENAMO and has aided in the development of a greater respect for human rights. Since 1989, Mozambique has also been the largest recipient of U.S. aid in sub-Saharan Africa, and has recently, after much controversy, begun receiving limited non-lethal U.S. military assistance. For fiscal year 1992, the Bush Administration has proposed a total aid package of over \$57 million, made up of \$36 million of development assistance, \$21.5 million in PL 480 food aid, and \$100,000 in International Military Education and Training (IMET) funds.¹

Relations between Washington and Maputo, though, have not escaped the Cold War thinking that colored U.S. foreign policy throughout the 1980s. Rather, the apparent anomaly of U.S. support for what was once an avowedly militant Marxist government can be explained by the United States's response to Mozambique's humanitarian crisis, and by the imperatives of the Reagan administration's policy of "Constructive Engagement" in southern Africa. In many senses, U.S. policy toward Mozambique has really been derivative, driven by policy towards South Africa and U.S. geopolitical concerns. But unlike the case with Angola, where the United States and South Africa supported the UNITA rebels in their destructive war against the Soviet-supported government, in Mozambique the State Department argued that cooperation with FRELIMO would woo the government away from the Soviet Union.

This policy has not been without its vociferous critics. During the Reagan years, influential conservative political figures within the executive branch and the U.S. Congress, have actively lobbied the United States to support RENAMO as a contra-type force, invoking the "Reagan doctrine" of U.S. support for anti-Communist guerrilla forces. Although the United States has never adopted this policy, a constant undercurrent in the history of relations between the United States and Mozambique—especially during the Reagan administration—has been a battle between pro-RENAMO conservatives and those who favored a more conciliatory policy towards the Mozambican government. In

¹ Congressional Presentation on Security Assistance for Fiscal Year 1992.

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both cases, though, the imperative has largely been how to decrease Moscow's influence over FRELIMO. With the recent demise of Soviet power in Africa (and the demise of the Soviet Union itself), Cold War considerations no longer motivate U.S. policy. To its credit, the United States has remained relatively engaged on Mozambique and has not abandoned the positive elements of its earlier policy but built upon them to create better relations and a more comprehensive policy.

In the early years of Mozambique's independence, U.S. policy was colored by Washington's ties with its NATO ally, Portugal, and by FRELIMO's militant Marxism. During FRELIMO's war of independence against Portugal, the nationalist movement was critical of what it viewed as U.S. military support for the colonial power. The United States, though, claimed that the military equipment that it supplied to Portugal was limited to what was needed to support its NATO obligations. At the time of independence, FRELIMO, for its part, came to power when socialism in Africa was at the height of its prestige. The radical ideology that the new government inherited from the guerrilla struggle, the manifest failure of colonialism to deliver social or economic improvement to the Mozambican peasantry, the continued armed opposition sponsored by white-ruled Rhodesia and South Africa, and the lack of support from Western governments, all contributed to FRELIMO's leftward leanings. By 1977, a general radicalism had crystallized into an explicit commitment to Marxism-Leninism. In March 1977, Mozambique signed a twenty-year friendship treaty with the Soviet Union, which began to supply military training and hardware, along with other members of the former Communist Bloc such as East Germany, Bulgaria, Romania, North Korea and Cuba. In January 1980, Mozambique was one of the few countries which did not join in a U.S.-led effort at the United Nations to condemn the Soviet invasion of Afghanistan.

As a result of Mozambique's ties with the Soviet Union, U.S. relations were generally unsympathetic. Though the United States provided a \$10 million grant of aid to the new government in 1976, by 1978 Congress severely restricted U.S. economic assistance. The Foreign Assistance Appropriations Act of 1978 provided that no U.S. development assistance could be approved unless the President reported to Congress that such assistance would further U.S. foreign policy objectives.²

The inauguration of President Reagan in January 1981 marked a

² "Mozambique: The State Department Perspective," *Africa Report*, January-February 1983.

radical shift in U.S. policy in southern Africa, and eventually a change in relations with Mozambique. Initially, the new administration's policy of constructive engagement with South Africa coincided with a much more aggressive South African policy towards its black neighbors. Less than two weeks after President Reagan's inauguration, South Africa staged a series of cross-border raids into Mozambique which resulted in the deaths of at least twelve South African refugees.³

South Africa's aggression, ironically, came when the Mozambican government gave signals that it was increasingly ready to cooperate with the West. Particularly important was Mozambique's constructive participation in negotiations leading to the independence of Zimbabwe. This cooperation led then-Secretary of State Edward Muskie, in December 1980, to waive congressional restrictions on U.S. aid.⁴ However, in the wake of the South African raids, Mozambican intelligence claimed that the CIA had infiltrated FRELIMO, and that senior army officers had been in the pay of the South Africans. In March 1981, the Mozambican government accused four members of the staff at the U.S. embassy of "espionage, subversion, and interference" and expelled them from the country.⁵ The United States, for its part, alleged that one of the embassy staff had been kidnapped by Cuban intelligence officers, coerced into becoming a spy, and that the embassy staff was expelled when he refused to cooperate.⁶

The expulsion of the U.S. embassy staff occurred on the day that a team from the U.S. Agency for International Development (U.S.AID) arrived in Maputo to discuss possible U.S.-funded development projects with the government. As a result of the diplomatic conflict, though, plans for U.S. assistance, according to the State Department, "came to an abrupt halt."⁷ Indeed, on March 13, in retaliation for the

³ Glen Frankel, "Long Hostile Mozambique Now Supports U.S. Policy," *The Washington Post*, February 5, 1984.

⁴ Harold Nelson, ed., *Mozambique: A Country Study*, Area Handbook Series, U.S. Government Printing Office, Washington, DC. p. 235.

