

# The Homelands<sup>1</sup> from 1960 to 1990

## ■ INTRODUCTION

- 1 This section focuses on the security forces operating in the former independent and self-governing homelands and their role in South Africa's overall security strategy. The homelands security forces did not enjoy complete autonomy within the boundaries of homeland territories. They often worked alongside members of the South African security forces. Frequently, the South African security forces carried out both public and covert operations in the homelands, independently of the homeland security forces.
- 2 The Commission's work on the former homelands was constrained by a number of factors. The Commission deployed teams of statement-takers to the homeland areas. However, owing to the primarily rural nature of the homelands and the logistics of statement-taking, not every area could be canvassed. Much of the evidence gathered from former homelands is documented in the relevant regional profiles (see Volume Three).
- 3 The Commission received a substantial submission on the former homelands prepared by Roger Southall and Geoff Wood.<sup>2</sup> The submission focused principally on the two Eastern Cape homelands, namely the Ciskei and the Transkei, and has been used in compiling this chapter. The full submission is available in the Commission's archives.
- 4 This chapter presents an overview of the development of security forces in the former homelands. It goes on to outline developments in the independent territories of Transkei and Ciskei and in the self-governing territory of KwaZulu. For the purposes of this chapter, the KwaZulu government, the KwaZulu Police (KZP)

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1 The terms "homeland" and "independent homeland" are used throughout this section for the sake of convenience; the terms 'territories' and 'states' have also been used. The terms applied to these entities by the South African government have changed over time: According to the South African Institute of Race Relations (SAIRR) they were initially called 'African Reserves', then 'homelands' in the 1960s and 'Black States' from 1978 (SAIRR, 1948-79). The term 'bantustan' has also been in common usage.

2 Roger Southall & Geoffrey Wood, 'Control and Contestation: State Security in South Africa's Homelands.' A report to the Truth and Reconciliation Commission, 1988.

and the Inkatha Freedom Party (IFP), formerly the Inkatha Cultural Liberation Movement, are examined together, based on the argument that they were seen and treated as mutually indistinguishable in the period of the Commission's mandate. Lastly, this chapter examines the development of vigilante groups and their activities in the self-governing territory of KwaNdebele.

## ■ OVERVIEW: DEVELOPMENT OF SECURITY STRUCTURES IN THE HOMELANDS

### Introduction

- 5 The homelands system lay at the heart of the National Party (NP) government's policy of territorial and political separation based on race. Long before the NP's election victory in 1948, legislation had been enacted to lay the groundwork for the development of the homelands. This included the 1913 and 1936 Land Acts. The Bantu Authorities Act was passed in the early 1950s, increasing the powers of traditional authorities in preparation for self-governance, and in 1959, the Promotion of Bantu Self-Government Act provided the legislative basis for the future homelands. Based on the notion that South Africa's indigenous population was composed of eight (later, ten) African national groups, the architects of apartheid proposed that each group be given the opportunity to advance to higher forms of self-government until independence for each could eventually be realised.
- 6 From their creation, the homelands proved to be an emotional and highly charged issue. By and large, opinion on the subject was divided between those who generally supported the homelands project and those who opposed it. In the former group, NP politicians portrayed the homelands as a moral response to South Africa's 'multi-national' reality. Apartheid theorists believed that South Africa was a country containing a number of nations, each developed to a greater or lesser degree. Freedom, they posited, could be realised only by providing the opportunity for each of these nations to exist and develop along its own lines. To achieve this, the South African government initiated the programme of 'separate development'. Proponents of the policy envisioned the creation, under white tutelage, of a number of independent but mutually supportive African states. Theoretically, the homeland system was designed to realise this vision.
- 7 Support for the homelands was not limited to South Africa's enfranchised white minority. Some Africans, especially members of the rural elite, also lent their authority to the system. Those who participated in the established structures did

so for a variety of reasons. Some sought political or economic gain; others truly believed in the stated goals of traditional rule or national development. Still others argued that they participated in the system only to work for change from within.

- 8 Arguments against the homeland system were based on different philosophical and political beliefs, although a number of common threads run through the various critiques. First, some observers outside of the NP believed that economic constraints would inhibit the potential for the full realisation of the homeland concept. Second, many South Africans rejected the apartheid notion that ethnic ties naturally separated the country's population into different nations. This school of thought regarded the homelands as an extension of the central government's policy of 'divide and rule'. Finally, more radical analyses concluded that the homelands were being used as vast dumping grounds where labour superfluous to the (white) capitalist economy could be effectively contained and controlled.
  
- 9 Rural resistance to the creation of homelands, in particular the imposition of tribal authorities and of betterment and rehabilitation schemes, increased during the 1950s. Clashes between police and protesters resulted, notably at Witsieshoek in the Orange Free State in 1950 and at Sekhukhuneland in the eastern Transvaal in 1958. By 1960, opposition in rural Transkei had culminated in the Pondoland Revolt (see below).
  
- 10 The arguments for and against the homelands and the pre-1960 political developments that contributed to their establishment are not the focus of this chapter. Rather, the chapter seeks to highlight the role of various homeland security forces in the violation of human rights.

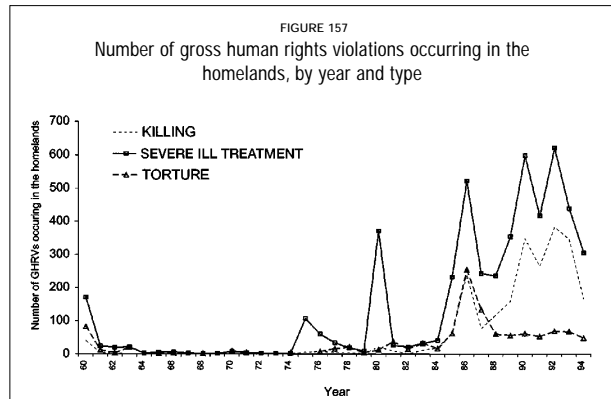
## Overview of violations 1960-1994

- 11 The table below records the percentage, by type, of gross human rights violations that occurred in the homelands for all periods and is measured against the equivalent figures for non-homeland areas. Counts are done throughout the 1960-94 period on all ten geographical areas that were eventually to become either self-governing or independent territories.

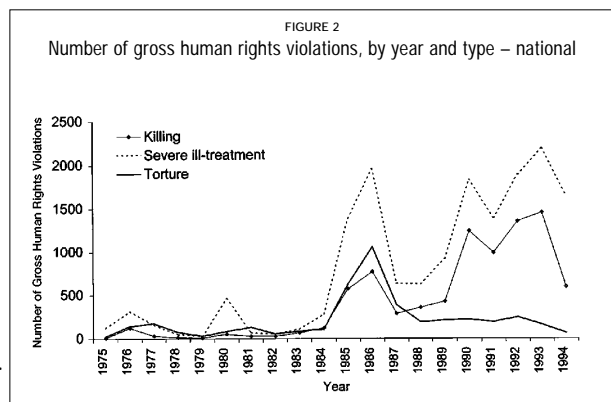
	Abduction	Killing	Severe ill treatment	Torture	Total
Homeland	4%	27%	56%	13%	100%
Non-homeland	3%	29%	52%	16%	100%

12 It is clear that the ratios in respect of types of violations reported to the Commission for the homeland areas are virtually identical to the ratios for violations reported for non-homeland areas. This indicates that the existence of the homelands did not have a substantial impact on the types of violations experienced there.

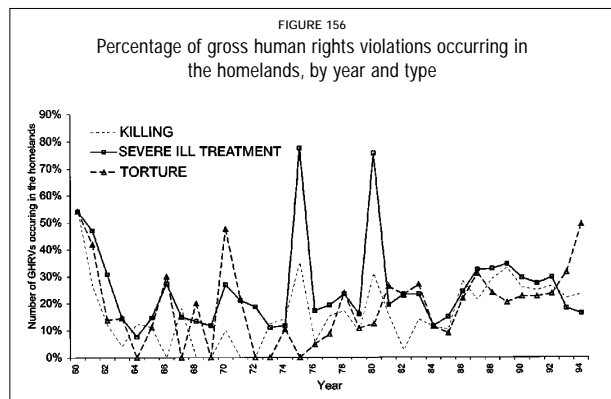
13 The correlation between violations experienced in the homelands and in the rest of the country is again illustrated by the following graphs:



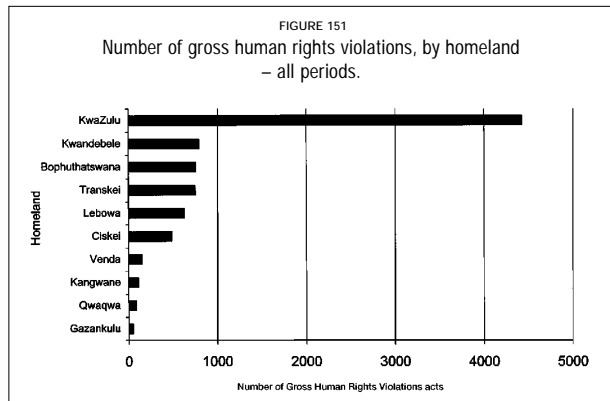
14 Note that figure 157 runs from 1960 to 1994, while Figure 2 runs from 1975 to 1994; also that the vertical axis is calibrated differently. However, these graphs both show similar peaks and troughs in violations for the period from the mid-1970s to 1994. Both show severe ill treatment as the key violation, with killings increasing but torture declining during the 1990s.



15 Figure 156 shows how many of the violations reported to the Commission occurred in the homelands regions. Despite the increases and decreases in violations recorded here, the mean number of violations reported in the homelands remains a constant 35-40 per cent of total violations reported. The years recording the highest percentage of violations in the homelands are 1975 (the year before the Transkei gained independence) and 1980 (see those specific periods, below).

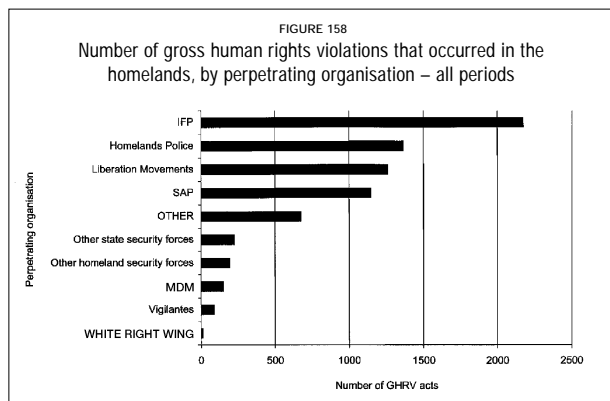


16 These graphs point towards a similarity in the occurrence of violations nationally and in the homelands, indicating a similarity in policies towards opponents by both national and homeland administrations.



17 From figure 151, it is clear that overwhelmingly the greatest number of violations reported for the homelands for the overall 1960-94 period occurred in KwaZulu. Almost five times as many violations were reported in KwaZulu as for the next homeland in the graph, KwaNdebele. There is a negligible difference in the number of violations reported overall in Bophuthatswana, KwaNdebele, Transkei, Lebowa and Ciskei. It is worth noting that, according to the information in this figure and leaving aside the case of KwaZulu, whether a homeland was independent or self-governing seems to have made little difference to the number of violations. For an indication of how this trend changed over time, see the rest of this series of graphs under each time period below: note the different scales of the horizontal axes in these graphs, which indicate a substantial increase in violations for the later periods.

18 Figure 158 shows the main perpetrator groups, with Inkatha as the dominant perpetrator group over the entire 1960-94 period; it should be borne in mind that Inkatha is almost entirely limited to the KwaZulu homeland, one of the ten geographical areas under consideration. Inkatha is followed by the homelands police, the liberation movements and the South African Police (SAP). Note that the SAP, homelands police and other security forces are split into separate groups, although it seemed that deponents were often unable to distinguish between these groups.



## ■ 1960-1975: SEPARATE DEVELOPMENT AND THE GROWTH OF THE HOMELANDS

### Historical and political overview

- 19 This period began with the 1960 Pondoland Revolt in Transkei, a rural revolt against the increased powers of chiefs and the imminent imposition of homeland structures (see below in the Transkei and Ciskei section). Three years later Transkei became the first homeland to be granted self-government status.
- 20 Following the successful clampdown on internal opposition, there was a period of marked economic growth. In the wake of these developments, the NP was provided with an opportunity to consolidate its control over the state. In this period of 'grand apartheid', the South African government embarked on a project of profound and widespread social engineering. From the 1960s onwards, millions of individuals were uprooted and relocated – generally to the homelands – in the process of 'consolidating' South Africa's ethnic map. Direct physical violence, accompanied by the structural violence inherent in the system of migrant labour, resulted in violations of human rights that defy easy calculation.
- 21 In this period of forced removals, land consolidation and homeland political development, the legislation prepared by Prime Minister Verwoerd's Native Affairs Department was widely implemented. In particular, elaborate and at times farcical steps were taken during the 1960s and 1970s to establish African-led administrations in the homelands. As was often the case, the Transkei proved the testing ground and eventually the model for the other homelands.
- 22 In 1963, the South African parliament passed the Transkei Constitution Act, replacing the existing territorial authority with a 'self-governing' legislative assembly with limited law-making powers. The assembly consisted of forty-five elected members and sixty-four *ex officio* chiefs (who, in terms of the 1951 Bantu Authorities Act, were employees of the South African government). From this body, a chief minister was elected who in turn appointed a homeland cabinet. Following the first general election later in the year, Chief Kaiser Matanzima was elected to the chief ministership, largely on the support of the non-elected chiefs.
- 23 Almost a decade passed before another homeland followed Transkei's lead. Partly to avoid further delay, in 1970-71 the South African government passed two pieces of legislation designed to ease the political development of the remaining homelands.

The Bantu Homeland Citizenship Act stipulated that all African South Africans were citizens of one of the homelands, even if they currently lived in the 'white' Republic. The Bantu Homelands Constitution Act empowered the Prime Minister to devolve self-government to the homelands by decree, thus circumventing the cumbersome legislative process employed in the case of the Transkei.

- 24 Political developments quickly followed in a number of homelands. In 1971, self-government was granted to Ciskei and Bophuthatswana; Lebowa, Gazankulu and Venda received self-government in 1973. Only Transkei, Bophuthatswana, Venda and Ciskei (the so-called TBVC states) ever went on to take independence. In 1972, the KwaZulu Legislative Assembly was established, followed by self-government in February 1977; KwaZulu consistently refused to opt for independence. At the end of this period, in 1975, Chief Mangosuthu Buthelezi revived Inkatha, then a cultural organisation. Buthelezi has been president of Inkatha ever since and went on to head the KwaZulu government throughout its existence. The remaining homelands became self-governing over the ensuing years. In this manner, the apartheid principle of territorial segregation was physically realised through the creation of separate, ethnically-based homelands.

