

# The National Resistance of Mozambique

Dr André E Thomashausen traces the origins of the current civil war in Mozambique and comments on the desirability of external support for the resistance movement (*Resistência Nacional Moçambicana-RNM*). Before joining the Institute of Foreign and Comparative Law, University of South Africa, the author was a Research Fellow at the Institute of International Law at Kiel University, West Germany.

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## Founding of Frelimo and the RNM

To understand the amazing tenacity of the RNM, one must go back to 10 June 1960, when Mozambican rebels for the first time joined the National Democratic Party of Joshua Nkomo in Rhodesia, hoping to find assistance for the organisation of their own resistance movement. On 20 October 1960, this first-resistance movement, the Udenamo (*Uniao Democratica Nacional de Moçambique*) was formed in Bulawayo with Adelino Gwambe as president and Fanuel Mahluza as vice-president.

Born on 22 February 1932 in Dlovocazi, in the Gaza Province in Mozambique, Mahluza is presently, i.e. since 22 May 1982, Head of the Department of Political and External Relations of the National Resistance in Mozambique, and member of the movement's twelve-man Executive Council.<sup>1</sup> When he was last in Europe, in March 1983 for the purpose of forming a shadow cabinet for Maputo, Mahluza was optimistic that he would soon become the first foreign minister of a truly independent Republic of Mozambique.

At the time of the All African's People's Conference in Accra (Ghana), in April 1961, Mahluza was on very good terms with Marcelino Dos Santos, who was later to become the second most im-

portant minister in the Mozambican government. Mahluza and Dos Santos attended the conference, from which Frelimo emerged, with Udenamo's President Gwambe. On 12 May 1962, Mahluza became Deputy Secretary of Foreign Affairs to Dos Santos, as well as Frelimo's representative in Cairo. His most important task in Cairo was to raise funds for Frelimo. Having been successful in doing so, he was appointed Secretary for Education on the occasion of Frelimo's first congress, under the then President of Frelimo, Dr Eduardo Chivambo Mondlane.

However, in a first ideological and faction conflict within Frelimo, after this first congress, Mahluza was expelled, together with several others. His main adversary had been the organisation's vice-president, Uria Simango. This led to the reactivation of the original Udenamo in Cairo, with the support of Egypt and Ghana. In February 1964, with the consent of Kenneth Kaunda, a Udenamo office was opened in Lusaka, and in June 1965 Udenamo became Coremo (*Comité Revolucionário de Moçambique*). Mahluza became Secretary for Defence of Coremo and in 1966 was sent, together with several others who were later to become leaders of the actual National Resistance in Mozambique, to the People's Republic of China for military training.

Although Coremo was recognised by the Organisation of African Unity at that

stage and was maintaining very good links with the Zambian government, it failed to obtain sufficient support and authority. Thus, when Dr Mondlane, the rather moderate leader of Frelimo who had been a lecturer in the USA and a United Nations official, was murdered on 2 February 1969, with the clear involvement of the pro-Soviet faction within Frelimo under Uria Simango and Samora Machel,<sup>2</sup> Coremo attracted only a few members of the defeated and moderate wing of Frelimo. Being in a rather weakened position, when the Portuguese government was overthrown on 25 April 1974, Mahluza's Coremo was barred from attending any meetings and negotiations on Mozambican independence. As it had been the then Portuguese government's policy to give support exclusively to the pro-Soviet Frelimo under Machel,<sup>3</sup> most of Coremo's leaders were arrested and kept in Mozambican concentration camps. This, however, could not prevent the new National Resistance of Mozambique (RNM) from emerging in early 1976.

Mahluza managed to escape from Ruarwa Camp in August 1977 and organised subversive activities in northern Zambezi, alongside the Malawian border, operating under the name of Africa Livre. Africa Livre became famous for successfully recruiting women as participants in armed struggle, and joined the RNM in 1980. This led Mahluza to his latest task as head of RNM's Department of Political and External Relations.<sup>4</sup>