⁵ The embassy staff members in question were: Frederick Boyce Lundahl, Louis Leon Oliver, Arthur Russell and Patricia Russell.

⁶ Bernard Gwertzman, "U.S. Blames Cubans for Expulsion of Americans from Mozambique," *The New York Times*, March 6, 1981.

⁷ "Mozambique: The State Department Perspective," *Africa Report*, January-February 1983.

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expulsions, the United States revoked both its ambassador and \$5 million worth of official credits for food aid.⁸ For the next two years the mutual animosity turned to near complete estrangement.

During the same period, relations between Mozambique and Britain took a significantly different tack. Britain had historically played an important role in Mozambique for two reasons: the dominant role of British companies in the colonial economy, and the fact that all of Mozambique's six neighbors were former British-ruled territories. Perhaps most important in bringing the two countries together, though, was Mozambique's involvement with the struggle for majority rule in neighboring Rhodesia.

During the 1960s and 1970s, Britain had been troubled by the conflict in Rhodesia, where the white minority regime of Ian Smith had unilaterally declared the colony's independence from Britain in order to forestall moves towards black majority rule. Smith's move, coming at a time when Britain's other African colonies were gaining independent rule, presented Britain with a major foreign policy problem. Despite international sanctions, successive British governments were unable to settle Rhodesia's status by negotiation, and a civil war escalated. Mozambique, since shortly after its independence in 1974, provided bases for one of the nationalist groups, the Zimbabwe African National Union (ZANU), led by Robert Mugabe. The Mozambican government also initially provided ZANU with a substantial quantity of modern weapons.

In 1979, the incoming British administration of Prime Minister Margaret Thatcher was able to achieve the long-awaited settlement of the Rhodesian conflict at the Lancaster House talks of that year. A key element in persuading Robert Mugabe, whose ZANU was the largest and most effective guerrilla force, to accept a compromise solution was pressure from Mozambique's President, Samora Machel. The Mozambican President reportedly hinted that support for a continued armed struggle would not necessarily be forthcoming, and that a policy of reconciliation with the white minority government was a political and economic necessity.

President Machel's role in persuading Mugabe to accept the British settlement was rewarded by a warm relationship with Prime Minister Thatcher. Britain supplied economic assistance and diplomatic support to the FRELIMO government, which also served the purpose of deflecting criticism from the British government's conciliatory policies

⁸ "U.S., in Retaliation, Cuts Mozambique Food Aid," *The New York Times*, March 14, 1981.

towards South Africa. In 1983, President Machel visited Britain and met with the Prime Minister; two years later Britain began to supply military training to the FRELIMO army. In 1987, 120 Mozambican officers were accepted into a four month combat training course run by the British army in Zimbabwe, and Britain provided the Mozambican army with 600 sophisticated Enfield rifles.⁹ In 1988, Britain's military aid program, which focused mainly on training and non-lethal assistance, amounted to \$8 million a year.¹⁰

The former Conservative Prime Minister Thatcher has been forthright in her criticism of RENAMO's abusive tactics. For example, in March 1989, after visiting Mozambican refugees at the Mankhokwe camp in Malawi, Thatcher stated: "I just want to get the message across to whoever might be contributing to RENAMO that it is not really a political organization fighting for political ends. No one, but no one, should be supporting them."¹¹ Prime Minister Thatcher's hostility towards RENAMO and her close relationship with President Machel were important in influencing her close friend, Ronald Reagan.

The estrangement between Mozambique and the United States was not to last long. Despite Mozambique's close relations with the Soviet Union, FRELIMO soon came to feel that it could not depend upon the Eastern Bloc for all of its development assistance needs. A particularly telling signal of the limits of East Bloc cooperation came in July 1981, when the USSR blocked Mozambique's application to join the Soviet-led Council for Mutual Economic Assistance (COMECON). By 1983, both the possibilities and the needs for greater cooperation with the West increased as FRELIMO's 1983 Congress ushered in new liberal economic and political reforms and the country was struck by large-scale famine and intensified attacks by RENAMO.

The United States, at this time, also responded favorably, sensing that it could use the needs of the Mozambican government to lessen the government's dependence on the Soviet Union. Chester Crocker, at that time the Assistant Secretary of State for African Affairs and the architect of the Reagan administration's policy of "constructive engagement" stated:

⁹ Allen Isaacman, "Chissano's Friends and Enemies," *Africa Report*, September–October, 1987.

¹⁰ Karl Maier, "The Military Mix," *Africa Report*, July–August 1988, p. 56.

¹¹ Richard Dowden, "Thatcher backs the victims of Renamo's war," *The Independent*, April 1, 1989.

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. . . the utter incapacity of Marxist economics to cope with the problems of a developing country, and the conspicuous inability of the Soviet Union to assist Mozambique with security and political problems stemming from its isolation, led to indications that the Mozambican government wished to reestablish communications with the United States. We responded by making clear that we were interested in a positive relationship based upon respect for each other's interests and were willing to engage in building bridges between us based on mutual respect.¹²

President Reagan responded to these signals by appointing Peter Jon de Vos, a career diplomat, as the first U.S. ambassador to Mozambique since 1981. De Vos arrived in Maputo in October 1983, where he was greeted warmly by the government.¹³ Also, in February 1984, in a further signal of warming relations, Assistant Secretary of State Chester Crocker visited Maputo for two days of talks with the government.

Crocker's visit also demonstrates how the dynamics of his "constructive engagement" policy—in this case, the constant multi-party negotiations attempting to arrange a settlement in the conflict between South Africa, Angola and SWAPO—propelled a close relationship between Mozambique and Washington. By 1983, constructive engagement had produced few positive results and was becoming increasingly unpopular in the United States. Crocker was thus interested in possible quick diplomatic successes in southern Africa. While in Mozambique, Crocker reportedly asked President Samora Machel to use his influence with the Angolan government to help move forward the negotiations between the warring parties. Machel apparently agreed, and Crocker, in turn, reportedly used his influence to initiate a round of talks between Mozambique and South Africa.¹⁴

During this period, international humanitarian agencies also began to work closely with the Mozambican government in supplying relief to various parts of the country. While impressed with the high level of

¹² *Mozambique: A Country Study*, p. 235.