## Developments in security structures

- 25 Throughout the period in question, the SAP continued to dominate state security strategy in the homelands. When a peasants' revolt and popular resistance emerged in Pondoland and elsewhere, the SAP blamed the situation on groups of 'agitators' and 'intimidators' who were said to be causing 'riots' in previously quiescent and non-politicised areas. The police argued that rural Africans were, by and large, law-abiding citizens who wanted no part of such activities. Police strategy focused therefore on counter-insurgency operations to prevent 'riotous' behaviour. Intelligence-gathering structures aimed to expose and apprehend those deemed guilty of inciting it.
- 26 This was achieved, as described later in this chapter, with the aid of a battery of new security regulations. Much of this legislation was first employed in the homelands. For example, in response to the situation in the Transkei, Proclamations R400 and R413 were gazetted in 1960. *Inter alia*, the proclamations stipulated that:
- a The Minister of Bantu Administration and Development could prohibit any person from entering, being in or leaving Transkei;

- b Gatherings of more than ten people (except for church meetings and certain other social events) were forbidden without official permission;
  - c The police were entitled to arrest and indefinitely detain people without a warrant;
  - d It was an offence to attend an unlawful gathering, to make any statement or perform any action likely to interfere with the authority of the state, or to boycott official meetings.
- 27 In addition to the SAP, the first homeland police force was established in the Transkei in this period. It soon became a model for developments in other homelands. Following the granting of self-governing status in 1963, a local department of justice was established in the homeland. To begin with, the Transkei's forty-four police stations continued to fall under the control of SAP district commands in Kokstad and Umtata. Over time, however, all police stations and staff were transferred to the Transkei Police Force (TPF), officially formed in 1972 under the command of a seconded SAP member, Brigadier BS Pieterse. As would be the case in other homelands, the SAP continued to exercise control over the emerging homeland force. By 1975, the 543 serving members of the TPF were commanded by five white officers, all seconded from the national police force. Similarly, the SAP continued to supply the relevant equipment and training for the TPF, while revenues from the South African government supported the entire homeland edifice, including the Department of Justice. The final and ultimate influence of the SAP, however, was its continued operational presence.
- 28 In the period under review, military duties remained the sole preserve of the South African Defence Force (SADF), as homeland armies were formed only in the latter half of the 1970s. Nevertheless, important shifts in the SADF's attitude to black soldiers occurred in this period, with coloured soldiers eventually being used for active duty. As late as 1970, Mr PW Botha, then Minister of Defence, restated official opposition to arming Africans. If "the Bantu" wanted to build a defence force, Botha suggested, "he should do it in his own eventually independent homeland".
- 29 However, as Portugal's colonial authority weakened in Mozambique and Angola, Pretoria was forced to reconsider its position. In 1973, a group of Africans was trained for guard duty at the Prisons Service Training Centre. In 1974, selected members of this group were redeployed as instructors at a newly established Army Bantu Training Centre. Although the SADF originally stressed that Africans

would remain non-combatants, by the end of the decade this position had been abandoned.

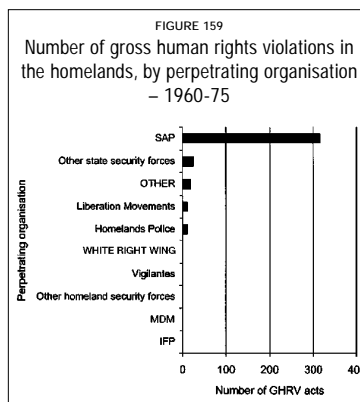
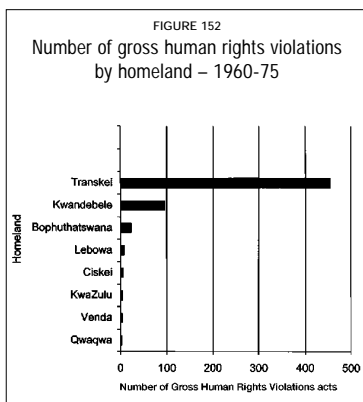
## Responsibility for gross violations of human rights

30 The table below indicates the percentage of types of gross violations which were reported to the Commission for this period (1960-75):

	Abduction	Killing	Severe ill treatment	Torture	Total
Homeland	1%	10%	64%	24%	100%
Non-homeland	2%	14%	46%	39%	100%

31 The table indicates that severe ill treatment and torture are the main violation types for this period and that there is a greater use of torture in non-homeland regions and a greater incidence of severe ill treatment in the homelands.

32 Figure 152 shows that the greatest number of homeland violations for this period occurred in Transkei. This reflects the large number of cases brought to the Commission stemming from the Pondoland Revolt. Figure 159 shows that the dominant perpetrator group for this period is the SAP. Again, this reflects the Pondoland Revolt cases, where the main violations reported to the Commission were detention, torture in detention and killings by police.



## ■ 1976-1982: INDEPENDENCE, CONSOLIDATION AND REMOVALS

### Historical and political overview

- 33 In the period 1976 to 1982, the homeland development project initiated by the 1959 Promotion of Bantu Self-Government Act reached its peak. Despite threats to the former state from other quarters (notably the national uprising of 1976-1977 and the growth of Black Consciousness), its ultimate objective with respect to the homelands was at least partially realised. In quick succession, political elites in Transkei, Bophuthatswana, Venda and Ciskei opted for constitutional 'independence' from South Africa (in 1976, 1977, 1979 and 1981 respectively). Although the prospect of independence had initially been seen as contingent on homelands meeting a number of prerequisites (based on administrative capacity, political maturity and economic development), these requirements were dropped to speed up the process. By the time Ciskei celebrated its independence, some eight million Africans had been 'de-nationalised', in effect becoming foreigners in the land of their birth.
- 34 In the hope of convincing the remaining six homeland administrations to follow suit, the South African government intensified efforts to consolidate the geographically fragmented homelands. This process included removing 'black spots' which remained in 'white' South Africa. As in previous periods, the suffering caused by this massive social engineering was widespread and extreme. Old methods of forced removals were supplemented, especially during the Botha administration, by new tactics – including the simple but effective practice of unilaterally re-drawing homeland boundaries. Specific conflicts that arose are discussed elsewhere in the Commission's report. Here, it is important to emphasise the cumulative, national impact of the homeland project. According to an often cited report of the Surplus People Project, an estimated 3.5 million people were moved by the South African state between 1960 and 1982 in support of its programme of homeland development.
- 35 While the homeland governments reached the height of their political powers in this period, the economic weakness of the supposed national states belied their independence. Where the 'reserves' had traditionally served to support and reproduce labour for the urban capitalist economy, under apartheid the growing homeland population was increasingly supported by remittances from relatives working in distant industries. Central government subsidies and loans supported

growing bureaucracies, which remained one of the few sources of employment in the remote homelands.

## Development of security structures

- 36 As homeland political development raced ahead, so homeland security structures came into their own. Following in the footsteps of the Transkei, the majority of homelands assumed responsibility for policing within their borders in this period. In addition, homeland armies were established in each of the independent bantustans. At the same time, regional, ethnically constituted SADF units were set up to serve the self-governing homelands as independent armies-in-waiting. Security legislation in the TBVC states was enacted to support these forces. At times, the powers accorded to homeland security forces exceeded those exercised by the SAP and SADF. The most important pieces of legislation included the Transkei Public Security Act of 1977, the Bophuthatswana Internal Security Act of 1979, the Ciskei National Security Act of 1982 and the Venda Maintenance of Law and Order Act of 1985.
- 37 With the establishment of the various homeland governments and their own security forces, the issue of political and operational control over security actions became particularly complex.
- 38 A security structure comprised of police, military and intelligence units operated in each of the independent homelands, although the forces were only ostensibly under the control of the homeland government. The effective power of such structures was carefully monitored and manipulated by the South African government to prevent any homeland from becoming a threat to the perceived interests of the Republic.
- 39 As a final resort, the South African security forces proved that, where they deemed it necessary, they were willing to take direct action in the independent homelands. Both homeland and South African security forces assumed the role of kingmaker at various times and in different places, alternatively overthrowing or preserving the rule of incumbent homeland politicians.
- 40 In the six self-governing homelands, the security situation proved even more complex. Due to the political ambiguity surrounding these areas, each homeland supported its own police force in addition to the continued presence and authority of the SAP. Furthermore, battalions of the SADF were frequently estab-

lished in the vicinity of the self-governing homelands as the core of a potentially independent army. National Intelligence agents monitored people and events in the homelands. Finally, locally-based vigilante movements emerged in many of the homelands, introducing a particularly unpredictable element into an already volatile situation.

- 41 In short, both the independent and the self-governing homelands were subjected to an excess and overlap of security forces, each with their own command and control structures accountable to different political masters. This redundancy in policing, military and intelligence structures led at times to political infighting, competition for resources and a proliferation of security operations.

### ***Homeland police forces***

- 42 As noted above, in the period after 1976, responsibility for policing was transferred, to a greater or lesser degree, to all of the homelands. At independence, the Transkei government appointed its own chief of police, and by 1977 the Transkei Police Force (TPF) operated fifty-two police stations and five border control posts staffed by 1 038 police officers. A Transkei Prisons Service was established to operate penal institutions in the homeland. Finally, a Transkei Intelligence Service was established in 1976 which, under the control of the Transkei Prime Minister, assumed responsibility for intelligence and security activities previously undertaken by the South African Bureau for State Security (BOSS).
- 43 As other homelands accepted independence, responsibility for policing was similarly devolved. For example, the Bophuthatswana Police Force (BPF), established in 1978, created its own Special Branch, which was disbanded in 1982 and reconstituted as the Internal Intelligence Services. In Ciskei and Venda, an attempt was made to achieve economies of scale by combining policing, defence, intelligence and correctional functions into single joint forces. By the mid-1980s, both homelands had abandoned these plans in order to split their forces along traditional functional lines.
- 44 Transfers followed rather more slowly in the self-governing homelands. Gazankulu acquired its own police force in 1980, with Lebowa following suit the next year. A KZP force was established in 1980, although its jurisdiction was largely limited to rural areas. The SAP retained responsibility for policing the urban townships near Durban. Under the direction of South African security forces, the KZP was eventually restructured in the 1980s and its capabilities, including the capacity for offensive operations, were dramatically increased (see below).

- 45 While the various homeland forces created their own structures and approaches in order to meet local political and security needs, a number of characteristics can be observed across the homelands. These emerging characteristics remained fairly constant until the dissolution of the homelands in the wake of the 1994 election.
- 46 First, homeland police and intelligence forces were established to be supportive of homeland regimes. At one time or another, most of the homeland forces were used not only to protect incumbent regimes, but also to further the political or electoral fortunes of specific leaders or political parties. At the same time, outside restraints on the homeland police and governments, such as the judiciary, were systematically undermined and weakened. In this manner, police duty lay less in upholding the law than in serving the narrow interest of ruling elites.
- 47 Second, as a result of their politicisation, homeland police forces were generally more concerned with counter-insurgency than with combating crime. Given their close alignment with the political fortunes of individual regimes, homeland police forces placed a high priority on curbing any and all political opposition. Operations were thus conducted not only against opponents of the South African state but also against those perceived as threatening the relevant homeland government. As homeland police forces became more politicised, they also tended to become more militarised. Normal crime-combating procedures were often subordinated to the perceived requirements of 'national security'.
- 48 Third, homeland police forces were generally alienated from, and hostile to, the communities they served. Homeland policing was largely authoritarian, with a track record of violence and brutality even in routine criminal cases. In the minds of many homeland residents, the police were living symbols of a repressive and unjust system. Because of routine heavy-handedness, most community members – and not just political activists – lived in fear of the police.
- 49 Finally, as revealed in the evidence before the Commission, homeland police – like their counterparts in South Africa – were generally above the law. While homeland police buttressed weak and often authoritarian elites, so too did homeland politicians manipulate institutions, particularly the judiciary, in order to protect the police. As a result, homeland police forces were not held accountable to the law they purportedly upheld or to the citizens whom they were created to serve.

## ***Homeland armies***

- 50 To substantiate the semblance of independence, African armies were created in each of the TBVC homelands. The Transkei Defence Force (TDF) was established in 1975, followed by the Bophuthatswana Defence Force (BDF) in 1977, the Venda Defence Force (VDF) in 1979 and the Ciskei Defence Force (CDF) in 1980. Each maintained a sizeable number of enlisted soldiers and was supported by the necessary staff complements such as intelligence and logistics.
- 51 The existence of these armies raised profound questions of strategy and security for the South African state. Indeed, if the homelands attained any semblance of real independence, then by implication their governments would be free to pursue defence policies that might diverge from those propounded by the security structures of the central state. The South African government sought to resolve this dilemma by rendering the homeland armies dependent on the SADF for equipment, training and leadership. The Republic also sought to tie the independent homelands into regional defence agreements. As originally formulated by the Botha administration, the aim was to create a 'constellation of states' throughout southern Africa, united in a common defence against the Communist onslaught.
- 52 In 1982, this programme was scaled down to multilateral co-operation agreements between South Africa and the TBVC states. The agreements covered a range of issues, but security matters were at their core. When eventually finalised, the arrangement explicitly linked defence co-operation with the co-ordination of labour mobility, development initiatives and monetary stability. Multilateral agreements were supplemented by the signing of extradition treaties and South Africa's erection of fences on the borders of homelands adjoining neighbouring African countries. The agreements were founded on two fundamental provisions: first, that the South African and homeland governments would not use armed force to challenge each other's political or territorial sovereignty, and second, that neither party would allow its territory to be used as a staging ground for attacks on the other by third parties.
- 53 From their establishment in the late 1970s until well into the 1980s, homeland armies developed rapidly along lines generally approved by Pretoria. In this period the TBVC armies did not pose political or security threats to the South African government. By 1982, the Defence White Paper explicitly acknowledged the government's favourable view on the contribution of the homeland armies. It stated that "the SADF recognises the supportive capabilities of the Independent

States and encourages their participation in an overall Southern African military treaty organisation against a common enemy". By this time, the bantustan militaries had been integrated into the SADF's 'area war' strategy, designed to counter the threat posed by the armed struggle of the African National Congress (ANC).