Members of the Mozambique Resistance Movement

## The RNM on its way to power

When Mahluza escaped from the concentration camp in Mozambique, in late 1977, resistance activities had already been assumed inside his country by other former Frelimo leaders. Under the patronage of a wealthy Mozambiquan industrialist, Jorge Jardim, who had been involved in plans for Mozambiquan independence with President Kaunda before 1974, and who had been director of the daily newspaper *Noticias da Beira*,<sup>5</sup> the dispersed and discouraged former moderate wing of Frelimo started broadcasting a daily five-minute radio address to Mozambique from Rhodesia on 5 July 1976. As these Rhodesian radio broadcasts received such a considerable welcome inside Mozambique, the radio time for the RNM was extended to one hour daily. Then, their own radio station, *Voz da Africa Livre*, broadcasting from Gwelo, Fort Victoria, and Umtali, was set up under the responsibility of André Matessangaissa. He had joined Frelimo in 1972, had first become a platoon commander in the Gorongosa area, and in 1974 commander of Dondo, near Beira, and had been sent to the concentration camp of Sacuze near Gorongosa, after Mozambique's independence. He escaped from Sacuze in October 1976

and became chief commander of the RNM in April 1977, shaping the RNM's identity as the "true Frelimo". Under his leadership, the RNM proclaimed the "Second Struggle of National Liberation".<sup>6</sup>

The main attraction of the resistance broadcasting was its information on deportations and arrests, which at the end of 1976 had reached enormous proportions. For the relatives and friends of the victims, the Resistance Radio was the only available source of information. Machel's arbitrary violence and the fast spreading fear from the concentration camps, run by East German army officials,<sup>7</sup> gave considerable support to the resistance activities.

The first group of six freedom fighters under Commander André Matessangaissa in March 1977 set up their first training camp in the Rhodesian border town of Umtali. However, there were limits to the Rhodesian willingness to support the resistance and the supply of material; the group's movements, and its numbers were strictly limited by the Rhodesian authorities. In December 1978, operations were carried out by 917 trained men only.<sup>8</sup> During 1979, with the approach of Rhodesian Black government, these restrictions could be gradually by-passed, leaving the resistance movement with 4 500 men under arms at the end of the

year, and with control over large parts of the provinces of Manica and Sofala. Headquarters were established in the Gorongosa mountains, which provoked the first serious counter-attack from Mozambiquan regular forces involving heavy artillery.<sup>9</sup> In an attempt to break out of the siege, Matessangaissa was killed on 17 October 1979.

The subsequent loss of territorial support in Robert Mugabe's Zimbabwe, from February 1980 onwards, became a serious threat to the RNM's existence. However, despite the necessity of relying solely on shelter and support inside Mozambique, the movement re-emerged, in fact, strengthened. In June 1980, Alfonso Djacama was appointed new commander-in-chief with the support of the RNM's Secretary-general, Orlando Christina. The fight was soon extended to the provinces of Zambezi, Tete, Sofala, Manica, Gaza and Inhambane. Zimbabwe gave military assistance to Frelimo which also received air support carried out by Soviet pilots. Late in 1980, with close to 10 000 men under arms, with the powerline from Cabora Bassa to South Africa interrupted and an increasing nervousness on the side of the Machel government and its supporters, the RNM decided to open its first European mission in Portugal, near Lisbon. The mission was headed by the former editor-in-chief of J Jardim's *Noticias da Beira*, Dr Evo J C Fernandes, a Mozambiquan lawyer, who was born in Goa.<sup>10</sup>

The course of events since the first bombing of the powerline from Cabora Bassa to South Africa, on 29 November 1980, is relatively well-known from press reports. The RNM has constantly threatened the most vulnerable sections of Mozambique's infrastructure: the powerline from Cabora Bassa and the railway connection from Beira to Umtali. By the end of 1981, sabotage was extended to vital bridges in the Beira area and to the Beira-Umtali oil pipeline. A spectacular attack carried out in early November 1981 led to the destruction of marker buoys in the port of Beira. This led to the disruption of one of the vital outlets to the sea for Mozambique and the neighbouring countries. Systematic interruption of road traffic all over Mozambique soon followed. Even under military escort, road transport in the country has become permanently unsafe and the marketing of food crops has been seriously affected.



Frelimo supporter with poster of Eduardo Mondlane

In July 1982 the Machel government distributed several thousand rifles in the capital, Maputo and hastily introduced an identity card system for residents, as it was expected that the RNM would attack the capital within a few days. Instead, the RNM extended its guerrilla warfare to the rural areas and blew up the railway lines, Beira-Mutare and Beira-Malawi. They set foot firmly in the Limpopo River valley, traditionally a pro-Frelimo area, which had provided Frelimo's strongest natural line of defence. An increasing number of foreign engineers and advisers were captured and held as hostages. During October 1982, a Zimbabwe-bound train was blown up, a pumping station on the Beira-Mutare fuel pipeline was destroyed, and the seven Portuguese technicians, who were running the pumping station were kidnapped. Further, a three-hour battle with Frelimo troops was fought for the control of Milange on the Malawian border. Then the water supply to Beira was cut for several days and road traffic from Tete to Blantyre was continuously interrupted. Six Bulgarian advisers who had been captured by the RNM on 27 August on the Mocuba-Milange highway were held until 2 November 1982. Mozambique's commitment towards Eastern European countries made the liberation of these Bulgarians a test case. In spite of this, it took Mozambiquan forces two and

a half months of fighting, which involved heavy air attacks (carried out by MiG 17 and MiG 19 fighters), before the Bulgarians could be freed.<sup>11</sup>