¹³ Glen Frankel, "Long Hostile Mozambique Now Supports U.S. Policy," *The Washington Post*, February 5, 1984.

¹⁴ Frankel, *ibid.*

cooperation they obtained from the government, they were appalled at the abuses perpetrated by RENAMO, notably the attacks on development programs and transportation infrastructure, and the killing and mutilation of civilians. As a powerful lobbying group, these voluntary agencies quickly came to play an influential role in pressing for greater U.S. aid to Mozambique, and opposing any support for RENAMO.

On March 17, 1984, the talks between South Africa and the Mozambican government came to a successful, if short-lived, end with the Nkomati agreement (see chapter 2). The United States, which reportedly played an important mediating role, saw the Nkomati agreement as a major success and a vindication of its policy of "constructive engagement" with South Africa. A State Department spokesman at the time said that the United States "welcomes the agreement and views it as a major deal in the search for strengthened regional security in southern Africa."¹⁵ Shortly after the signing of the accord, in June 1984, the U.S. embassy in Maputo announced that Secretary of State George P. Shultz had lifted the congressional ban on direct economic assistance.¹⁶ As a result, aid to Mozambique rose from \$18.3 million in fiscal year 1984 to almost \$40 million in fiscal year 1985.

In early 1985, government officials announced that the Reagan Administration was planning to give the Mozambican government an additional \$1 million in non-lethal military aid and \$150,000 for military training. Robert Bruce, a spokesman in the State Department's Africa Bureau stated:

We have seen a major improvement in relations with Mozambique over the past two years. We seek to develop a limited military relationship with Mozambique.¹⁷

The rapidly improving relations between Mozambique and the United States peaked in September 1985, when President Reagan received President Samora Machel at the White House. The visit seems to have been designed to thank Machel for his cooperative actions in

¹⁵ "U.S. Welcomes Mozambique Pact," *The New York Times*, March 18, 1984.

¹⁶ Reuters, "U.S. Lifts 7-Year Ban on Aid to Mozambique," *The New York Times*, June 13, 1984.

¹⁷ Associated Press, "U.S. to Give Military Aid to Mozambique," *The Los Angeles Times*, January 15, 1985.

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the southern African region, and to continue the State Department strategy of "weaning" the Mozambican government from the Soviets. At a news conference after their meeting, President Reagan said: "For sometime now there has been an indication that [Machel], who had gone over to the other camp, was maybe having second thoughts. We think that it's worth a try to let him see what our system is." Similarly, a senior Administration official stated that "Mozambique has been important to us . . . in the efforts it has made, [and] in its advice and counsel on southern Africa. It is clearly moving away from an outright Soviet embrace."¹⁸

Shortly after Machel's visit, the Reagan administration again revealed that it proposed sending \$1.1 million of non-lethal military assistance to the embattled government to supplement the \$40 million of economic aid that it provided in 1985.¹⁹ However, the Administration's proposal, along with the warm reception given to Machel during his visit, provoked a strong backlash by pro-RENAMO conservative forces in the United States. Conservative Republicans, dismayed by what they saw as U.S. support for a Marxist nation, succeeded in blocking the security assistance. In a letter to President Reagan, Senator Jesse Helms and four other conservative senators stated:

We question whether it is in America's strategic interest to prevent the inevitable toppling of a pro-Soviet, dedicated Marxist government which has ruthlessly suppressed its people and bankrupted its economy.²⁰

These concerns also led Congress to impose legislative conditions on future economic and military aid to Mozambique. Indeed, economic assistance as a whole was initially defeated in the House and was only later restored in conference.²¹ The conditions on economic and military aid, which were passed in the House by a substantial

¹⁸ Doyle McManus, "Mozambican's U.S. Visit Irks Conservatives," *Los Angeles Times*, September 18, 1985.

¹⁹ McManus, *ibid.*

²⁰ McManus, *ibid.*

²¹ J. Stephen Morrison, "The Battle for Mozambique," *Africa Report*, September–October 1987.

majority of 247 to 177,²² stipulated that economic assistance should be "used solely for assistance to the private sector of the economy of Mozambique to the maximum extent possible" and should "be channeled to non-governmental entities." Military assistance could not be provided unless the President made a prior certification that the government of Mozambique was: "making a concerted and significant effort to comply with internationally recognized human rights"; "making continued progress in implementing essential economic and political reforms"; was reducing foreign military personnel to no more than 55; and had committed to holding free elections before September 30, 1986.²³ As a result, U.S. aid to Mozambique dropped from a high of almost \$40 million in 1985, to only \$10 million in 1986.

Conservative activists lobbied to try to bring the Administration closer to supporting RENAMO. Those most active in promoting closer ties with RENAMO were conservative congressmen Dan Burton and Robert Dornan, and Senator Jesse Helms. RENAMO also reportedly enjoyed support from individuals within the National Security Council and Defense Intelligence Agency, and from William Casey, President Reagan's Director of Central Intelligence.²⁴ Outside congress and the administration, the Heritage Foundation, a right-wing think-tank influential with the Reagan administration, actively lobbied for closer ties between the United States and RENAMO. Heritage Foundation reports described RENAMO as "pro-Western freedom fighters" who by 1987 controlled "80 percent of the countryside."²⁵ The Heritage Foundation also stated that RENAMO was a "popularly supported resistance" which was "establishing a provisional government in the large area of Mozambique in which the resistance movement operates freely."²⁶

²² Michael Clough, "Southern Africa: Challenges and Choices," *Foreign Affairs*, Summer 1988, p. 1070.