- 54 The 1st Transkei Battalion was established some time after the Transkei formally acceded to 'self-governing' status in 1963. At independence, the battalion had a total complement of 254 men, of which all of the officers were white seconded members of the SADF. By 1977, a voluntary national service scheme was introduced and the training of recruits within the Transkei was increased.
- 55 From the outset, diplomatic squabbles between Transkei and South Africa complicated their military relationship. In April 1978, Transkei broke off all diplomatic relations with South Africa, ostensibly over Pretoria's decision to incorporate East Griqualand (historically part of the Cape) into Natal rather than Transkei. Consequently, Matanzima renounced Transkei's non-aggression pact with South Africa and expelled all twenty-seven of South Africa's advisors to the TDF's 320-strong army. These moves were belied, however, by the Transkei's continued dependence on South Africa for arms.
- 56 Following the departure of South African personnel, the discipline and efficiency of the Transkei forces rapidly deteriorated. Senior officers were accused of attempting to defraud the homeland government of R3 million and of involvement in an attempted police coup in 1980. In the absence of the SADF members, the Transkei hired former Rhodesian Special Forces members through a private company, Security Services International. This group, headed by Lieutenant Colonel Ron Reid-Daly, had close links with SADF Military Intelligence (MI) and was probably acting with SADF approval if not active support. Reid-Daly, the former commander of the Selous Scouts, was appointed as the chief of the TDF and charged with reorganising the homeland's army, bringing with him some thirty-five colleagues who had served in Rhodesia.
- 57 By 1980, Transkei and South African politicians had papered over the diplomatic break and re-established official contact. The rapprochement was ostensibly based on South Africa's willingness to re-negotiate land issues with the Transkei. However, at least as important was the financial crisis that had engulfed the homeland as a result of its break from Pretoria. South Africa's transfer of R118 million to the Transkei in April 1980 was not without its own costs, however. The payment ended a deal whereby the Transkeian government would have received a loan

from Nigeria (considered a hostile source by South Africa) to help finance a harbour, train the army and police, and establish a Nigerian military presence in the homeland.

- 58 Transkei's return to the South African fold, nonetheless, brought its own rewards for the TDF. In the 1982/3 financial year, the TDF received R50 million from the Economic Co-operation Promotion Loan Fund, and a further grant of R30 million above its budgeted allowance to build up its counter-insurgency capabilities. Meanwhile, general recruitment was stepped up and, in June 1983, a record 400 trainees passed out of the Transkei School of Infantry. A second officer cadet course was in progress and, in July, a parachute course was established. Soon, in addition to its 1st Battalion and a Special Forces Regiment, the TDF boasted a small naval unit.
- 59 Although the Transkei took the lead in establishing local forces, homeland armies were being created in the other TBVC states. On Chief Lucas Mangope's request, the South African government began military training in Bophuthatswana in 1976. The SADF set about creating a National Guard, with the goal of providing basic training for 221 men in time for the independence ceremonies in 1977. Some thirty South African officers and non-commissioned officers supervised the group. The first African non-commissioned officers were subsequently selected and eight officer candidates were provided with further instruction. Training initially occurred at a base near Mafikeng, although some members of the National Guard later received specialised counter-insurgency training in South Africa. The force's equipment was donated by the SADF.
- 60 Two years after independence, the National Guard was reconstituted as the Bophuthatswana Defence Force (BDF). At the time, it consisted of an infantry battalion (50 per cent of whose members had been trained in counter-insurgency), a training unit and a logistics section. From the start, its commanders were South African. Former SADF Brigadier Hugh Turner was appointed commanding officer while Brigadier Riekert, another former SADF member, became Minister of Defence. Brigadier FEC van den Bergh, senior officer in the SADF's North Western regional command, was named military advisor to Mangope. Because of these developments, one analyst has concluded that, in effect, the BDF constituted a unit of the SADF's North-West Command.
- 61 Given Venda's strategically important location, near to both Zimbabwe and Mozambique, the South African authorities were especially concerned to limit the potential security risks posed by independence. As a result, a strip of land bordering

the Limpopo was excised in 1978. Furthermore, the SADF remained operative in Venda from a base at Madino. From its inception, South Africa regarded Venda as a 'buffer state', which shared borders with potentially hostile neighbours.

- 62 In addition to its continued presence, the SADF established an infantry battalion as the core of a future army for Venda. By independence, the nascent military, consisting of 450 men, was combined with the police, traffic wardens and prison warders to form the Venda National Force (VNF). The VNF was placed under the command of a former South African security police officer, Lieutenant Colonel Mulautzi. However, in 1981, a separate Venda Defence Force (VDF), incorporating the infantry unit, was established under the command of Brigadier PG Steenkamp, formerly with the SADF. A counter-insurgency unit was subsequently created which served in the Namibia/Angola operational area. Shortly thereafter, a second infantry unit was established together with an air wing and a logistics team. At least thirty-nine seconded South Africans occupied leadership positions within the enlarged force.
- 63 At Ciskei's independence, a newly established infantry unit and a 'special airborne group' formed part of the Ciskeian Combined Services (CCS). The military components of the CCS were reconstituted as the Ciskei Defence Force (CDF) in 1982. Control over the new security force appears to have been more complex than in other homelands. While command of security forces had generally been given to seconded South African officials, Major General Charles Sebe assumed control over the CCS in Ciskei. Although he had served about twenty years in the South African security structures, at the time of his appointment Sebe was not a formally seconded member of a South African security force. This, at least in theory, weakened South Africa's direct control over the Ciskeian forces. It appears, however, that Sebe was probably working very closely with the South African security forces (see section on Transkei and Ciskei). Moreover, Charles Sebe being brother to President Lennox Sebe, the ruling family's infamous squabbles carried over into the security forces.
- 64 With respect to the self-governing homelands, by the late 1970s the South African government had abandoned its opposition to arming black soldiers within the SADF. By 1978, a small unit of Africans, originally trained at the Prisons Service Training Centre, had been reconstituted as the 21 Battalion and assumed responsibility for training new African recruits. By early 1979, the government approved a plan to form a number of regional African battalions, each with a particular ethnic identity, which would serve under regional SADF command. This led to the formation of the 121 Battalion for Zulus, the 111 for Swazis, the

112 for Venda, the 113 for Shangaan, the 115 for Ndebeles, the 151 for Southern Sotho and the 116 for Northern Sotho. These complemented the Lusophone 32 Battalion that had been secretly formed in 1976. All of these units were to be employed in operational areas, and the 21 and 32 Battalions in particular played significant roles in Namibia and Angola. Subsequently, two additional Northern Sotho Battalions were established, the 117 and the 118, while the 116 was converted into a multi-ethnic unit. In spite of these developments, the SADF remained an overwhelmingly white army.

65 In addition to the specialised SADF units for recruiting troops from the self-governing territories, the SADF maintained bases near each of these territories. According to information from the SADF, bases responsible for the self-governing territories were: Gazankulu - Group 14 in Pietersburg; KaNgwane - Group 33 in Nelspruit; KwaNdebele - Group 15 in Pretoria; KwaZulu - Group 27 in Eshowe; Lebowa - Group 14 in Potgietersrus; QwaQwa - Group 36 in Ladybrand.

66 While the self-governing homelands did not get their own defence forces, KwaZulu's Chief Mangosuthu Buthelezi called for a KwaZulu army to keep order in schools during a period of class boycotts in 1980, and said it was time for Inkatha to establish training camps. He also made subsequent calls for paramilitary groupings to be set up.

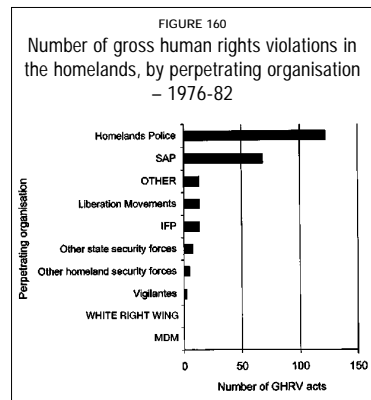
## Responsibility for gross human rights violations

67 The table below indicates the percentage of types of gross violations reported to the Commission for this period (1976-82):

	Abduction	Killing	Severe ill treatment	Torture	Total
Homeland	3%	7%	74%	16%	100%
Non-homeland	4%	19%	44%	37%	100%

68 The table shows very similar trends in violations to the table for the period 1960-75. Severe ill treatment remains the main violation in the homelands, while severe ill treatment and torture are both key violations in the non-homeland areas.

69 Figure 153 shows a marked increase in violations reported to the Commission in the self-governing Lebowa homeland, along with substantially fewer violations in the other areas. However, it should be noted that there were fewer violations in homelands reported to the Commission in this period than in any other. Figure 160 shows that the main perpetrators for this period were the homelands police and the SAP. Together these graphs indicate that most of the homeland violations for this period probably related to violations by police in Lebowa, which was granted self-government in 1973.



## ■ 1983-1989: REFORM, RESISTANCE AND REPRESSION

### Historical and political overview

70 In 1978, Mr PW Botha assumed the premiership following Vorster's resignation in the wake of the Information Department scandal. Buoyed by a brief economic upswing early in his term, Botha initiated a wide-ranging, carefully calculated period of reform. Explicitly controlled from above, Botha's cautious reforms were designed to give form to his famous call for white South Africa "to adapt or die". Botha's so-called Total Strategy combined limited political concessions to non-whites with increased militarisation to counter opposition at home and abroad. However, by 1983, Botha's cautious reformism lay in tatters. Far from neutralising the perceived 'total onslaught' against the state, opposition to the government and its policies peaked in the form of a widespread popular uprising that continued throughout the decade. The homelands were not immune to the rising tide of resistance.

- 71 Like urban South Africa, the homelands witnessed a peak in political activity in this period. In part, opposition in the homelands was spurred on by developments elsewhere in the country, especially in the townships. However, developments internal to the homelands were at least as important in politicising bantustan populations.
- 72 Despite reformist initiatives in other spheres, the Botha administration did not dramatically alter the state's homeland policy. Throughout this period, the traditional tools of influx control, denationalisation and independence remained the pillars of government policy towards the homelands. Perhaps the most important policy development in this period was the government's increasing reliance on incorporation to consolidate and strengthen the homelands. As demonstrated numerous times, however, the new tactic of redrawing boundaries to enlarge the homelands only created new or fuelled existing opposition in the affected areas. The conflict in KwaNdebele and Moutse in the mid-1980s dramatically illustrated this dynamic.
- 73 Because of increased resistance, combined with the continued growth of homeland forces, the security situation in all of the homelands deteriorated dramatically. The highest number of homeland gross violations of human rights reported to the Commission was for the period 1983-1989. In addition to the increase in resistance and repression, the homelands posed increasing security concerns for the South African government, proving to be dangerously unstable. In a number of cases, the very security forces created by South Africa to defend homeland rule rose up to challenge incumbent homeland governments. In Bophuthatswana and the Ciskei, South African forces put down several attempted coups. Meanwhile, South African security force personnel were implicated in fuelling a series of cross-border raids between Ciskei and Transkei during the SADF's *Operation Katzen*. By the end of the period, Major General Bantu Holomisa of the TDF had engineered the first successful coup when he deposed Stella Sigcau's Transkei government in December 1987. More coups would follow in the 1990s.
- 74 In KwaZulu, Inkatha became increasingly alienated from the ANC and the United Democratic Front (UDF) and Chief Buthelezi began to turn towards the South African government for more assistance. Covert assistance to Inkatha from the SADF MI's Directorate of Special Tasks (DST) began during this period, through *Operation Marion*, and involving the training of paramilitary style units in the Caprivi, Namibia, which were subsequently deployed in KwaZulu. Years later, some of these recruits were taken into the KZP. DST, which had also been responsible for *Operation Katzen* in Transkei and Ciskei, was responsible for support to external

covert groupings such as RENAMO in Mozambique, UNITA in Angola and the Lesotho Liberation Army in Lesotho.

## Development of security forces

### *Homeland police forces*

- 75 Throughout this period, homeland police forces continued to expand, both in size and importance. With the transfer of policing authority to KwaNdebele and KaNgwane in 1986, all of the homelands supported their own police forces. By the end of the decade, these forces had grown to considerable size. One analyst has reported that by 1990, the Transkei Police employed 3 300 police officers, the Venda and Ciskei forces each numbered 2 000 and Bophuthatswana boasted the largest force with 5 300 police officers. Another observer estimated that by the early 1990s approximately 20 000 black police officers served in the ten homeland forces.
- 76 It was also during this period that the Caprivi trainees from *Operation Marion* in KwaZulu were recruited as special constables and formally brought into the security structures. In 1988, some 300 Inkatha supporters were recruited as special constables, including 130 of the Caprivi trainees. This influx could account for some of the large increase in spending on policing in KwaZulu during this period (see budgets below).
- 77 The SAP continued to operate in the self-governing territories. In KwaZulu, the SAP's Riot Unit 8 actively assisted Inkatha members in attacks on non-Inkatha residents.

78 As homeland forces struggled to cope with the rising tide of mass resistance, an ever increasing amount of money was funnelled into homeland policing. The following tables chart the dramatic annual increases that characterised expenditure by homeland police forces.

### Police budgets in three of the independent homelands (in rands)<sup>3</sup>

Source: South African Institute of Race Relations Annual *Surveys*

Year	Bophuthatswana	Transkei	Venda
1982/83	12 257 950	15 172 000	19 800
1983/84	24 103 560	17 941 000	4 025 169
1984/85	36 680 180	20 024 000	9 310 100
1985/86	33 152 296	26 385 000	9 000 500
1986/87	33 433 296	33 391 000	13 482 200
1987/88	48 794 876	36 711 000	19 241 800
1988/89	64 897 000	49 917 000	23 859 900
1989/90	104 917 000	65 430 000	38 205 400

79 Police budgets in the self-governing homelands rose steadily as well, as the following table indicates.

### Police budgets in self-governing homelands (in rands)

Source: South African Institute of Race Relations Annual *Surveys*

Year	Gazankulu	KwaZulu	Lebowa	Ka-Ngwane	Kwa-Ndebele	QwaQwa
1982/83	3 414 000	6 000 000	6 210 000	n.a.	n.a.	n.a.
1983/84	4 926 000	5 646 300	7 575 527	n.a.	n.a.	n.a.
1984/85	5 780 000	6 331 700	8 926 000	n.a.	n.a.	1 455 000
1985/86	6 724 000	11 040 000	9 519 000	n.a.	n.a.	2 450 000
1986/87	7 169 000	12 144 000	17 578 000	n.a.	n.a.	3 080 000
1987/88	8 363 000	18 116 000	29 097 000	4 539 700	4 327 000	3 600 000
1988/89	12 325 000	35 454 000	46 319 000	8 885 000	19 000 000	5 500 000
1989/90	15 888 000	46 515 000	52 424 000	14 447 000	19 000 000	8 710 000

80 In accordance with their increased size and expanded budgets, homeland forces played a significant part in this period's intensifying repression. As examined in greater detail in the section below, gross violations of human rights statements received by the Commission confirm the central role of homeland police forces

<sup>3</sup> The Ciskei has not been included, as its police budget is inseparable from the budget for the entire Justice Department until 1991/92.

in security operations. In a period that recorded the most gross violations of human rights, almost half of all perpetrators identified by victims were affiliated to a homeland police force.

- 81 As homeland forces expanded in size and assumed a larger operational role, they became increasingly politicised, focused on counter-insurgency, alienated from local communities and aloof from independent restraint. As South Africa's 'securocrats' turned to strategies of counter-revolutionary warfare in the mid-1980s, these characteristics were further enhanced. This process is aptly demonstrated by developments in the KZP.