In November 1982, fighting increased, with frequent interruptions of national telecommunications and an emergency situation extending to practically the whole of Mozambique. On 9 December 1982, the fuel depot at Beira, which supplied the pipeline to Zimbabwe, was destroyed. On 3 January 1983, the RNM attacked and destroyed a convoy of eight army trucks at Manica, only 60 km from Maputo. For the first time a foreign newspaperman paid a prolonged visit to the territories in which the RNM operates, which now included all provinces except Cabo-Delgado in the far North.<sup>12</sup> On 8 January 1983, Mozambique's President Samora Machel approached the Maputo representatives of the five permanent member states of the United Nations Security Council, urging them to help his government in striking back at the insurgents.<sup>13</sup> Thus, the RNM seems to have entered a decisive phase which could decide Mozambique's future and which may catch many Western countries, who have so far supported the Machel régime, by surprise. It should be noted, however, that insurgent movements cannot hold out on the verge of seizing power. Presumably, if a final victory is not achieved in the course of 1983,

the RNM may soon be drawn back to its role as a most disturbing, but nevertheless not seriously dangerous, guerrilla movement. The first signs of a concentrated counter-attack by Samora Machel's Frelimo, in anticipation of Frelimo's Fourth Congress (beginning on 20 April 1983), are already clear. Government forces, supported by special units from Zimbabwe and Tanzania, were rather successful in early February 1983, in the Limpopo valley, and later in the RNM's stronghold, Gaza province. The RNM's Secretary-general, Orlando Christina, a White Mozambiquan, who was the movement's main adviser and promoter, was murdered on 17 April 1983 outside Pretoria. Christina will be difficult to replace, as he had been the successor to the RNM's earlier "strong man", Jorge Jardim, who died of a heart attack in Libreville (Gabon) in 1982.

## RNM programme

One of the frequent arguments in support of the theory that the resistance movement is merely a gang of mercenaries, is that it does not have a programme, nor any distinguishable political goals. In fact, however, a programme which is quite explicit and could be taken as a draft constitution for post-Frelimo Mozambique, has existed since 17 August 1981 when it was adopted by the RNM's National Council.<sup>14</sup>

The programme comprises seven chapters, dedicated to "Politics", "Economy", "Justice", "Constitutional Matters", "Health and Education", "Public Services", and "International Policy".

In the field of politics, dissolution of the communist system of government "without any spirit of vindictiveness" is called for. "The people's right to choose, and freely vote on the country's political, social and economic system" is guaranteed. In the pursuance of this goal, statements of economic policies are cautious. The public sector once defined, will promote the private sector, the latter being understood as the dynamic force in Mozambique's economic prosperity. "Unreasonable speculative or excessively profitable investments shall be barred.... No oligopolies, or cartels shall be allowed. The exploitation of one class by any other class or group will



Samora Machel



Marcelino Dos Santos

not be permitted...." The situation with regard to nationalised property, or property subject to state control, shall be duly investigated with a view to its reprivatization. No further nationalisation shall be made, without fair and equitable compensation.

Although the programme does not specifically mention a bill of rights, the constitutional future of Mozambique is said to aim at "national independence, freedom of citizens, commutative and distributive justice, respect for history, and openness to the future". The "sovereignty of the people" is accepted as the basis of legitimacy for all governmental actions, and the future constitution is intended to be drawn up by a national assembly and put to a referendum. The constitution is intended to include guarantees of fair trial and due process of equality before the law, and of independent and irremovable professional judges.

A rather elaborate social programme is set out for combating "illness and illiteracy". Also, the role of the administration, the police and armed forces, according to the RNM's intentions, will be quite different from what it is today. Public accountability, fiscal and otherwise, as well as strict non-involvement in political matters are some of the goals and principles attributed to them.

As far as international policy is concerned, the programme very clearly commits the RNM to "international cooperation" as "the fundamental peace-keeping instrument in the region". On the one hand, it is said that Mozambique will respect the principles of the United Nations, of the Organisation of African Unity, and those of "international morals", while on the other hand, it is pointed out that "Mozambique will not discriminate against any country on account of its internal system of government".