²³ International Security and Development Cooperation Act of 1985; Title VIII—Africa; Sec. 813: Assistance for the People's Republic of Mozambique.

²⁴ Neil Lewis, "Dole Dissents on Mozambique Policy," *The New York Times*, June 13, 1987.

²⁵ "Mozambique Merits the Reagan Doctrine," *Backgrounder*, no. 572, The Heritage Foundation, March 31, 1987.

²⁶ "The Resistance Can Win in Mozambique," *National Security Record*, no. 92, The Heritage Foundation, June 1986.

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In 1985 and 1986, these efforts resulted in a letter by seven senators and two congressmen inviting RENAMO's leader, Afonso Dhlakama to Washington,²⁷ and meetings between RENAMO representatives and Patrick Buchanan, then President Reagan's White House Director of Communications, and John Phillip, the National Security Council's Africa Advisor.²⁸

The most successful achievement of Washington's pro-RENAMO lobby was the blocking of the appointment of Melissa Wells as American Ambassador to Mozambique. Conservative Republicans, seeing the nomination as an opportunity to push the Reagan administration closer to RENAMO, blocked it for a record eleven months and two days, and made Wells answer an unprecedented 246 questions. The move to block Wells' nomination, which was led by Senators Helms, Kasten, Symms, Humphrey and Wallop, received a strong boost in May 1987, when Senator Bob Dole, the Senate minority leader and a presidential candidate, announced that he would oppose the nomination.²⁹

Opposition to Wells' nomination was met with strong statements from the White House and the State Department, supporting the existing policy of ties with the FRELIMO government and criticizing RENAMO. Secretary of State George Shultz, in a meeting with FRELIMO representative in Washington at the time, said that the United States would continue its support for the government.³⁰ Assistant Secretary of State Chester Crocker, responded angrily to questions by Senator Helms during a Senate Africa Subcommittee hearing in June 1987, defending U.S. policy as "a case study of success in action on the ground" and stated that though the State Department might consider informal contacts with RENAMO it did not want to be used "for a photo opportunity" to give RENAMO international legitimacy. Crocker further

²⁷ The congressmen were: Senators Jesse Helms, Gordon Humphrey, James McClure, Don Nicholas, Steve Symms, Malcolm Wallop and Pete Wilson, and Representatives Dan Burton and Robert Dorman.

²⁸ Robert Pear and James Brooke, "Rightists in U.S. Aid Mozambique Rebels," *The New York Times*, May 22, 1988.

²⁹ Neil Lewis, "Dole Dissents on Mozambique Policy," *The New York Times*, May 20, 1987.

³⁰ Neil Lewis, "Shultz Assures Mozambique Aide U.S. Won't Withdraw Support," *The New York Times*, May 23, 1987.

characterized RENAMO as an organization lacking "a credible political identity" and stated that there was "credible evidence that South Africa remains a reliable supplier of high-priority items that RENAMO is unable to acquire on its own."³¹

At the same time, however, there were some conciliatory moves by the State Department towards RENAMO's backers in Congress. Most prominently, in June 1987, Greg Fergin, the head of the State Department's Mozambique desk met with RENAMO's representative in the United States, Luis Serpião, to attempt to secure the release of Kindra Bryan, an American doctor held by the rebels.³² This meeting reportedly came about at the suggestion of Senator Helms, who stated that State Department contacts with RENAMO might help in securing the doctor's release.³³

By the fall of 1987, opposition to Wells' nomination finally collapsed and on September 9, she was confirmed by a vote of 62 to 24. Particularly important in ending the blockage were persistent reports of massacres by RENAMO, and in particular the July 1987 massacre at Homoine. According to press reports, the persistent reports of violations by RENAMO were particularly important in persuading Senator Dole to drop his opposition to the nomination.³⁴ (Senator Jesse Helms, by contrast, was unfazed by reports of abuses by RENAMO but told the Senate Foreign Relations Committee, "if there ever was a clear set-up, this is it."³⁵) Some observers also felt that Senator Dole's opposition to the nomination was motivated more by the partisan politics of the Republican presidential primaries than by support for RENAMO, another example of the derivative nature of U.S. thinking towards Mozambique.

Following the battle over Wells' nomination, the Mozambique government decided to look for a skilled lobbyist in Washington D.C. Their choice of Bruce Cameron, retained from September 1987 at U.S.\$

³¹ David B. Ottaway, "Mozambican Rebel Aid Ruled Out," *The Washington Post*, June 25, 1987.

³² Neil Lewis, "U.S. Meets a Mozambique Rebel Figure," *The New York Times*, July 13, 1987.

³³ Morrison, 1987.

³⁴ Neil Lewis, "Senate Confirms Mozambique Envoy," *The New York Times*, September 10, 1987.

³⁵ "U.S. Offers Condolences," *The New York Times*, July 25, 1987.

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67,000 per annum, surprised many in D.C. Cameron had been an influential Democrat lobbyist who shocked many liberal colleagues by becoming a pro-Nicaraguan Contra lobbyist in 1985. Working closely with Lt.-Col. Oliver North over Contra aid in both the 1985 and 1986 Congressional debates, he was at first very successful but dropped the Contra cause following the exposure of Iran-Contra scandal and the resignation of Contra leader Arturo Cruz, asserting that he had been duped.