### ***Homeland armies***

- 82 Like their police counterparts, the independent armies of the TBVC homelands also increased in size from their humble beginnings in the late 1970s. However, as the following tables show, homeland armies generally enjoyed less person-power and financial resources than their colleagues in the police did.

#### **Size of TBVC armies relative to homeland police forces, 1990 estimates**

<b>Homeland</b>	<b>Defence Force Size</b>	<b>Police Force Size</b>
Bophuthatswana	3 500	5 300
Venda	1 800	2 000
Transkei	3 500	3 300
Ciskei	2 000	2 000

- 83 In total, thus, the homeland armies were quite small, never exceeding 11 000 soldiers. In comparison the SADF contained over 100 000 members in the mid-1980s.

#### **Defence budgets of the independent homelands (in rands)**

Source: South African Institute of Race Relations Annual *Surveys*

<b>Year</b>	<b>Bophuthatswana</b>	<b>Ciskei</b>	<b>Transkei</b>	<b>Venda</b>
1982/83	10 028 150	17 100 000	7 868 000	6 110 900
1983/84	12 094 600	31 000 000	11 184 000	6 971 000
1984/85	23 001 040	10 300 000	16 025 000	7 415 600
1985/86	18 302 880	9 000 000	20 277 000	10 316 400
1986/87	27 485 880	10 169 000	44 707 000	15 126 900
1987/88	41 111 233	25 483 000	40 695 000	27 781 700
1988/89	50 819 000	33 831 000	59 275 000	29 527 300
1989/90	74 371 000	47 633 000	55 003 000	34 039 600

- 84 Although this table charts rising defence expenditures over the course of the decade, it should be noted that levels of defence spending generally trailed the budgets of homeland police forces. By and large, homeland armies were only very basically equipped and their infantry platoons – the largest forces in all of the armies – were used primarily in counter-insurgency operations. Security concerns of the South African government no doubt tempered the growth of the various bantustan armies. As the TBVC defence forces relied on the South African state for finances, training and equipment, it was easy for the central government to direct the evolution of the armies, all the while ensuring that the security of the Republic would never be threatened.
- 85 The homeland armies played an important role in the ‘area war’ concept guiding SADF strategy. Convinced that the liberation armies would not wage a border war, the SADF hierarchy stressed the need to organise security forces and civilian auxiliaries on a regional basis in order to combat insurgency wherever and whenever it appeared. South Africa was accordingly divided into ten territorial regions, each of which was designed to act as a first line of defence for the Republic. Although not officially acknowledged at the time, the TBVC armies as well as the SADF’s black battalions were each assigned to a territorial region in terms of this plan.
- 86 With respect to the operation of the homeland defence forces, several points should be noted. First, when called upon, homeland armies worked with South African security forces in joint operations against perceived guerrillas. For example, Lieutenant Colonel Mulaudzi, the commander of the Venda National Force (VNF) stated emphatically that Venda would not hesitate to call on the assistance of the SADF if insurgents crossing their borders threatened their sovereignty. By 1980, the VNF included an anti-insurgency unit, which concentrated on anti-guerrilla warfare and patrolling the borders. Throughout the 1980s, the Venda Defence Force co-operated with South African security forces in detaining, interrogating and at times killing guerrillas suspected of using the homeland as a base for skipping or infiltrating the Republic.
- 87 Second, at times South Africa used the homelands, particularly the independent bantustans, as springboards for military operations against front-line states. For example, in 1984 Lesotho claimed that the South African-supported Lesotho Liberation Army (LLA) was using the Transkei as a base for assassination squads operating in the mountain kingdom.

- 88 Finally, following the outbreak of widespread unrest in the mid-1980s, the homeland armies were increasingly used to assist police forces in suppressing internal opposition. Not only were such operations explicitly condoned in the various homelands’ defence acts, but legislation was often enacted to indemnify security force members from civil or criminal prosecution for acts committed in ‘good faith’ while ‘maintaining law and order’.
- 89 However, the overall significance of the role of homeland armies in the political calculus of the homelands proved most important. At various times, all four of the independent homelands witnessed coups of varying success. Although the immediate reasons advanced for the coups varied, several threads run through the different experiences. First, homeland armies generally played a much more prominent role in coup attempts than their police counterparts. Second, corruption within homeland administrations was frequently cited as a motivating factor. Finally, coups exposed the fractured and weak nature of homeland administrations. More often than not, coups originated with the cleavages already present in regimes with questionable legitimacy. As an important elite within homeland politics, and one of the few institutional actors with sufficient resources to mount a political challenge, homeland armies were often forced into the role of king-maker or king-protector. Of course, homeland armies were not alone in this regard. Ultimately the South African state, through the SADF, remained the final arbiter in times of political uncertainty.

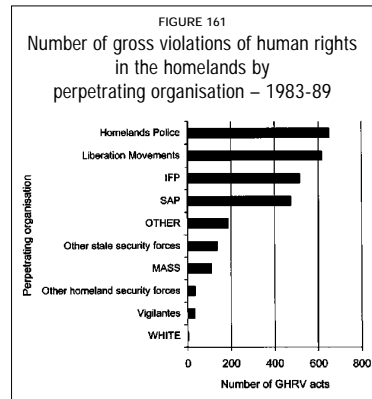
**Responsibility for gross violations of human rights**

90 The table below indicates the percentage of types of gross violations which were reported to the Commission for this period (1983-89):

	Abduction	Killing	Severe ill treatment	Torture	Total
Homeland	6%	22%	52%	20%	100%
Non-homeland	3%	23%	50%	24%	100%

91 The table indicates a sharp increase in killings in homelands for this period, bringing them in line with the rest of the country. Severe ill treatment in the homelands drops (from 74 per cent of homeland violations in the 1976-82 period to 52 per cent), while torture and abductions remain similar to the last period.

92 Figure 154 shows a sudden and dramatic increase in the number of violations reported in KwaZulu (note that the scale on this graph has changed since the last in this series, indicating a substantial increase in violations reported). KwaNdebele also shows a large number of violations in that region: see the separate section on KwaNdebele below for more on these conflicts. Figure 161 shows a huge increase in the number of violations ascribed to the liberation movements and Inkatha in this period. However, the homelands police are still the main perpetrator group and, when the SAP perpetrator group is taken into account, it is clear that the security forces are still the main perpetrators in the homelands for this period.



## ■ TRANSKEI AND CISKEI

### 1960-1982

93 Whatever the South African government's reasons, publicly-stated or hidden, for encouraging homeland independence, by the time of Ciskei's independence ceremonies in December 1981, it was clear that the homelands were also to be used as a more brutal instrument for suppressing opposition. Both Transkei and Ciskei used additional emergency-style laws to silence opposition in the run-up to both self-government and later independence. By the mid-1980s, a clear pattern of brutal suppression of opposition had emerged in both homelands, with South Africa frequently washing its hands of the situation on the grounds that these were 'independent' countries.

94 Both homelands borrowed repressive South African legislation initially and, in addition, backed this up with emergency-style regulations passed with South African assistance before independence (Proclamation 400 and 413 in Transkei which operated from 1960 until 1977, and Proclamation R252 in Ciskei which operated from 1977 until 1982).

- 95 The emergency Proclamations 400, 413 and R252 appear to have been retained in the Transkei case and introduced in the Ciskei in order to suppress legal opposition at the time of attainment of self-government status.
- 96 Police in the homelands (initially SAP and later the Transkei and Ciskei Police) targeted political opponents rather than criminals, as the SAP did in South Africa.
- 97 Homeland legislation eventually passed was sometimes more repressive than parallel legislation used in South Africa. For example, when commenting on the replacement of Proclamation R252 by the Ciskei National Security Act of 1982, Haysom commented that "this Act contains most of the much criticised features of the South African security legislation and a good few more besides"<sup>4</sup>. This law enabled among others detentions, bannings of individuals and organisations, and limits on the right to strike. Most of the powers were exercised on the discretion of the commander general of national security, Charles Sebe.
- 98 Police in homeland areas acted with extraordinary brutality, possibly because these regions were so often ignored by the rest of the country. For example, the Pondoland Revolt of 1960 and events in subsequent years elicited a venomous backlash from the police (still the SAP in the early years), with police assaulting detainees so badly that it appears they cared little whether detainees lived or died. The Human Rights Commission (HRC) records thirty-two deaths in detention between 1976 and 1982. The Eastern Cape accounted for eight of these (25 per cent) with five of the eight in the two homelands (four in Transkei, one in Ciskei and three in Port Elizabeth).
- 99 While South Africa proper tended to use repressive legislation primarily against extra-parliamentary opposition, the homelands also used such legislation to act against election and parliamentary opponents: the opportunities for opposition were thus extremely limited.
- 100 Forms of organisation and extra-parliamentary opposition that were legal in South Africa, although often harassed, were *de facto* and sometimes *de jure* illegal in the homelands. For example, when unions started organising in Ciskei in the late 1970s, unionists were initially targeted for severe harassment, detention and torture and by 1983, SAAWU had been banned. In Transkei, unions could not operate at all until after the more benevolent military rulers took over. In both territories, the UDF simply did not have a presence, due to the impossibility of organising there.

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<sup>4</sup> Nicholas Haysom, Ruling with the whip: Report on the violation of human rights in the Ciskei, CALS, October 1983.

- 101 The homeland authorities had open links with vigilante groups and encouraged them to operate; this was particularly the case in Ciskei. The Ciskei government went so far as to make facilities available to the vigilantes: the use of the Mdantsane stadium as a base for the Green Berets in 1983, the use of a training camp for the Zwelitsha vigilantes in 1985 along with an MP to work with them, and the use of a military base and a private security company as trainers in the 1990s. These vigilantes were, in all cases, used to target opposition to homeland authorities (unionists and commuters in 1983, members of progressive youth structures in 1985 and ANC members in 1990).
- 102 The use of chiefs was an essential part of control in the homelands. Chiefs were granted additional powers, including the key authority over land allocation; communities without chiefs (such as Group Four in Thornhill, Ciskei) were refused access to services. Chiefs were also sometimes used in recruiting vigilantes in rural areas. Conflict between chiefs and communities sometimes became so great that chiefs and headmen were armed (such as in Ciskei during 1983 and later under military government in the 1990s).
- 103 The cult of personalities seems to have been far stronger in the homelands than in South Africa proper. In Ciskei in the early 1980s, Major General Charles Sebe was the overall security force commander and operated as a dictator: the powers of the Ciskei National Security Act of 1982 were exercised on Sebe's discretion<sup>5</sup>. Under the initial governments, family connections were powerful (Ciskei ruler Lennox Sebe first appointed his two brothers to key positions and then arrested them, while Transkei rulers Kaiser and George Matanzima had ongoing spats) and splits were later exploited by both homeland and South African security forces. In both Ciskei and Transkei, bribery reflected the importance of gaining the favour of the ruler of the day. Under the military dictatorships, this trend was even more obvious as they ruled by decrees, some of which appear to have been issued on whims.
- 104 South African security forces co-operated with homeland security forces in handing over political detainees. In some cases, this appears to have been done in order to prevent the families or lawyers of the detainees from ascertaining their whereabouts. Some of these handovers were clearly illegal.
- 105 The border issue was used by South African authorities to prevent criminal prosecutions of security force members implicated in criminal actions against political activists in homelands. One example is the failed prosecution of the

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<sup>5</sup> Haysom (1983).

killers of student leader Bathandwa Ndonga in Transkei. Another is the killing of MK guerrilla Stembele Zokwe in Butterworth. One of the police suspects in this case escaped from jail and fled across the border to be offered employment in a covert SADF military operation based in Bisho.

- 106 While the police tended to operate in overt and brutal ways (detentions, torture, and assassinations), by the mid-1980s, the South African military was learning how to manipulate the separate Ciskei and Transkei security forces and ultimately the politicians in the region. Such military activities became even more sophisticated in the 1990s when the need for a clandestine method of destabilising the now-legal ANC arose. The independent homelands provided a perfect loophole for this.
- 107 While homeland police clearly often copied the methods practised by their big brothers in South Africa, the homelands also appear to have been used as a training or experimental arena for the SAP (for example, methods of torture such as hanging suspects from trees, used in Pondoland, were repeated a decade later in Pietermaritzburg; poisoning of detainees was used in Pondoland in the 1960s and may have been a forerunner to poisonings in South African detention such as that of Mr Siphwe Mthimkulu in Port Elizabeth in 1981).
- 108 In addition to using the homelands for one-step-removed repression, during the apartheid years the South African military also experimented with ways of using the independent homeland security forces to break the arms embargo.

### ***The Pondoland Revolt***

- 109 The so-called Pondoland Revolt took place in Pondoland in eastern Transkei in the late 1950s and early 1960s (see Volume Three). This was an extended uprising by Pondoland groups – particularly ANC supporters who referred to themselves as *iKongo* members – against the imposition of tribal authorities and impending self-government for Transkei. Numerous incidents of violence took place during 1960, including clashes between security forces and *iKongo* members, attacks by *iKongo* members on chiefs and those regarded as collaborating with chiefs or police, and the destruction of *iKongo* members' homes by chiefs. Legal methods used by the security forces to crush this revolt included the declaration of a state of emergency on 30 November 1960, widespread detentions, criminal prosecutions and banishment of families. Illegal methods included torture in custody (primarily in detention), deaths in custody, apparently due to treatment received, and the use of unnecessary force in public order policing. The over 200 statements received

by the Commission in connection with this matter indicated that torture, killings and disappearances were a key feature of security force responses to this revolt.

- 110 On 6 June 1960, conflict developed between security forces and *iKongo* members at Ngquza Hill in the Lusikisiki region of Pondoland, when security forces broke up an *iKongo* meeting. One *iKongo* member, Mr Clement "Fly" Gxabu [EC0882/96ETK] told the Commission in an interview that the government delegation expected by the meeting did not arrive; instead the security forces moved in and broke up the meeting. Most accounts indicate that the meeting was teargassed from aircraft, after which police on the ground moved in, some of them opening fire, killing at least eleven *iKongo* members.
- 111 An inquest subsequently found that at least some of the dead had been killed by fire from Sten guns<sup>6</sup>. Gxabu also told the Commission that security force members had parachuted from the aircraft. It seems clear that the SAP were involved in this incident, although the extent of their involvement is not. The SANDF told the Commission that: "In the sequence of events it is clear that the SADF was over the said period definitely not deployed in the Transkei". However, the aircraft used in the operation must have been SADF aircraft used in support of police operations (the SAP had no aircraft at that time) and, if there were any parachutists, these were probably SADF members. The SAPS said they had no knowledge of the use by police of Sten guns in 1960. According to the SANDF, both police and military were armed with Sten guns.