### Stability in Mozambique?

Non-military training of the resistance leaders was initiated in early 1982, and was carried out mostly in Portugal and in some other Western European states, including West Germany. It can be assumed that the resistance movement has by now a sufficient number of leading personalities to form a transitional government in Mozambique. A more decisive question, however, is related to the amount of international support that the resistance movement may eventually get. Apart from some support from the former Rhodesian government and from South Africa, in the early stages, insufficient help or support has been granted so far. Portugal's attitude, as well as the involvement of the United States, can best be described as "friendly or benevolent neutrality". South Africa's alleged involvement is, of course, a controversial issue. Setting aside propagandistic arguments, a few considerations in this respect seem to be logically persuasive:

The reported number of about 15 000 trained freedom fighters in Mozambique, and their unquestioned success in controlling a substantial part of the territory — 80 percent according to some sources — against a well-equipped regular army, and a government which has the support of many African countries and the Soviet bloc, is difficult to reconcile with allegations of a South African controlled army of mercenaries.<sup>15</sup>

In view of the frequent claims regarding South African intervention, it is remarkable that after six years of intensive fighting, no tangible evidence has so far been produced nor a single one of the allegedly thousands of South African advisers been captured or killed in com-

bat.

It seems contradictory to talk about the stabilising effect of support given to Soviet-supported insurgents like Swapo while condemning sympathy for anti-communist insurgents as a "destabilising policy".<sup>16</sup>

The last point seems to merit some further attention. In the past 20 years, the Western powers have stood by while large parts of southern Africa were being destabilised through the intervention of "liberation movements" openly supported and recognised by the Soviet bloc. In the meantime international public law has become more and more flexible with respect to support for insurgents. The affected guiding principles, i.e. the principle of non-intervention in the domestic affairs of another sovereign state, and the prohibition of aggressive acts, have not prevented, for example, the United Nations from granting associate status to "liberation movements", and from proclaiming "the legitimacy of the struggle by peoples under colonial rule to exercise their right to self-determination and independence". The UN also invites all states to provide material and moral assistance to the national liberation movement in colonial territories.<sup>17</sup> The strength of the principle of self-determination, when balanced against other and more traditional principles of the law of nations, has recently been emphasised by the International Court of Justice in its advisory opinion on the Western Sahara case, where the court emphasised "the right of the population ... to self-determination."<sup>18</sup> A shift in the approach from the "principle of self-determination" to the "right of self-determination", is becoming evident, indicating even a gradual disassociation from its ties with situations of decolonisa-

tion *strictu sensu*.

In any event an increasing majority of states in the UN is of the opinion that a state may, under all circumstances, legally assist insurgents in their struggle for self-determination, and this has been the prevailing praxis of states for the last 50 years.<sup>19</sup> This is reflected, inter alia, by the inclusion of "insurgents" in the four Geneva Red Cross Conventions of 1949 (by a similarly worded article 3 in each convention), and by devoting Protocol No II of the Geneva Red Cross Convention of 1977 entirely to matters related to the status of insurgents under international public law.<sup>20</sup> Moreover, it has long since been a recognised and established practice in international public law that states are free to recognise insurgents as combatants, who thereby become subjects of international public law with limited legal personality.<sup>21</sup> Consequently, a relatively wide set of measures could be legally adopted by South Africa, should it wish to expand its relations with the National Resistance of Mozambique. The political attitudes towards these legally permitted options will naturally differ considerably, reflecting more generally some basic perceptions of justice and of Soviet intervention in the international field.<sup>22</sup>

The future of the RNM, and of Mozambique, will necessarily depend largely upon the attitudes adopted by Western states and by South Africa. As in the case of the Angolan FNLA and Unita in 1975, the RNM may suffer a serious defeat if international support is denied at the crucial moment of seizure of power. The neighbouring states and the West will have to consider whether they want the RNM to continue as a destabilising force or whether it should be given a chance to rule the country. The RNM's record suggests that it should be no less capable of forming a responsible government than any of the other liberation groups that have assumed power in southern African countries in recent years.