Cameron's contacts with Congress from his pro-Contra days assisted his efforts to block the amendments in the December 1987 Congressional hearings introduced by the pro-RENAMO lobby with the intention of killing aid to the Mozambique government. In the last months of 1987, Cameron targeted thirty members of Congress, especially key southern Democrats, and one hundred members of staff. The result was a further defeat for the pro-RENAMO lobby and stronger support in Congress for the Mozambique government.³⁶

Wells proved to be one of the most dynamic American ambassadors in sub-Saharan Africa as she pushed the Mozambican government to undertake social and economic reforms. During her time in Maputo, Wells was particularly active on human rights issues, pressuring the government on abuses such as the use of forcible relocation, while also criticizing RENAMO. Wells took particular interest in the child victims of RENAMO, and also pushed to get international human rights groups admitted to Mozambique.

It is interesting to note that during the intense debate on Melissa Wells' nomination, the State Department's reaction to the Homoine massacre seems to have been somewhat hesitant. An official statement on July 24, did not attribute responsibility for the massacre directly to RENAMO, but stated:

We are shocked by the brutal mass killing of innocent persons and we extend our condolences to their families and to the Government of Mozambique.³⁷

In later statements to the press, un-named State Department spokesmen said that the death-toll at Homoine, initially reported as approximately 400, may have been exaggerated. State Department

³⁶ "The Lobby Business: Through the Mirror of the Image Makers," *South*, July 1988; interview with Cameron, Washington D.C., January 1992.

³⁷ "U.S. Offers Condolences," *The New York Times*, July 25, 1987.

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spokesmen were quoted as saying: "We don't have absolutely conclusive evidence of what may have happened. There was no question that there was a massacre" but the casualties may have been "more like 100 or 150."³⁸

To its credit, though, the State Department's 1987 Human Rights Report stated that:

Strong circumstantial evidence suggests that RENAMO was responsible for a series of massacres of civilians in southern Mozambique . . . during the second half of 1987. The most brutal attack occurred on July 18 at Homoine in Inhambane Province, in which 424 civilians were killed, according to the Government. An American witness saw the attackers shoot and kill a group of women and children and reported that other victims had been killed with machetes and bayonets.³⁹

The report also stated, as previous and subsequent ones did, that RENAMO was responsible for serious abuses against civilian populations, in particular:

RENAMO reportedly has tortured, maimed and mistreated both military prisoners and civilians. Numerous eyewitnesses have confirmed these reports, referring to RENAMO mutilations of civilians believed to be sympathetic to the Government by cutting off noses, ears and lips. Thousands of Mozambicans, including children, are reported to have undergone such disfigurement.

The State Department's human rights reports were equally unhesitant to criticize the government. For example, the 1987 report, in language similar to that used in subsequent reports, states that both "Mozambican security forces and RENAMO reportedly committed serious abuses against civilians." The report describes "reports of capricious and cruel treatment by some members of the security and defense forces" and prisons marked by "inadequate food, hygiene and medical care." The report also notes measures to increase press freedom, reduce the use of torture by the security forces and steps to improve military justice.

³⁸ "S. Africa, Mozambique Form Commission to Probe Massacre," *The Washington Post*, August 7, 1987.

³⁹ 1987 Department of State Country Reports on Human Rights Practices, p. 200.

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The most important instance of U.S. criticism of human rights abuses in Mozambique, though, was a report on abuses by RENAMO which was commissioned by the State Department and written by Robert Gersony in 1988. Gersony's report, which dealt only with abuses by RENAMO, was based on interviews with nearly 200 Mozambican refugees, and condemned the rebels for murdering at least 100,000 civilians.⁴⁰ According to the State Department, the report vindicated their "reluctance to enter into any sort of relationship" with RENAMO.⁴¹ The Gersony report was also timed to coincide with an emergency aid conference held during April 1988 in Maputo. At the conference, Roy A. Stacy, a Deputy Assistant of State for African Affairs, backed up Gersony's findings and reiterated U.S. opposition to RENAMO in the most forceful manner possible, stating:

What has emerged in Mozambique is one of the most brutal holocausts against ordinary human beings since World War II . . . The supporters of RENAMO, wherever they may be, cannot wash the blood from their hands unless all support for the unconscionable violence is halted immediately. . . . RENAMO is waging a war of terror against innocent Mozambican civilians through forced labor, starvation, physical abuse and wanton killings.⁴²

The Gersony report, combined with RENAMO's atrocities at Homoine and elsewhere during 1986 and 1987, ensured that the State Department's policy of refusing to support RENAMO would outlast pressures by conservative forces in the United States. Though vividly documenting many RENAMO abuses, the Gersony report was far from faultless. In particular, it failed to detail abuses by government soldiers, and the State Department's response to it was not followed by an equally strong condemnation of government abuses.

It should be stated, however, that although the U.S. government

⁴⁰ Robert Gersony, Consultant to the Bureau for Refugee Programs, "Summary of Mozambican Refugee Accounts of Principally Conflict-Related Experience in Mozambique," Department of State, April 1988.

⁴¹ Robert Pear, "Mozambicans Fled Rebels, U.S. Says," *The New York Times*, April 21, 1988.

⁴² James Brooke, "Visiting State Department Official Condemns Mozambique's Rebels," *The New York Times*, April 27, 1988.

never backed RENAMO, support for the rebels by private individuals in the United States has been persistent and important in helping to sustain the movement. Afonso Dhlakama himself, while criticizing what he perceived as the pro-FRELIMO policies of the Bush and Reagan administrations, has stated that, "We have friends, senators, congressmen, who, in fact, believe that RENAMO is an anti-Marxist organization that ought to be also treated like the other organizations."⁴³

The main private supporters of RENAMO in the United States seem to be based around right-wing evangelical Christian and anti-Communist organizations. Most prominent is Thomas Schaaf, who operated the Mozambique Information Office⁴⁴ in Washington, DC. Schaaf, a former American evangelical missionary in Zimbabwe, has reportedly been instrumental in forming contacts between RENAMO and right-wing Christian groups in the United States.⁴⁵