*Sten Sub Machine Guns were only issued to the Platoon Leaders (Lieutenants) and Platoon Sergeants of which, according to the strength of the SADF elements, there were about eight in total. The troops were issued with .303 rifles. From memory, it seems that the SAP was issued with 9mm Sten Sub Machine Guns.*

- 112 It seems probable that the shooting was carried out by the police as, if the SADF were involved in this incident, they were probably involved as backup to an SAP operation as was standard procedure<sup>7</sup>. The SAPS said it had no records from this period, but said both military and police were involved:

*Information received is that the police and soldiers were operating jointly to arrest the Pondo people. Information further indicates that soldiers were not interested to go for negotiations; as a result people were shot dead.*

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<sup>6</sup> Mbeki (1964), Southall (1982) and Geoffrey Wood "The horsemen are coming: Rethinking the Pondoland rebellion" in *Contree* 33, May 1993, and statements made to the Commission.

<sup>7</sup> The SANDF provided the Commission with references to documents indicating that the SADF acted only as backup to the SAP in other operations during 1960 (detailed in SANDF response to Commission query, 11 June 1998).

- 113 The SANDF told the Commission that the SADF had been used in the Transkei before the Nqquza Hill incident, during *Operation Duiker* from 21 March 1960 to 7 May 1960, when six platoons<sup>8</sup> and four Saracen troop carriers were sent to Transkei. All troops had left the region by 7 May and did not return until late November when *Operation Otter* started in Durban (which involved air support to the SAP), followed by *Operation Swivel* from 7 December 1960, which continued at least until early January 1961. A report from the colonel in charge of *Swivel* to the then chief of army staff indicated that, from 16 to 30 November 1960, the SADF were involved in six operations that resulted in the detention of 1 330 people in the Pondoland district. At the same time, two mobile watches of 300 troops were sent to Bizana in terms of *Operation Swivel*.
- 114 While the SADF was present in support of the police during at least part of this period, it is clear that it was the police who had primary responsibility for dealing with the revolt. The main tool appears to have been mass detentions (Mbeki quotes official records from 27 January 1961 as stating that 4 769 people had been detained with 2 067 eventually brought to trial<sup>9</sup>). Statements made to the Commission indicate that torture was a key part of those detentions. This was supported both by the submissions handed to the Commission by Kairos and by literature on the Pondoland Revolt.<sup>10</sup> Mkambati forest was frequently named as a site of torture. This appears to have been a camp with tents in the forest during the 1960s, possibly set up during the Pondoland Revolt as a police crisis measure, later becoming an established police station. While the SAPS was unable to provide any information on the setting up of the Mkambati police station, it is understood that during the 1960s this station was under the command of Colonel Theunis Jacobus 'Rooi Rus' Swanepoel. Kairos refers to Swanepoel as a notorious police officer who played a key role in the 1960s and later became the chief interrogator of the SAP's Security Branch.<sup>11</sup>
- 115 Statements made to the Commission indicate that, immediately after the Nqquza shootings, police rounded up suspects; family members were also assaulted by police in attempts to track suspects. Statements made to the Commission reported that suspects were detained, assaulted and tortured and released still suffering the after-effects of either torture or illness (possibly tuberculosis) contracted in detention or jail. Some subsequently died; the health of others appears to have been permanently damaged. In almost half of the statements made to the

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8 A platoon comprises about 30 troops.

9 Govan Mbeki, *The Peasants' Revolt*, 1964.

10 Mbeki (1964) and Roger Southall, South Africa's Transkei: *The political economy of an independent bantustan*, 1982.

11 Kairos, *Torture of detainees in South Africa 1960-1970*, November 1997, p37; *Political prisoners and detainees in South Africa*, preliminary report, November 1996, p 4.

Commission, family members made a direct connection between treatment in custody and subsequent death: the number of cases reporting this indicates that police assaulted detainees to the point of permanent injury and then released them to die at home. Others returned home mentally disturbed. These cases point towards a deliberate policy of assaulting detainees; they may have been used as experimental cases by the SAP. The cases reported to the Commission indicated that detainees who died or who suffered permanent injury may have been subjected to one or more severe assaults, untreated exposure to illnesses such as tuberculosis, electric shocks (including shocks to the head), and poisoning.

- 116 The Commission was not able to conduct an in-depth investigation into the allegations regarding treatment in detention; it feels, however, that this is an area that merits further investigation, particularly concerning the possibility of wide-spread and deliberate poisoning of detainees.

## **1983-1989**

- 117 This period saw the rise of organised vigilantes supported by the homeland authorities in Ciskei; the beginnings of SADF MI manipulation of the homelands to foster inter-homeland conflict through *Operation Katzen* in what may have been part of a national homelands military strategy; the implementation of a South African security force policy of killing rather than capturing guerrillas; an increase in the use of torture in homelands, and the first internally-initiated homeland military coups, which led to ongoing and increasingly vicious battles between the homeland and Pretoria security forces.

### ***Ciskei government policy: use of vigilantes***

- 118 During 1985, there was a national wave of vigilante groups starting to operate. These were generally groups which targeted UDF members and their allies.
- 119 Over the years, vigilantes were used on several occasions by the Ciskei authorities. Haysom records the first use of vigilantes in Ciskei as being during 1974, when vigilantes known as the "Green Berets", who were members of the ruling Ciskei National Independence Party (CNIP), assaulted Mdantsane commuters during a boycott of the local bus company. In 1977 vigilantes again emerged, this time to target Mdantsane schoolchildren who were boycotting classes in protests over Mr Steve Biko's death in detention.<sup>12</sup> While there was suspicion

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<sup>12</sup> Haysom (1983), p10; p24; p45.

that these vigilantes were linked to the homeland authorities and they appeared to act in support of the homeland government, there was no clear evidence of state support for them.

- 120 However, there was clear Ciskei government support for the vigilantes that operated during the July 1983 boycott of Ciskei Transport Corporation (CTC) buses in Mdantsane. The boycott started on 19 July; on 2 August, vigilantes operating under the supervision of police were brought in to run roadblocks; they were involved in assaulting commuters<sup>13</sup>. Police, army and vigilantes were used to break the boycott by assaulting commuters who used taxis, trains and private cars, and taxi drivers. The vigilantes were also given the use of the central Sisa Dukashe stadium in Mdantsane as a venue for holding detainees. Haysom reports that there was “overwhelming evidence” that the vigilantes were involved in the assault and torture of detainees at the stadium. Ciskei Minister of Justice, David Takane, denied knowledge of this, but did acknowledge that the vigilantes were operating with official endorsement. On 26 August 1983, the Ciskei Supreme Court granted two urgent applications restraining the security forces and vigilantes from harassing Mdantsane residents. The Ciskei authorities did not oppose the order.
- 121 At least some of these vigilantes are believed to have been recruited from government supporters in the rural regions: here the involvement of chiefs was crucial. This was another element in the increasing conflict between chiefs and their communities. By 1983, Haysom records that the tension between chiefs, headmen and the communities in Ciskei was so great that Lennox Sebe had authorised them to carry guns.<sup>14</sup>
- 122 Along with the national emergence of vigilantes in 1985, vigilantes with links to the Ciskei authorities re-emerged. This time the group operated in Zwelitsha and targeted those linked to progressive structures. In September, vigilantes in Zwelitsha hunted down South African Students’ Organisation (SASO) activist Zandisile Matyolo [EC0105/96ELN] with the assistance of Ciskei security forces. Days earlier Ciskei police had threatened Mr Matyolo’s mother that he would be killed. He was chased and killed in front of witnesses. This was an extreme case and the vigilantes were subsequently prosecuted. One of those convicted was Mr Willie Kolisile Matsheketwa [AM6437/97] who applied for amnesty for this killing. He had been sentenced to eight years imprisonment, reduced on appeal to eleven months. Matsheketwa, at the time a Ciskei MP, joined the Green Beret vigilante group in 1976.

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<sup>13</sup> Haysom (1983) p28.

<sup>14</sup> Haysom (1983).

*While a member of the Green Berets, I used to accommodate other members who had no homes locally as some were pulled in from neighbouring localities. Some incidents of violence occurred and I was implicated as I was housing the Green Berets. This was mostly in 1976.*

- 123 He said that by 1985 he was a CNIP MP and was not involved in Green Beret activities; however, he re-joined after Ciskei president Lennox Sebe ordered men to join the group to oppose youths who wanted to burn down schools. "Those who defied this order were harassed," said Matsheketa. He said on one occasion he had been sent by another MP to tell a police colonel

*that a contingent of guards was on their way to come and assist the police to guard schools. Further incidents of violence recurred between the guards and youths who wanted to burn down schools. These guards were subsequently called Inkatha.*

- 124 In July 1987, vigilantes killed activist Zola Nozewu [EC0359/96ELN] who had been involved in resistance to Ciskei rule by the Potsdam community. It is not clear how closely these vigilantes were linked to the state; however, like Matyolo, Mr Nozewu was killed after police warned his family he would die if he did not leave politics alone.
- 125 When military ruler Brigadier Oupa Gqozo deposed Sebe's government, the use of state-sponsored vigilantes continued. When the clashes between Gqozo's government and ANC supporters became increasingly bloody during 1992-94, Gqozo hired a private security company – Peace Force – to guard government installations and to recruit and train members of the government's African Democratic Movement (ADM), which acted as a vigilante force. As with the 1983 vigilantes, rural chiefs and headmen were crucial in recruiting these trainees. This group was given training by Peace Force at the CDF military base on the coast, next door to Gqozo's private farm, and was armed with shotguns. Later Gqozo's security forces also armed headmen with G3 rifles.

***Ciskei policy: targeting entire communities to subdue dissent***

- 126 On several occasions during the 1980s, Ciskei targeted entire communities opposed to homeland rule – often communities that had been subjected to forced removals or incorporation into the homeland.<sup>15</sup>

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<sup>15</sup> See, for example, Africa Watch *Ciskei: Ten years on - Human Rights and the fiction of 'independence'*, Vol III, Issue no. 16, 20 December 1991.

- 127 In the mid-1980s, the Kuni community was evicted from Ciskei en masse and dumped at the roadside in South Africa, where they later found a home at Needs Camp outside East London.
- 128 In 1987, a large group of residents fled at least twice from Potsdam outside Mdantsane following assaults by police and vigilantes. South African security forces forcibly loaded the group onto trucks and drove them back to Potsdam. In April 1989, they were granted permanent residence at Eluxolweni in South Africa. This group had some years earlier been forcibly removed across the border into Ciskei.
- 129 In August 1988, the Ciskei borders were redrawn to incorporate the Nkqonqkweni village at Peelton near King William's Town. In drawing the Ciskei boundaries in 1981, the village had inadvertently been split in two. The redrawing of the border was to enable the South African government to banish UDF activist Steve Tshwete to his home village of Nqonqkweni in Ciskei rather than Nqonqkweni in South Africa. In the following year, Nqonqkweni residents complained of repeated assaults by Ciskei forces. This eventually resulted in a mass exodus of residents to King William's Town. Ciskei declared a state of emergency in the Peelton area and violence and bulldozing of rebels' houses followed. In a court case arising out of the conflict, the Ciskei Supreme Court found against Mr James Fikile Phindani, a resident of Peelton village, who had been evicted from his home and dumped across the South African border by the Ciskei security police in 1989, and approved the passing of a retrospective law which allowed the Ciskei authorities to do this. Eventually the incorporation issue was quietly dropped and residents returned home.
- 130 The Peelton conflict was the beginning of widespread rural rebellion against Ciskei president Chief Lennox Sebe's rule, which resulted in initial popular support for Brigadier Oupa Gqozo, who overthrew Sebe's government in March 1990.
- 131 A press report from 1989 commenting on the battles by various communities to escape Ciskei rule said:

*It's not hard to find the reasons why the communities are so desperate to leave. On the one hand, there is widespread objection to the whole notion of an 'independent' Ciskei. On the other, there are massive practical problems associated with the homelands ... [T]he territory's social benefits and facilities are generally inferior to those of South Africa. For example, old age pensions are substantially lower than in South Africa.*

*Ciskei also demands several different types of taxes - ranging from 'development tax' to membership of the ruling Ciskei National Independence Party (CNIP). Those without the notorious 'CNIP card' may often find themselves barred from benefits and even housing.*

*Far worse are the extremely common allegations of assaults and routine harassment – particularly of resisting communities – by Ciskei authorities. Often the Ciskei police and army are accused of acting together with vigilante groupings.*

*CNIP membership also seems to be used by Ciskei as a measure of loyalty to the territory. There are repeated stories of communities brutalised by Ciskei authorities for refusing to pay taxes and CNIP membership.*

*Again and again, the same allegations against Ciskei are repeated. Frequently people talk about being in fear of their lives, and however bad conditions may be in South Africa, life across the border is always seen as a better option.*

*Pensioners complain of their pensions being docked. Refugees from the Potsdam grouping, who three times fled Ciskei, claimed they were refused treatment at clinics, their children turned away from school. Community leaders were murdered.<sup>16</sup>*

### ***Military policy: destabilisation through Operation Katzen***

- 132 In January 1983, Brigadier Christoffel Pierre 'Joffel' van der Westhuizen moved to Port Elizabeth to take over as officer commanding of the SADF's Eastern Province Command. In attendance at his taking-over ceremony were Ciskei security chief General Charles Sebe and Major General Ron Reid-Daly of the TDF. Over the next few years, these three men were to work together on Van der Westhuizen's ambitious *Operation Katzen* plan, drafted in an attempt to retain SADF control over both the Transkei and Ciskei and to use the homelands as a bulwark against the rising tide of popular resistance.
- 133 Charles Sebe had a meteoric rise to power in Ciskei. He joined the SAP in 1957 at the age of twenty-three and was transferred six years later to the security police. He was based in Port Elizabeth for some time. In 1974, he joined the

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<sup>16</sup> East London News Agency, 16 May 1989.

Bureau for State Security (BOSS) and worked in King William's Town where he was involved in investigating the Black Consciousness Movement. In October 1978, he was transferred to the new Ciskei administration where he founded the Ciskei Central Intelligence Service with only three men. By 1979, he was a colonel and the Ciskei police were under his control. By the end of 1981, he was a major-general and in September 1982 (following Ciskei independence and the passing of the National Security Act of 1982) he was promoted to lieutenant general and then to a new position of Commander General in control of all the armed forces in Ciskei, a total of about 4 500 men. As Commander General, he was paid about R3 500 per month.