## References

- 1 Confirmed in: "Mozambique — discreet mission", *The Weekly Review*, 27 August 1982. These and subsequent aspects are known to the author personally, from interviews with F Mahluza, Dr E Fernandes and other Portuguese and Mozambiquan acquaintances.
- 2 Jorge Jardim, *Mozambique — Terra Queimada*, Lisboa, 1976 *passim*; Jorge Jardim, in *Expresso* (Lisbon) 29 June 1976; statement of Dr Kamaty Mahose (Sociology Department, University of Columbia, USA), who joined Frelimo in 1961, to the Portuguese weekly *O Pais* 10 September 1976, pp 18 and 24; statement of Marc Chona, advisor to President K Kaunda, to *Expresso* (Lisbon), 31 December 1976; A H Holtinger "Die überstürzte Entkolonialisierung in Mocambique" in *Neue Zürcher Zeitung*, no 282, 5 December 1978, p 4.
- 3 This policy was announced and justified by the then Portuguese Foreign Minister, Mario Soares, in his interview with *Jeune Afrique*, no 699 of 1 June 1974, pp 16 *et seq.* Also M Soares de Melo, first post-revolutionary Prime Minister of the transitional government in Mozambique, in *Jeune Afrique*, no 701 of 15 June 1974, p 38.
- 4 See reference no 1 above.
- 5 See the documents published in: Jorge Jardim, *Mozambique — Terra Queimada op cit*, pp 419-463, and the statements of Marc Chona, *op cit*. J Jardim died in 1982 in Libreville (Gabon).
- 6 See for example *A Luta Continua!* (Organ of the Department of Information of the RNM), no 1/1981, 20 October 1981, p 4.
- 7 A Thomashausen, *Verfassung und Verfassungswirklichkeit im neuen Portugal*, Berlin, 1981, p 76, with further references.
- 8 Interview with Dr E Fernandes, in *Kieler Nachrichten*, no 247, 23 October 1981, p 3.
- 9 "The MNR — S Africa's agents of destruction", *Herald*, 28 April 1982.
- 10 Dr Evo Fernandes, Apartado 169, (P) 2752 Cascais, Portugal. See also reference no 5.
- 11 Statement by Dr E Fernandes, Radio Africa Livre, 24 September 1982.
- 12 Reports by Hans Germani in *Die Welt*, no 2, 4 January 1983 and no 9, 12 January 1983.
- 13 *Agence France Presse*, telex JK 86, 8 January 1983.
- 14 Manifesto of the National Resistance of Mozambique, adopted by the National Council, 17 August 1981. This programme, which was the outcome of a secret programme conference of RNM leaders in July 1981 in West-Germany, has been given no exposure by the mass media.
- 15 See "Mozambique army kills rebels", *The Guardian*, 6 November 1979; "Mozambique beheadings", *The Guardian*, 16 December 1980; "The MNR — S Africa's agents of destruction", *Herald*, 27 April, 1982; "South Africa takes over the patronage", *Herald*, 28 April 1982; "Mozambique I: Havoc in the bush" *Africa Confidential*, 21 July 1982, pp 1-5; "Mozambique II: Havoc in the bush", *Africa Confidential*, 4 August 1982, pp 5-7; "Mozambique — Avec l'appui de Pretoria ...", *Le Monde*, Edition Internationale, 30 December 1983; "Mozambique rebel attacks keep the army on the hop", *Sunday Express*, 29 August 1982; "Mozambique war grows", *Pretoria News*, 4 November 1982; R Meinardus, "Mosambik: Südafrikas Zweite Front" in *Informationsdienst südliches Afrika*, 3/81, p 11. Some writers believe that the Machel government would have put an end to "terrorist infiltration" by South Africa long ago, if it were not for the "imminent danger" of a South African military occupation of Mozambique, once terrorist infiltration" was no longer proving to be effective in "destabilising" Mozambique; see R Meinardus *op cit*.
- 16 See statements by Archbishop B Haushiku, *Pretoria News*, 31 January 1983, p 1, or Dr F van Zyl Slabbert, *Pretoria News*, 5 February 1983, p 3.
- 17 Par 10, General Assembly Resolution 2105 (XX), 20 December 1965.
- 18 International Court of Justice Reports, 1975, p 60 (no 161); see also the last judgement on SWA/Namibia, International Court of Justice Reports, 1971, p 16.
- 19 J C Stassen, "Intervention in internal wars: traditional norms and contemporary trends", in *South African Yearbook of International Law* (1977) pp 65-84 at 81, with further references.
- 20 M'n Mushkat, "The Soviet concept of guerrilla warfare, in *South African Yearbook of International Law* (1981) pp 1-12 at 6.
- 21 The first precedent having been the anticipated recognition of the United States by France in 1778. See, for instance, I Brownlie, *Principles of Public International Law*, 2 ed Oxford, 1973, p 66.
- 22 See for instance Dr F van Zyl Slabbert, *Pretoria News*, 5 February 1983, p 3 on the one hand, and C van Magnus Malan, *Pretoria News*, 4 February 1983, p 7, on the other hand. □