One of those individuals approached by Schaaf was Thomas Demery, a born-again Christian and the Reagan Administration's assistant secretary for housing in the scandal-plagued Department of Housing and Urban Development (HUD) from October 1986 to January 1988.⁴⁶ According to press reports, Demery used his position at HUD to solicit donations to a little-known charity called FOOD for Africa from individuals and organizations involved in HUD programs that he oversaw. According to a report in the *San Jose Mercury News*, these donations totalled \$290,000 during the twenty months that Demery was at HUD. Press reports state that FOOD for Africa was, in turn, connected with several South African evangelical organizations known to have donated food and medicine to RENAMO. In addition, Demery solicited \$25,000 in funding for RENAMO from Pat Robertson, the right-wing tele-evangelist. Tele-evangelist Jimmy Swaggart is also said to have funded missionary work in RENAMO areas.⁴⁷

⁴³ Karl Maier, "Talks Seen Likely in Mozambique," *The Washington Post*, December 26, 1989.

⁴⁴ Later renamed the Mozambique Research Center.

⁴⁵ Karl Maier, "Between Washington and Pretoria," *Africa Report*, November–December 1988.

⁴⁶ "For HUD Official Charity Begins With RENAMO," *Africa Report*, September–October 1989, p. 6.

⁴⁷ Alex Vines, *RENAMO: Terrorism in Mozambique*, London, 1991, p. 46.

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Equally active on behalf of RENAMO have been various anti-Communist organizations, most prominently Freedom Inc. and the La Jolla, California-based Freedom Research Foundation. After travelling to RENAMO-held Mozambique in 1985, Jack Wheeler, of the Freedom Research Foundation, met with Lt. Col. Oliver North of Reagan's National Security Council to ask for his help in aiding RENAMO. According to Wheeler, "Ollie was very sympathetic but felt he had to concentrate on his efforts in Central America."⁴⁸ Freedom Inc., for its part, sponsored a three-day trip by four American journalists—including William Clairbourne of *The Washington Post*, John Battersby of *The New York Times* and Spenser Reiss of *Newsweek*—to a RENAMO headquarters in the Gorongosa district of Mozambique. RENAMO President Afonso Dhlakama attempted to use the occasion to criticize the recently-released State Department report on RENAMO and to portray the rebels as a highly motivated and organized force.⁴⁹

Right-wing groups have also supplied RENAMO with material support. For example, the Freedom Inc. flight which carried the journalists into Mozambique also apparently delivered solar-energy battery chargers, laptop word processors, and printers to RENAMO.⁵⁰ Another contributor to RENAMO is Louisiana businessman James Blanchard 3rd, who since 1986 has admitted to contributing between \$50,000 and \$75,000 to RENAMO's operational costs.⁵¹

In 1991, RENAMO hired the public relation services of Washington lobbyist Bruce Fein. According to forms which Fein is required to file with the U.S. Department of Justice's Foreign Agents Registration Agency, his principal aims are to "elicit U.S. government support for the democracy initiatives of RENAMO" and advise and write "a political agenda for RENAMO." For his efforts, he is being paid \$40,000 a month, plus out of pocket expenses.

⁴⁸ Robert Pear and James Brooke, "Rightists in U.S. Aid Mozambique Rebels," *The New York Times*, May 22, 1988.

⁴⁹ See, John D. Battersby, "Pariahs Abroad, Mozambique Rebels Fight On," *The New York Times*, July 31, 1988; and, William Clairbourne, "Mozambican Guerrillas Launch Attack on the PR Front," *The Washington Post*, July 31, 1988.

⁵⁰ Vines, 1991, p. 45.

⁵¹ Robert Pear and James Brooke, "Rightists in U.S. Aid Mozambique Rebels," *The New York Times*, May 22, 1988.

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A Justice Department Supplementary Statement filed by Fein, very late, in March 1992, confirms that he was still funded by RENAMO. In September and October 1991 he received a further U.S.\$ 50,000. One of Fein's priority tasks is to provide RENAMO with advice on the areas to focus upon in their propaganda against the new constitution of Mozambique. Fein's own recommended constitution was circulated in Washington and Rome in June 1991, along with two other documents. It is less liberal than the government's constitution, for instance advocating the reinstatement of the death penalty, abolished by the government.

Since the abatement of the intense scrutiny given to U.S. policy toward Mozambique in 1986 and 1987, official ties between the two countries have grown stronger and U.S. policy has consistently retained its basic thrust: encouraging the FRELIMO government to liberalize Mozambique's economy and society through friendly relations. United States ties with Mozambique continued after the death of President Samora Machel. In October 1987, for example, President Reagan received President Chissano in the White House and reportedly assured the Mozambican president of continued U.S. support.⁵² Reagan also offered to help "in any way possible" to settle FRELIMO's war with RENAMO.

On March 13, 1990, President Bush continued the positive overtures to the Mozambican government when he met with President Chissano in the Oval Office. During the meeting, President Bush reportedly praised Mozambique's move away from Marxism and gave U.S. approval to changes on voting, property rights and religious freedom. Chissano expressed his appreciation for "the positive role the United States has been playing in the peace process."⁵³

By January 1990, in response to reforms by the Mozambican government, President Bush signed a presidential determination removing Mozambique from the list of Marxist-Leninist nations barred from receiving assistance from the Export-Import Bank. A statement justifying the determination stated that FRELIMO had taken several positive steps:

One, since 1986, Mozambique has embarked on economic and political reforms which have included the establishment of a

⁵² David Ottaway, "Reagan Affirms Support for Mozambican Leader," *The Washington Post*, October 6, 1987.

⁵³ "Bush Hails Mozambique's Move to Democracy," *The Washington Post*, March 14, 1990.