- 134 As an SAP member, Sebe said he "carried my promotions in my pocket" (as he told journalist Joseph Lelyveld). Two years after the ANC was banned, Sebe, then an SAP member, joined the ANC and later helped arrest both ANC leader Govan Mbeki and members of the fledgling Poqo<sup>17</sup>. Sebe also appears to have been close to South African commissioner of police, General Johan Coetzee: according to Lelyveld, while Sebe was in charge in Ciskei, he apparently reported directly to Coetzee and was also subject to overrule by officers seconded from South Africa. Court papers in Sebe's 1983-84 trial indicated that he had telephoned Coetzee, apparently in search of advice, the night before his arrest.
- 135 In July 1983, Sebe made one of his last public appearances as Van der Westhuizen's guest (this time at the SADF's seventy-first birthday celebrations). By the middle of July, Sebe had lost his total control of the security forces due to a re-shuffle in those forces on the president's orders, and his deputy was in detention. Within days, Sebe himself was detained and in June 1984 was convicted of incitement to violence, after an attempt to get his deputy released from custody. He was jailed for twelve years and leave to appeal was refused. Lennox Sebe subsequently turned down three separate appeals by South African Foreign Affairs Minister Pik Botha to show clemency towards Charles Sebe.
- 136 In January 1985, the SADF was evicted from Ciskei following the deaths of recruits at a Ciskei base, and South Africa lost its foothold in that homeland.
- 137 By 1986, Van der Westhuizen had drafted the *Katzen* plans for an operation that involved a successful jailbreak, abductions and an abortive attempt to abduct or kill Lennox Sebe, in which at least two TDF members died.

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<sup>17</sup> Joseph Lelyveld, *Move your shadow*, 1987, p162.

- 138 On 2 June 1986, Chief Lent Maqoma, a one-time ally of Lennox Sebe, launched his Ciskei People's Rights Protection Party; this was followed a few months later by the launch by the rebel group in Transkei of the 'armed wing' of this party, Iliso Lomzi. It seems that both were launched with MI assistance. MI subsequently printed and distributed pamphlets (including dropping them from aircraft) in support of these two groupings<sup>18</sup>.
- 139 In September 1986, Charles Sebe was sprung from the Ciskei's Middledrift maximum security prison by SADF members and/or ex-Selous Scouts operating from Transkei; from then on he operated from Transkei together with the rest of the *Katzen* group. The day Charles was released, Lennox Sebe's son Kwane Sebe, the head of the Ciskei Police Elite Unit and the man groomed as the successor to the president, was abducted and taken to Transkei. Three months later, Kwane was sent back to Ciskei in a homeland prisoner swap.
- 140 Attempts to extradite Charles Sebe back to Ciskei collapsed. The then Ciskei Attorney-General Jurie Jurgens applied for their extradition, subsequently finding that both these matters had quietly fizzled out in some political settlement. This presumably involved some pressure from the South African authorities, which had previously campaigned for Charles Sebe's pardon.
- 141 In January 1987, Van der Westhuizen left the Eastern Cape and took over as officer commanding of Witwatersrand Command. On 21 January, Holomisa, then second-in-command of the TDF, was detained; partly, it seems, because he opposed the *Katzen* planners. Weeks later, on 19 February, TDF troops crossed the Kei River border between Transkei and South Africa, and drove on to launch an abortive attack on Ciskei president Lennox Sebe's private palace in Bisho. It was reported that one TDF soldier died and another was captured; later South African authorities captured French mercenary Jean-Michel Desble.
- 142 The captured soldier, Rifleman A Ndulu, was held under guard in the Ciskei's main Cecilia Makiwane Hospital in Mdantsane, then eventually sent home to Ciskei in terms of a deal apparently engineered by Holomisa. Likewise the body of the dead soldier, Mr Mbuyiselo Templeton Nondela [EC2323/97UTA], was allowed home for burial.
- 143 The Commission found evidence of another previously unreported death and direct SADF complicity in the raid. A TDF soldier who was badly injured in the

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<sup>18</sup> Gerrie Hugo and Stef Snel, *Military Intelligence and the counter revolutionary war in the Eastern Cape*, Urban Monitoring and Awareness Committee, 1998.

failed attack, Mr David Simphiwe Makazi [EC2323/97UTA], was rushed down to East London by his fellow attackers. He was airlifted by the SADF from the East London race track and flown back to Butterworth.

- 144 Apart from Van der Westhuizen and the officer he reported to on *Katzen*, General Kat Liebenberg, other senior officers and officials named in the *Katzen* file as having been involved at some stage included General Jannie Geldenhuys (head of SADF Special Forces), General Griebenaauw (Border regional head of the security police), General Zondwa Mtirara (head of the TDF), Vice-Admiral Dries Putter, Colonel Reg Deyzel (the officer commanding of Group Eight in East London), a former Transkei Minister of Defence and Dr Tertius Delpport (then at the University of Port Elizabeth). Delpport later denied any knowledge of the *Katzen* plans. In 1983-84, Delpport had served as one of two assessors at the Ciskei trial after which Charles Sebe was jailed for twelve years.
- 145 The National Intelligence Service (NIS) also appears to have been involved in *Katzen*. One of the NIS staff was involved in at least some of the planning. An undated document headed "Top Secret", which appears to be the abbreviated notes of a meeting, lists those present as including an SADF general, an SADF brigadier, an SAP brigadier, three colonels, two commandants and an NIS representative. Another document refers to NIS involvement: "All political front actions (Lent Maqoma) will now be handled by NIS. We will continue to co-operate politically/militarily". A "Top Secret" NIS document on *Katzen*, which appears to have been drafted during rather than after the operation, lists those involved in or aware of *Katzen* as including President PW Botha, SADF chief General Jannie Geldenhuys, army chief general Kat Liebenberg, the commissioner of police (then General Johan Coetzee), the Secretariat of the State Security Council and the director general of NIS.
- 146 After the failed attack, *Katzen* seems to have collapsed.
- 147 On 1 April 1987 the Ciskei banned both the Ciskei People's Rights Protection Party and Iliso Lomzi<sup>19</sup>. On 4 April, Transkei detained sixteen white military officers, mainly the ex-Selous Scouts. Soon after their departure, Holomisa took charge of the TDF, and Transkei support for *Katzen* was severely curtailed.
- 148 Desble made a few token appearances in the East London courts before being officially deported back to France. In an interview in 1995, Attorney-General

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19 Govt Gazette no.17 of 1/4/87, referred to in charge sheet of State vs Mlungisi Matthew Genda, cc34/89, Ciskei Supreme Court.

Jurgens said that his flight made an unscheduled stop before reaching France so that he could disembark and thus avoid prosecution as a mercenary in France.

- 149 A month or two later, former General Johan Coetzee, now retired as SAP commissioner, was appointed to run a tri-partite committee out of East London to keep the peace between the warring homelands.
- 150 The TDF convened a board of enquiry into the abortive attack on Ciskei in August 1987. Its work was concluded and handed to the Transkei Minister of Defence. The SANDF was unable to trace this report.
- 151 In 1989, the Harms Commission of Inquiry into the Jalc group of companies heard that Putter, who was the chief of MI at the time and party to the *Katzen* plan, had been warned about the impending attack by one of his staff. MI officer Brigadier Marthinus Deyzel, seconded to Jalc in terms of a proposal for MI to use Jalc for intelligence-gathering purposes in the homelands and frontline states, told Harms that Lennox Sebe had told him he was aware of an impending attack on him by elements of the SADF. Deyzel, who seems to have been unaware of the *Katzen* plan, told his superiors. He subsequently complained to the Harms inquiry that his warning had been ignored. Putter told Harms he had taken Deyzel's warning extremely seriously and that he had written a memo for circulation among his superiors. The memo, dated 9 February 1987, stated:

*The Ciskei Government alleges that they have information that several RSA elements are involved in the destabilisation of the Ciskei. If this is correct, it would be advisable to put a stop to it... An investigation of the facts must be urgently undertaken and certain punishment procedures will have to be considered<sup>20</sup>.*

- 152 At the same time that *Katzen* was running in the Eastern Cape, the SADF's *Operation Marion* was running in KwaZulu. The attack on Ciskei was carried out on 19 February; the KwaMakhutha attack carried out in terms of *Marion*, which killed thirteen people, was carried out just weeks earlier in January.
- 153 There are several links between *Marion* and *Katzen*. Both operations were coordinated at Defence Headquarters in Pretoria by Colonel John More, at the time part of the DST. More was mentioned in the *Katzen* documents as supplying weapons for that operation. Liebenberg and Geldenhuys, two of the accused in

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<sup>20</sup> *Daily Dispatch*, 12 May 1989.

the KwaMakhutha trial, were also named in *Katzen* documentation. Lieutenant Colonel Jan Anton Nieuwoudt, who was involved in the 1986 Caprivi strip training of the men who carried out the KwaMakhutha attack, was subsequently (in the run-up to the 1994 elections) involved in an Eastern Cape operation which seems to have been a successor to *Katzen*. Liebenberg was involved in 'officially' shutting that operation down after it was blown and Nieuwoudt moved and apparently continued the operation in a different form elsewhere. General Tienie Groenewald was another of the KwaMakhutha accused; during the 1990s he was involved in an organisation that was implicated in running guns to prop up Gqozo's government in its battle against the ANC.

154 As More was part of DST, this indicates that both *Marion* and *Katzen* were thus run by DST, a section also responsible for running covert support to pro-Pretoria rebels in Angola (UNITA) and Mozambique (RENAMO). This indicates that the homelands were also part of MI's strategy of supporting (and sometimes setting up) rebel groups that were involved in violent attempts to overthrow governments which were either antagonistic to or could not be controlled by Pretoria, or were involved in violent clashes with UDF-aligned (and later ANC-aligned) groupings. In the homelands, this thus involved covert support for Inkatha in the KwaZulu-Natal region and, in the Eastern Cape, the setting up and funding of first the Ciskei People's Rights Protection Party and Iliso Lomzi and later the setting up and arming of the ADM. This policy does not appear to have ended with the failure of *Marion* and *Katzen* in 1987 as several of the key officers involved in those two operations were again implicated in similar activities based in the Ciskei during Gqozo's rule and the run-up to the 1994 elections.

155 Although *Katzen* seems to have collapsed in early 1987, its legacy continued. Two years later, Lennox Sebe's Ciskei government still regarded Iliso Lomzi as a threat, as can be seen in a "Top Secret" CDF contingency plan for dealing with an attack expected by "elements of Iliso Lomzi supported by the TDF and ex-Rhodesians" around 24-25 July 1989<sup>21</sup>.

### ***Security force policy: killing the guerrillas***

156 Former SADF Special Forces commander General Joep Joubert told the Commission that, in the mid-1980s, he drew up a plan for the elimination and destruction of ANC activists, their allies and supporting structures. The then SADF chief General Jannie Geldenhuys had instructed him to draw up a plan to enable Special Forces

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<sup>21</sup> 'Overall contingency plan for event of an attack by Iliso Lomzi against targets within the Ciskei', reference CDF/310/1, drafted by the CDF commander and dated 24 July 1989.

to assist the SAP in countering the revolutionary onslaught. The proposal called for the use of both clandestine and counter-revolutionary methods against the liberation movements. "I did discuss the plan with General Geldenhuys. I was under the impression that it was approved. Operations were then launched in line with the plan," Joubert told the Commission's armed forces hearing. The Eastern Cape, along with Northern Transvaal and the Witwatersrand were identified as the problem areas. Joubert's plan called for co-operation between Special Forces, the regional SADF commands and the regional heads of the security police. Joubert could not say when these operations ended; he said no order had been given to cease operations.

157 Apart from SADF raids on the front-line states during the 1980s, this plan appears to have involved the setting up of the 1986-87 Operations *Katzen* and *Marion* (see above): documentation in the *Katzen* file indicates that both Joubert and Geldenhuys were involved in *Katzen*, while Geldenhuys was one of the accused in the KwaMakhutha trial arising from *Marion* (see above). The Border region head of security police, General Griebenauw, was also involved in the *Katzen* plan.

158 Joubert's plan also clearly involved assistance with the targeting of individual guerrillas who were then tracked down by police acting in conjunction with *askaris*, and assassinated.

159 Police statistics for the time indicate that insurgency increased dramatically in 1985, from fifty-one incidents reported in 1981, thirty-nine in 1982, fifty-five in 1983 and forty-four in 1984 to a massive 136 incidents for 1985.

160 It is interesting to note that, according to information handed to the Commission by the ANC, 60 per cent of the 246 MK members who died in combat were killed during the four years from 1986 to 1989, the period when the Joubert plan was probably in operation. According to the ANC list, at least 17 per cent of the deaths during those four years were either in the Eastern Cape or were of guerrillas who had been operating in the Eastern Cape<sup>22</sup>.

161 In the Eastern Cape the Joubert plan would have focused on guerrilla infiltration from Lesotho via Transkei and would thus have involved:

- a The Eastern Province (EP) Command in Port Elizabeth, which was the regional command for the Eastern Cape;

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<sup>22</sup> ANC list compiled by Phyllis Naidoo, *MK comrades who died in combat etc in South Africa; list prepared by MK, 2 September 1996*. While this list contains several inaccuracies, it has been used as a rough guide to the statistics.

- b Brigadier Joffel van der Westhuizen (now retired as a lieutenant general) who was the head of EP Command from January 1983 until January 1987. He left and subsequently took over as officer commanding of Witwatersrand Command, another of the three key problem areas identified in terms of the military's plan;
- c Brigadier Wessel Kritzinger, who took over from Van der Westhuizen as officer commanding of EP Command until March 1990;
- d Colonel Reg Deyzel, the officer commanding of the military's Group 8 base in East London between 1984 and January 1988. This base was nearer both Ciskei and Transkei than the EP Command and would have had to deal with the homelands. In October 1985 Deyzel set up the East London Joint Management Committee (JMC);
- e Colonel Phillip Hammond, who took over from Deyzel as officer commanding of Group 8;
- f The Border region's then head of security police, Brigadier Griebenaauw.

162 It is also likely that General Johan Coetzee, the recently retired commissioner of police, was involved. Coetzee was brought into the region and based in East London from about March 1987 until April 1989; his official brief was to run a tri-partite commission aimed at keeping the peace between Ciskei and Transkei, but this commission never operated and it seems his real reason for being there was to help run the clandestine security operations.

163 It is during this period that the security police set up an additional base in the Eastern Cape in support of Vlakplaas – based on a farm outside East London and apparently set up sometime during 1987. It is highly likely that one of Coetzee's key tasks was to oversee the setting up of this base.

164 During the mid-1980s in Transkei, there was a marked increase in the number of incidents involving both sabotage by guerrillas and armed clashes between guerrillas and police. By 1988, a spate of security trials was underway or had recently been concluded. Most of these related to ANC activity and many were linked to each other, indicating the operation of a widespread guerrilla network across Transkei. The security force actions against this network indicate that Joubert's plan was indeed implemented in this region.

165 1987 and 1988 were particularly bad years for guerrillas operating in Transkei, featuring several hit squad killings.