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mixed economy... Two, it has joined the IMF and World Bank and is adhering to an IMF structural adjustment program . . . Three, in July 1988, Mozambique officially abandoned Marxism at the fifth FRELIMO party congress. On January 9 of this year, President Chissano unveiled a new constitution which calls for direct election of the president and stresses protection of individual rights.⁵⁴

U.S. assistance to Mozambique has also not only grown to top the list of sub-Saharan recipients, but has become more comprehensive than the past large-scale infusions of food aid. Most significantly, assistance for fiscal year 1991 included a \$4 million democratization grant, funded out of the Development Fund for Africa. The package, the largest of its type in sub-Saharan Africa, was targeted towards education in three areas: the administration of multi-party elections; judicial training; and possible strategies for governmental decentralization.⁵⁵

The United States has also played an important role in recent peace negotiations between RENAMO and the government, though it is not an official mediator. In the spring of 1989, Ambassador Herman Cohen, during the Senate confirmation hearings on his succession to Chester Crocker as Assistant Secretary of State for African Affairs, said in response to a question from Senator Jesse Helms: "I think the situation [in Mozambique] is so bad and the need for peace so great that I will talk to anybody." Within several weeks, President Chissano signaled to the State Department that he was prepared to see U.S. diplomats having a formal dialogue with RENAMO, as long as it was aimed at drawing it into negotiations.⁵⁶ In August 1989, during the inconclusive first round of talks between RENAMO and FRELIMO in Nairobi, Kenya, the chargé d'affaires in the U.S. embassy in Zimbabwe, Edward Fugit, broke with long-standing State Department policy and met with RENAMO leader Afonso Dhlakama. According to press reports, Fugit sought to express the Bush administration's support for the FRELIMO

⁵⁴ State Department Spokesperson Margaret Tutwiler, State Department Briefing, January 30, 1990.

⁵⁵ Africa Watch interview with State Department Mozambique desk officer, February 28, 1992.

⁵⁶ Witney Schneidman, "Conflict Resolution in Mozambique," *CSIS Africa Notes*, No. 121, February 28, 1991.

government's peace proposals.⁵⁷ In 1991, contacts were made again, when the deputy assistant secretary for African affairs, Jeffery Davidow, and the U.S. Ambassador to Mozambique, Townsend Friedman, met with Dhlakama in Geneva. Press reports stated that the meeting was "an apparently deliberate move to try to stop RENAMO's foot-dragging in the peace process."⁵⁸

Since August 1991, U.S. State Department officials have been facilitating the peace process by giving advice to RENAMO on constitutional and military matters in Rome. These discreet contacts, which have the backing of the Mozambique government, are aimed at conveying to the rebel negotiating team some of the lessons learned from the Angolan peace process. In February 1992, following a similar RENAMO invitation, the Mozambique government invited the U.S. government to become an observer at the eleventh round of the peace talks. These talks will concentrate on military matters, with the intention of producing Protocol Four.

The U.S. State Department also continues to use its influence to push the peace process forward. Davidow held a further round of talks in Malawi with Dhlakama on February 17, 1992, followed by an important meeting on April 25 in Lilongwe, Malawi between Dhlakama and U.S. Assistant Secretary of State for Africa, Herman Cohen. With serious drought and probable famine facing Mozambique, Cohen had already held talks with Chissano concerned with implementing a temporary truce to facilitate the overland distribution of food aid (see chapter 6). Dhlakama objected to this proposal, insisting that relief efforts could not be properly monitored. Cohen did, however, succeed in getting Dhlakama to agree to return to the set agenda for the Rome peace talks. Since April 10, RENAMO had been demanding that constitutional rather than military issues be addressed at the next round.

State Department policy also continues to refuse to give Dhlakama personally a visa to enter the United States. An earlier ban on visas for RENAMO officials has now been lifted, but that on the leader himself will remain in place until a ceasefire is signed. Given Dhlakama's strong desire to visit the United States, this gives the current U.S. administration a degree of influence over RENAMO in the peace process.

⁵⁷ Karl Maier, "War-Ravaged Town Mirrors Mozambique's Problems," *The Washington Post*, October 23, 1989.

⁵⁸ Ruth Ansah Ayisi, "The Path to Privatization," *Africa Report*, January-February 1992, p. 57.

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The U.S. administration claims that facilitating the peace process and conflict resolution are the main pillars of its policy towards Mozambique. Once these have been achieved, a degree of "constructive disengagement" is likely to emerge. In the current post-Cold War period, U.S. involvement in Mozambique is seen to be far beyond its "natural level" dictated by U.S. interests in the country. Like other foreign services, the United States is looking for cuts to compensate for the growing demands for staff and other resources in Eastern Europe. The danger is that such adjustments of priorities will come too soon and lead too quickly to deep cuts. Already it has been stated that post-war aid to Mozambique should be less than the amounts committed to Angola. However, too low a level of assistance would be a mistake; many of the difficulties in Angola since the Bicesse agreements of May 1991 are due to insufficient funding of monitoring groups and demobilization. A significant level of foreign assistance will be required in Mozambique following a ceasefire to ensure that there is a real chance of establishing a lasting peace and the development of democracy.

Though U.S. policy towards Mozambique was, at least initially, more a product of the "constructive engagement" policy towards South Africa than a product of concern about the country itself, the U.S. State Department resisted pressures by right-wing Conservatives to back RENAMO. Particularly important in terms of human rights policy has been the forceful condemnation of RENAMO in the Gersony Report and in other statements. Since the advent of the Bush Administration, and the consequent move away from constructive engagement, the United States has retained its ties with Mozambique, focusing the most attention on informally facilitating the inconclusive and drawn-out peace process, and continuing to supply Mozambique with large levels of food and development assistance.