### **The fuel depot bombing suspects**

*On 25 June 1985, the Umtata fuel depot was blown up together with the city's water pipelines and electricity sub-station. In what must surely have been one of the most spectacularly successful MK operations, the fuel depot burned all day, leaving panicked Umtata residents queuing for petrol, the city without electricity for several days, and the possibility of running out of water before the pipelines and electrical pumps could be restored.*

*On 24 September, student activist Bathandwa Ndondo [EC0237/96WTK], a University of Transkei student representative council member who had been expelled the year before, was picked up at his home in Cala near the South African border by a unit involving SAP member Mbuso Enoch Shabalala, Transkei policeman Sergeant Gciniso Lamont Dandala and askaris Silulami Gladstone Mose and Xolelwa Virginia Shosha. He was shot dead. Within weeks, the then Transkei president Chief Kaiser Matanzima had announced publicly that Ndondo had been killed because he had been involved in the fuel depot bombings.*

*Guerrillas Masizizi Attwell "Pieces" Maqeqeza [EC0224/96UTA], Zola Dubeni [EC2653/97UTA], Welile Salman, Sisa Ngombeni and Mzwandile Vena were sought by police in connection with the fuel depot bombing<sup>23</sup>.*

*On 21-2 January 1987, Maqeqeza was one of two guerrillas who assisted guerrilla Mbulelo Ngono, aka "Khaya Kasibe" or "KK" [EC0330/96PLZ], to escape after a thirty-six-hour shoot-out between Ngono and the combined forces of the TPF, TDF and SAP. Maqeqeza and Ngono, together with Mr Thandwefika Radebe, were attacked by unknown gunmen in Lesotho weeks later. Radebe was killed, Ngono fled and subsequently disappeared, while Maqeqeza was killed by unknown gunmen on 15 March 1987 while recovering under police guard in the Maseru hospital from the first attack.*

*During 1988, Maqeqeza was mentioned in at least five security trials in Transkei in cases in which others were charged with assisting him. Also in March 1987, Dubeni was shot dead by police in Cape Town,*

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<sup>23</sup> They were all named as involved in this incident in the statement that Mzwandile Vena allegedly made to a Wynberg magistrate after his arrest in Cape Town in 1988.

*allegedly after trying to attack them after pointing out his arms cache. Ngono disappeared later in 1988 when he was abducted by South African security police from Lesotho to work as an askari; he has never returned home and his fate is unknown (the Commission received amnesty applications in connection with this abduction).*

*In October 1990, Salman died in Mafikeng in a shoot-out with security force members.*

*Vena, one of the only guerrillas linked by police to the fuel depot bombing to survive, was arrested in Cape Town in 1988; he subsequently unsuccessfully fought against his extradition to Transkei where he was later released after the 1990 unbannings.*

*Those who had offered assistance to guerrillas such as Maqokeza, Dubeni and Vena were subsequently arrested and tortured. They included Mr Zakade Alfred Buka [EC0310/96WTK] and Mr Dugard Maqokeza [EC0219/96UTA].*

*About twenty eventually ended up in court in various cases. The main case was thrown out of court after months of postponements; police scrambled to re-capture some of their detainees as they leapt over the dock and ran for the courtroom doors as soon as the magistrate made the ruling.*

*Few of the guerrillas made it as far as a courtroom - Vena seems to be a notable exception here. Generally those who got to court were those who were charged with assisting guerrillas.*

- 166 Key Eastern Cape people were also targeted by other regional police forces during this period. For example, on 25 April 1987 Mr Phindile Mfeti (40) disappeared in Durban. The Commission subsequently found that Mfeti, a unionist who had been banished to Transkei, had been abducted, murdered and secretly buried by the Natal SAP.

### **The guerrilla who may have refused to be an askari**

*In August 1987, police tried to kill guerrilla Stembele Zokwe outside Umtata; he survived and managed to get to hospital. A second attack followed, but apparently the presence of witnesses frightened off the attackers. On 12 January 1988, Zokwe's luck ran out and he was shot dead by police hours*

*after being arrested in Butterworth. Rumours at the time were that he was an askari who had outlived his usefulness or changed his mind about assisting the police: ANC sources at the time questioned how Zokwe had managed to avoid being charged and was instead freed after he had been arrested in Bophuthatswana on his return to the country with another guerrilla, Mr Gilbert Binda, who was jailed for seven years. Two Transkei police officers, Sergeant Mtobeli Tyani and Sergeant Pumelele Gumengu, were charged with his murder but both escaped from different jails on the same day and disappeared.*

### **The failed abduction**

*In December 1987 advocate Joseph Mzwakhe Miso was snatched from the streets of Umtata, having been mistaken for lawyer Dumisa Ntsebeza, and driven out of town towards the Kei Bridge border with South Africa by white men who claimed to be South African policemen. They beat him badly and threatened to kill him, releasing him only after he was able to prove his identity. Only days before this attack Ntsebeza had been in Queenstown for a case and had been threatened by Major Venter of the Queenstown security police in the presence of Border region security chief Brigadier Griebenaau. Ntsebeza's brother, Ndondo, had been killed two years earlier by a hit squad and Ntsebeza's attempts to get a prosecution underway had repeatedly been thwarted by the authorities.*

- 167 The Vlakplaas *askaris* were clearly operating in the Eastern Cape and in the then independent Transkei during the early 1980s. The Terrorism Research Centre incident lists record that on 7 August 1981 there was shoot-out between the police and the ANC cadres in Butterworth following a bomb blast in East London the day before; two Transkei policemen died. Later the same day two SAP members were seriously injured in a clash with the same guerrillas at a roadblock near Elliot on the main road to Lesotho; "Two ANC gunmen killed, one captured," noted the Terrorism Research Centre. Five days later the organisation recorded "Two ANC gunmen fatally wounded, one policeman seriously wounded, in shootout with police on farm near Aliwal North; the two ANC men were the last two of the group involved in the bomb incident at East London on 6 August, and the Butterworth and Elliot shootings on 7 August"<sup>24</sup>. There is some confusion about the number of guerrillas involved in these incidents and their fate: the Commission dug up the remains of four guerrillas secretly buried by police on an Aliwal North farm after this incident, thus accounting for the two

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<sup>24</sup> Terrorism Research Centre, 'Special Report: South African political violence and sabotage', 1 July - 31 December 1981, Cape Town 1982, p30.

killed on 7 August and the two killed on 13 August. They were Mr Anthony Sureboy Dali, Mr Thabo Makhubo, Mr Joseph Lesetja Sexwale [JB02462/01GTSOW] and one 'Senzangakhona'. However, it is not clear what happened to the guerrilla reported as having been arrested on 7 August: was he subsequently one of the two shot dead five days later? He may have been MK member Gwaza Twalo, whose family told the Commission he disappeared from the Pretoria prison following a clash with police in the Aliwal North / Herschel area sometime after 1980; another witness told the Commission that the SAP had told the International Committee of the Red Cross that Twalo had been detained in Aliwal North and released in May 1980 without charges (surprising considering that he had fled the country together with the Azanian People's Liberation Army's (APLA) Sabelo Phama and had undergone ANC training in Angola). Depending on the date of disappearance, Twalo may have been the guerrilla arrested on 7 August; alternatively he may have been arrested in an earlier incident and killed in a similar way to the latter four.

- 168 By late 1981, the Vlakplaas unit had been sent down to the Eastern Cape for a stint of several weeks, as reported by Dirk Coetzee. He reports that the C1 unit moved down to the Eastern Cape following a clash between police and guerrillas at Elliot and Barkly Pass in August 1981 (presumably the clash which resulted in the guerrillas being buried on the Aliwal North farm) and worked there for seven to eight weeks<sup>25</sup>.
- 169 The early killings related to the fuel depot blasts described above may have involved the *askaris* who were permanently based at Vlakplaas; the Ndondo killing in 1985 seems to have been orchestrated from there. By the time Ngono was abducted the Ladybrand police were involved, according to the amnesty applications to the Commission. By the time of the Sangoni, Mayaphi and Mgibe killings in February 1988, the *askari* unit was operating out of East London. 1987 and 1988 seem to have been the key years for the killing of guerrillas, primarily by locally based police.
- 170 There were various incidents of guerrillas dying in clashes during 1985-86; it is not clear how many of these were deliberately orchestrated by the security forces and how many were isolated incidents. They include: six PAC members killed in a clash with Lesotho security forces at Qacha's Nek near the Lesotho/Transkei border (one of the six was Mr Thami Zani from King William's Town, a friend of Steve Biko); Mr Zolani Mvula, who died during an explosion in a car while travelling between Engcobo and Umtata together with brothers Mlungisi

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<sup>25</sup> Affidavit by Dirk Coetzee, Lusaka, 11 November 1990.

and Bongani Boo; the death of an unknown guerrilla in Sterkspruit on 13 April 1986 following two clashes with police; in May 1986 an unnamed guerrilla was reported by the press to have been shot dead at a roadblock in Transkei; in July 1986 there was a clash between police and guerrillas at Mount Fletcher, Transkei and an explosives cache was found; also in July 1986 former SAAWU member turned ANC guerrilla Mathemba Vuso was shot dead by Ciskei police in Mdantsane. In December 1986 alleged guerrilla Ngwenduna Vanda was shot dead by Transkei police Constables Ishmael Commando Dzai and Nelson Nceba Solombela while crossing from Lesotho in Transkei near Telle Bridge border post; an inquest later found they did not have the right to shoot him, but no prosecution ensued. In July 1987, another former SAAWU unionist, Mr Eric Mntonga, died in detention at the hands of the Ciskei police.

- 171 In March or April 1987 General Johan Coetzee moved into the region. The official reason for bringing the general out of retirement was to co-ordinate a tri-partite commission involving South Africa, Transkei and Ciskei, to keep peace between the two warring homelands. Ironically, the immediate need for the commission had been sparked off by the failed TDF attack on the Ciskei president Lennox Sebe's palace in January 1987; this was later revealed to have been planned by the SADF as part of *Operation Katzen*.
- 172 At the same time, national politicians publicly warned of the possibility of illegal security force actions against guerrillas. On 28 March 1987, then Minister of Defence Magnus Malan warned that the South African security forces would "sniff out" any ANC guerrillas in neighbouring states and wipe them out. Ten days later on 8 April, then Minister of Foreign Affairs Pik Botha claimed ANC "terrorists" were planning to disrupt the upcoming elections and warned neighbouring states that South Africa would take "whatever action" necessary to stop them. It was during March and April that Maqokeza was killed in Lesotho, and Dubeni and Mfeti were killed in South Africa.
- 173 Not much is known about Coetzee's tri-partite commission; its role was still unclear by the time it closed down two years later. It held very few meetings, Coetzee was unwilling to be interviewed by journalists and no public report was ever issued by it.
- 174 About four months after it was set up, the Commission announced its first meeting. This meeting established a security agreement signed by SA, Ciskei and Transkei in Cape Town on April 10 by PW Botha, Lennox Sebe and George Matanzima.

After the meeting, Coetzee said the group was likely to meet again soon and regularly. A statement issued by the director of co-operation between the TBVC states and South Africa at the Bureau for Information, Mr CM van Niekerk, said that the functions of the commission would be "to promote good neighbourliness, peace, security, justice and economic progress in the Eastern Cape region by investigating, monitoring and making recommendations to the two governments about all matters which may adversely affect relations between the three states". In October, Coetzee told the *Eastern Province Herald* that he could not discuss the commission's work unless the other two members, Ciskei director general of manpower MC Kashe and Transkei's chief of civil defence General JS Mantutle, were present.

175 During the period of the commission's existence, Coetzee was consistently unavailable for interviews, and at one point both bantustan governments said that they did not really know what the commission was doing. There was frequent tension between Transkei and Ciskei during this time, but the three-person commission rarely met. In January 1989, during yet another spat between the two homelands, Ciskei spokesman Headman Somtunzi said he did not think the commission existed anymore, while South African Foreign Affairs spokesman Roland Darrell said that he thought it still existed but he "was not aware of anything that it's done recently". Darrell later said it was "overshadowed" by other initiatives, but confirmed that Coetzee was still involved. Other South African officials were reluctant to comment or gave confusing replies. By April 1989, the mysterious commission had closed down, although this was only reported in January the following year; a Department of Foreign Affairs spokesman said at the time that the closure had been reported to a local newspaper, but the newspaper could find no record of this. When asked to comment on the possibility that the commission had been an excuse for Coetzee to be in the region to run security operations, Mr Mark Phillips of the Wits University Centre for Policy Studies said that Coetzee was a proponent of the view that targeting and removing key activists was a better way of dealing with opposition than the state of emergency.

176 A complication for these covert police operations was the coup in Transkei by Major General Bantu Holomisa, who took over briefly first in September 1987 and then permanently in December 1987. During 1988 the SAP and their *askaris* were still operating in Umtata, but apparently without the support of the military government, which seems to have been a little confused over how to stop them; by early 1988 there were rumours in Umtata of a clandestine SAP base operating from a house near the Umtata golf course. It seems that part of the

need for the clandestine co-operation between SAP and TPF was not just in order to keep it out of the public eye, but more importantly to keep it out of Holomisa's eye.

- 177 Illegal handovers went hand in hand with the crackdown on guerrillas; during 1988-89, this appears to have been a source of some conflict between the then ruling TDF and the more conservative TPF. In 1987 ANC guerrilla Livingstone Matutu was arrested in Bophuthatswana, handed over to South African security police and then illegally handed over to Transkei authorities. During 1988, he appeared on trial in Transkei, in a case that his lawyers claimed the authorities tried to keep from their knowledge. In December 1988, Transkei commissioner of police, General Leonard Kawe, said that Transkei and South African forces needed to co-operate in order to carry out their work. Kawe was speaking in response to criticism from South African judge PB Hodes, who criticised the South African police for knowingly and illegally allowing the Transkei police to cross the border to deliver a suspect. By the end of 1988, the Transkei police seemed to be increasing their power in the bantustan, with the military rulers apparently unable to curb them. By early 1990 the military government felt confident enough to take on its own police force in public: Holomisa warned his police that any activities involving their co-operation with the SAP had to be cleared with their seniors first. Holomisa said that earlier in the week members of the SAP had searched vehicles "deep inside Transkei territory" and that the SA embassy in Umtata had said this was done with the co-operation of a Transkei police officer but that this had still to be verified.
- 178 During this period, the police also tried to recruit *askaris* among guerrillas who had survived to be jailed. Mr Stembele Zokwe (see below) was probably one of these; he was later shot dead in 1988. During 1989, East London security policeman Captain Charles van Wyk told a Transkei court he had tried to recruit accused Phumzile Mayaphi (later sentenced to death for the Wild Coast Sun bombing) as a police spy.
- 179 One strategy used by the SAP to protect their members from prosecution relating to illegal killings was that of changing their names. When Transkei's Attorney-General tried to charge the police in connection with the Ndondo killing of September 1987, he was told by the SAP that SAP member Mbuso Enoch Shabalala was dead; it later emerged that he was very much alive and had officially changed his name. Mr Bongani Wana, implicated first in the Sangoni *et al* killings of February 1988 and later along with SADF MI in the abortive Duli coup attempt of November 1990, is now known as Charles Wanase; his new identity document

was issued in July 1991 and he was serving as a member of the SANDF after the elections. Mr Pumelele Gumengu, a sergeant in the Transkei security police, was arrested on charges of killing MK guerrilla Stembele Zokwe in Butterworth shortly after his arrest on 12 January 1988. Gumengu, who escaped from custody on the same day as his co-accused, Sergeant Aaron Tyani, although they were held in different prisons, was later arrested by the Transkei government in connection with the abortive November 1990 coup attempt led by Colonel Craig Duli and supported by SADF MI. Gumengu was arrested carrying a passport in the name of Zama Dube: his lawyer told the Umtata Supreme Court that this was in fact Gumengu's real name. Sergeant Tyani, who escaped custody while facing charges in connection with the January 1988 Zokwe murder, is also understood to have changed his name. In a similar strategy, Vulindlela Mbotoli gained South African citizenship (as opposed to Transkei citizenship) in mid-1991 in an attempt to avoid extradition to Transkei on charges relating to the Duli coup attempt. He was ultimately abducted by the TDF MI from Johannesburg, put on trial and jailed. Similarly in KwaZulu, former KZP special constable Vela Mchunu was issued with a KZP appointment certificate in the name of Alfred Masango in March 1991 to help him evade prosecution (see KwaZulu section below).