Africa Watch hopes that the current U.S. emphasis on facilitating peace talks will not overshadow human rights concerns. It is crucial for the United States to continue to make every effort to condemn abuses as rapidly as they occur, and in the most forthright manner possible. As important as successful peace negotiations in Mozambique are, Africa Watch believes that the only peace that will be lasting is one that honestly and unflinchingly addresses the abuses committed during the war. The United States can best serve this end by not failing to condemn abuses.

AFRICA WATCH'S RECOMMENDATIONS

If all goes well in the peace talks between the Mozambique government and RENAMO, Mozambique will finally emerge from a series of wars which have lasted over twenty-seven years. If a peace agreement can be made to stick, a long and violent chapter of abuses committed during the war will be brought to a close. Mozambique will then face the challenges of reconstruction, and the establishment of the rule of law and respect for basic human rights.

The Constitution of November 30, 1990, contains most of the requisite safeguards for basic human rights necessary, and is therefore welcomed by Africa Watch. The problems of enforcing the requirements in the constitution are, however, serious.

Assuming that the war comes to an end, Africa Watch makes the following recommendations to the government of Mozambique:

- 1. To bring to trial those members of the armed forces, on both sides, who are primarily responsible for gross abuses of human rights during the war.**

It is a basic requirement of justice that those who bear the greatest responsibility for gross violations of human rights are punished for their actions. It is probably impractical and politically impossible for all who have committed offenses to be brought to trial, but it is possible and desirable that gross offenders be tried. Such trials need not endanger necessary processes of national reconciliation, but will in fact further those processes by increasing the respect for the rule of law and establishing the precedent that no one is immune from prosecution for his actions.

Such trials must occur before an independent court, with full due process of law, and giving the accused access to legal counsel and the right of appeal.

A general amnesty is inappropriate. The right to pardon offenders lies with the victims, not with the government.

- 2. Establish a permanent independent human rights monitoring body with powers of investigation.**

The cause of human rights will be considerably furthered by the establishment of a permanent and independent human rights commission, or similar organization, empowered to investigate accounts of human rights abuses anywhere in the country, and to make public recommendations that individuals be prosecuted for

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human rights violations, and that legal, administrative or institutional reforms be made. Such a body should be composed of respected citizens of known integrity and independence, and given legal and financial resources sufficient for it to pursue its task. The commission could also be given powers to oversee the respect for civil and political liberties enshrined in the 1990 Constitution, and to challenge the legality of any government attempts to abrogate those freedoms.

3. Commit resources to the training and employment of lawyers and law enforcement officials

The 1990 Constitution contains adequate safeguards, in theory, for the respect for human rights. In practice, it is likely that the law enforcement and judicial system will continue to operate in an unsatisfactory manner simply because of the lack of trained personnel in the country, the inability of the government to retain the services of qualified personnel because of its very limited economic resources, and the lack of facilities and opportunities to educate law enforcement officers on their responsibilities towards the general public and, in particular, detainees. In addition, there is a widespread lack of popular awareness about the nature of human rights and the provisions of new legislation.

Providing the resources to undertake these educational, training and employment needs will undoubtedly be beyond the financial capacity of the Mozambique government for the foreseeable future. While the western donors do not bear a comparable duty to safeguard human rights in Mozambique, their longstanding involvement in the country and their role in formulating the current structural adjustment program mean that they are obliged to take on a measure of responsibility. Therefore, this recommendation is aimed primarily at Mozambique's aid donors: if they wish to support democracy and see a flourishing civil society in Mozambique, they should be prepared to underwrite at least some of the economic burden that this entails.

4. Accede to international human rights instruments

Africa Watch calls upon the Mozambique government to sign and ratify international human rights instruments, including: the International Covenant on Civil and Political Rights; the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Elimination of All Forms of

Discrimination Against Women; the Slavery Convention and its Protocols; ILO Conventions 29 on Forced Labor and 87 on Freedom of Association; and Protocol II Additional to the Geneva Conventions of 1949 Relating to the Protection of Victims of Non-International Armed Conflicts.

5. Should the war continue, Africa Watch calls upon both sides to respect the Geneva Conventions and other requirements of international humanitarian law in their conduct of hostilities

The main recommendations to curtail human rights abuses in the war include:

- * An end to the killing and mutilating of civilians, by both parties.
- * Respect for the protocol on freedom of movement signed by both sides under the auspices of the International Committee of the Red Cross on December 1, 1990, and the article on freedom of movement in the Third Protocol, signed on March 12, 1992; including a halt to forcible relocation and restrictions on movement. This applies to both parties.
- * A halt to the use of violent and arbitrary methods of conscription. This applies especially to RENAMO.
- * A halt to the conscription of children aged under 15 for the armed forces. All combatants under this age should be demobilized immediately. This applies exclusively to RENAMO.
- * A halt to the use of military strategies which intentionally or unintentionally create famine, including restrictions on movement, destruction of food, crops and other necessities, attacks on economic and social infrastructures, requisitioning of labor, food and other produce, and obstructions to the delivery of relief supplies. This applies to both parties.

6. Take immediate action to eliminate all impediments to the delivery of humanitarian relief to the civilian population.

It is imperative that all Mozambican citizens obtain immediate and unrestricted access to humanitarian relief. In order for this to happen,

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it is necessary for RENAMO and the Mozambique government to agree to suspend or limit hostilities in such a way that relief supplies can reach all parts of the country without hindrance. Humanitarian agencies must be allowed unimpeded access to all parts of the country.

Because of the continuing risk of attack from bandits and undisciplined troops, it will be necessary for many relief convoys to travel with armed escorts, if necessary provided by a neutral party, perhaps under the auspices of the United Nations. Both the government and RENAMO should agree to the presence of international armed forces to safeguard the delivery of relief should this prove necessary.

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