- 180 There were some revenge attacks on the police, clearly carried out by MK members. In 1990 Madliwa, the co-ordinator of the *askari* unit in East London and the man in charge of the February 1988 attack on Sangoni *et al*, was gunned down outside Mdantsane's Cecilia Makiwane Hospital. In February 1994, Ms Xolelwa Vusani (31, aka Noxolo or Dudu or Fetsha), was shot dead in Mdantsane; her baby she was holding at the time was injured in the shooting. Vusani had been involved in the September 1985 killing of Ndondo in Cala.
- 181 Clashes between police and guerrillas, which guerrillas frequently did not survive, continued during 1988, especially in Transkei. Transkei police, sometimes working together with SAP, were involved in these incidents.
- 182 Two guerrillas who were eventually charged in a court were Mr Ndibulele Ndzamela and Mr Phumzile Mayaphi, who were sentenced to death for bombing the Wild Coast Sun on 18 April 1986 (both were eventually freed after the 1990 unbannings and later implicated in the hit squad killing of an ANC dissident in Transkei). While they were on trial during February 1988, Mayaphi's brother Zonwabele stopped in at the Umtata Supreme Court to attend the trial. After he left the court buildings with his friends Zolile Sangoni, Thozamile Nkume and MK member Thembisile "Gift" Mgibe, they were followed by a police hit squad, pulled over

and gunned down; only Nkume, who seemed to have accidentally hitched a lift with the group, survived. The killers were SAP member Sergeant Mpumelelo Madliwa from East London, TPF member Constable Bongani Wana from Umtata and three *askaris*; they later told an inquest they had been armed with irregular weapons, used false vehicle registration numbers and had fired because they thought the guerrilla was going to attack them. They justified the killing to the inquest by explaining that Mgibe was a guerrilla; Mayaphi and Sangoni appear to have been targeted because of their connections to the terrorism trial and a prominent firm of human rights lawyers respectively.

- 183 In January 1988 clashes between police and guerrillas continued in Transkei with few guerrillas surviving. On 25 January, there was a shoot-out near Ugie; the following day two guerrillas (Mr Siphiso Hamlet Mazwai and one "Bobo") died in a clash with police while four others were detained. Mazwai's family later claimed that police had not even informed them of Siphiso's death. Both the SAP and SADF monitored his Grahamstown funeral and the area was declared an operational zone for the duration.
- 184 On 8 March 1988 MK member Qondo Hoho and his uncle Acacia Hoho were killed and six policemen injured in a shootout after the SAP surrounded a house in Mlungisi near Queenstown. The house was afterwards bulldozed by police, a technique often used by police when dealing with guerrillas.
- 185 On 2 July 88 a clash between police and guerrillas in Mzamba, Transkei, resulted in one guerrilla being captured and another two escaping. About a week later, in an incident probably linked to this, another clash followed; guerrilla Leo Mkuseli Xatula was killed. Information to the Commission by a witness who saw Xatula's body was that Xatula was detained, held for some days and then executed.
- 186 On 28 September 1988 MK member Lungisa Christian Qokweni died after a shoot-out with Ciskei police at a house in NU5 in Mdantsane. Ciskei denied that the SAP had also been involved in the shoot-out.
- 187 In October 1988, Transkei and South African police working together arrested guerrilla Aga Khan Tiya, in Umtata. An arms cache was reportedly found at the same time. Two weeks after the arrest Tiya appeared in the intensive care ward of the Umtata hospital, his throat having been cut while in custody. He was released and subsequently died under unexplained circumstances, presumably having been assassinated.

- 188 On 25 December 1988 in Mdantsane, Ciskei, an unknown gunman attacked civil rights lawyer Hintsisa Siwisa, unionists Jeff Wabena and Billy Shiyani and their friends Noluthando Ntongana, Norie Joli and Virginia Panziso, leaving Joli and Panziso dead. Later rumours were that this was part of an internal ANC clash between opposing youth movements and that embezzlement of union funds may have been involved; however there is a strong possibility that this may also have been the work of the covert police unit. Wabena was eventually gunned down in a later incident.
- 189 Sometime during 1988 MK member Don Ntshebe disappeared from Mdantsane. A year later MK member Bongani Jonas told the Cape Town trial of Tony Yengeni *et al* that when he was in detention the police had told him about an *askari* unit that had killed Ntshebe.

### ***Things fall apart: the homeland armies rebel***

- 190 By the end of the 1980s, the homeland armies were starting to rebel. While the coup attempt by Charles Sebe was probably at least supported by the SADF and the 1987 attack on Lennox Sebe was part of the SADF's *Operation Katzen*, there were a few rumblings which appear to have been independent actions.
- 191 In January 1987, Bantu Holomisa was in detention in a Transkei jail, apparently partly for opposing Transkei involvement in *Operation Katzen* and partly for refusing to send in the TDF against an MK guerrilla involved in a shootout at Willowvale. A few months later he was out of detention, the former Selous Scouts were on the road out of Transkei and Holomisa was head of the TDF. At this point, the SADF appears to have lost control over the TDF. In September, Holomisa took over the Transkei government; shortly afterwards he handed over to the civilian government of Stella Sigcau. On 31 December 1987 Holomisa deposed Sigcau's government, citing corruption, and took over to run Transkei until the 1994 elections.
- 192 In February 1988, a few months after Holomisa's second successful coup, on the other side of the country the Bophuthatswana military similarly rebelled and tried to take over that homeland's government. However, the SADF moved in and rapidly put an end to that attempt.
- 193 Both the Holomisa coups and the failed Bophuthatswana coup attempt appear to have been independent of the SADF. Holomisa probably survived his coups without immediate South African interference because he was a better strategist

than the Bophuthatswana would-be rulers: in neither of his coups did Holomisa either arrest the prime minister or president, or force them to resign at gunpoint (although ministers were forced to resign); whereas in Bophuthatswana the military went as far as to arrest the then ruler, Mr Lucas Mangope. During his first coup, Holomisa waited until Prime Minister George Matanzima was “out of the country” in Port Elizabeth; President Tutor Ndamase was allowed to continue undisturbed and later appeared on publicity posters alongside military council members. A legal challenge to Holomisa’s government brought later by former president Kaiser Matanzima was subsequently overturned when the Transkei Supreme Court ruled that Holomisa’s government was the *de facto* Transkei government.

- 194 The Holomisa coups had a crucial effect on the security forces’ policy on the Eastern Cape: when the South African security forces finally realised that Holomisa would tolerate opposition and, after the 1990 unbannings, allow the liberation movements to organise freely, they changed tactics from prioritising attacking those regarded as members of liberation movements to attacking the Transkei government instead. Thus by the 1990s a spate of coup attempts were launched by the South African security forces to try to unseat Holomisa.

## ■ KWAZULU

- 195 This section deals with the former KwaZulu self-governing homeland and with the institutions associated with the homeland responsible for perpetrating gross human rights violations in the homeland. These include the KwaZulu government, the KZP and Inkatha (later renamed the IFP). Evidence before the Commission of the many cases where members and supporters of Inkatha and the IFP were victims of aggression by supporters of the United Democratic Front (UDF), the African National Congress (ANC) and its self-defence units (SDUs) is documented in the *Liberation Movements* chapter of this volume.
- 196 The KwaZulu Legislative Assembly (KLA) was established in 1972, replacing the Zululand Territorial Authority, which had been established two years earlier. The territory designated as the KwaZulu homeland comprised over twenty fragmented pieces of land scattered throughout the province of Natal. KwaZulu was what was known as a self-governing homeland. It was never to opt for independence as did several other self-governing states. Chief Mangosuthu Buthelezi headed both these administrations. The KLA was composed wholly of Inkatha members, many of whom were traditional chiefs.

- 197 In 1975, Chief Buthelezi re-launched the Zulu cultural organisation, *Inkatha-ka-Zulu*, as *Inkatha Yenkuleleko Yesizwe*, known in English as the Inkatha Cultural Liberation Movement. Chief Buthelezi has been president of Inkatha since its revival in 1975, and was Chief Minister of the KwaZulu government for its entire existence. He has exerted substantial personal influence on both organisations.
- 198 Inkatha dominated the KwaZulu government (both its executive and its bureaucracy) to the extent that the government and Inkatha became interchangeable concepts. The organisation effectively ruled the KwaZulu government as a one-party state and used KwaZulu government resources and finances to fund Inkatha party-political activities and in the execution of gross human rights violations against non-Inkatha supporters. The KZP came into existence in 1981 and was disbanded in 1994 following the April 1994 elections. Chief Buthelezi was the only ever serving Minister of Police in KwaZulu. Violations committed by the KZP are dealt with later in this report.
- 199 Both South African government officials and Inkatha politicians regularly failed to distinguish between the KwaZulu government and Inkatha. Vice-Admiral Andries Putter, former chief of staff intelligence (SADF) and presently an IFP official told the Commission:

*Mr Commissioner, at that stage, as far as I can remember, I never myself drew a distinction between Inkatha and the KwaZulu Government. I never spoke of the Chief Minister as president of Inkatha... It was the view that existed at that stage. In practice, however, I did not realise one could not distinguish between Inkatha and the KwaZulu Government. It was basically the same organisation.*

- 200 Former Inkatha National Council member, Mr Walter Felgate, told the Commission:

*The interests of Inkatha and the KwaZulu Government were indistinguishable. There was never a conflict of interest, I can bring to mind no conflict between Inkatha and the KLA on any matter of principle, any matter of strategy. They were just one amalgam with operating bases and nexuses of people.*

- 201 Former KZP hit squad operative, Mr Romeo Mbambo, told the Commission:

*... there was no difference between the KwaZulu Police, the Inkatha Freedom Party and the KwaZulu Government. In my opinion, they were one entity... I*

*received instructions from Captain Langeni [KwaZulu Police], Mr M Z Khumalo [KwaZulu Government] and Luthuli [IFP]...*

- 202 Inkatha's largest constituency has always been the Zulu-speaking people originating from the rural areas of KwaZulu, although earlier in its existence it had significant urban support as well. Inkatha's presence outside of the KwaZulu tribal authorities was usually to be found in hostels, mine compounds and informal settlements in and around cities. Beyond Natal, clusters of Inkatha supporters (again primarily migrant Zulu-speakers originating from KwaZulu) were found in most of the hostels on the west and east Rand, and in the Vaal triangle. However, Inkatha's consolidated support-base was the inhabitants of KwaZulu over whom the organisation was able to exercise control through its domination of traditional authorities, township councils and the KwaZulu Legislative Assembly.
- 203 Taking into account that there was a symbiotic relationship between Inkatha, the KZP and the KwaZulu Government, the three institutions are dealt with together for the purposes of this chapter.

### **1970s: The re-birth of Inkatha and KwaZulu**

- 204 Inkatha had its origins in an organisation called the Native Congress, established in 1928 by the Zulu king of the time, Solomon kaDinizulu. It was later renamed *Inkatha ka-Zulu* (emblem of the unity of the Zulu nation). By 1933, the organisation was largely inactive due to lack of finance and it remained so until its revival by Chief Buthelezi in 1969. In 1970, the Zululand Territorial Authority (ZTA) was established and Chief Mangosuthu Buthelezi was instated as the chief executive officer. In 1972, the ZTA was replaced with the KwaZulu Legislative Assembly, with Chief Buthelezi as the Chief Minister. Buthelezi promised his co-operation to the South African government but almost immediately began calling for more land, powers and recognition for the Zulu nation.
- 205 In the Inkatha Cultural Liberation Movement, Chief Buthelezi intended to transform Inkatha from a predominantly Zulu cultural organisation into a national liberation movement. He hoped that the revived organisation would fill the vacuum created by the banning of the ANC and the decision by the ANC leadership to leave the country and operate in exile.
- 206 Politics in KwaZulu in the late 1970s was dominated by the growth of Inkatha and its attempts to consolidate regional power and create political options beyond

apartheid for the region. While the South African government placed pressure on homeland leaders to opt for independence, Chief Buthelezi refused to accept independence. In the first few years after the revival of Inkatha, the ANC regarded Chief Buthelezi as an important ally inside the country. He had been a member of the ANC Youth League and when he founded Inkatha, he was known to be an opponent of apartheid. The external mission of the organisation maintained contact with Chief Buthelezi and indeed encouraged their supporters back home to join Inkatha. While organisations in other homeland structures could easily be dismissed as puppets of Pretoria, at the time of its formation and for almost a decade afterwards, this was not said of Inkatha.

### 1979: The London meeting

207 During the latter part of the 1970s, Chief Mangosuthu Buthelezi became vocal in his opposition to protest politics, economic sanctions and the armed struggle being promoted by the ANC in exile. This, together with his calls for investment and a free-market economy and his embracing of constituency politics, won him increasing support from the white business and white community at large. However, it placed him at odds with the ANC's leadership in exile. The leaders of the two parties met in London in October 1979 to discuss their differences. At the London meeting Chief Buthelezi accused the ANC leadership of being hypocritical and of having deserted black South Africans.

208 Chief Buthelezi interpreted the ANC's intentions behind the London meeting to be that they wished Inkatha to become an internal surrogate of the ANC.

209 This was unacceptable to Chief Buthelezi. In its 1996 submission to the Commission, the IFP said the following of the London 1979 meeting:

*The campaign to render South Africa ungovernable was not directed against the apartheid state. KwaZulu and the IFP in particular have been the targets of ANC destabilisation policies since the 1979 conference failed to persuade the then Inkatha Cultural Liberation Movement to become a surrogate of the ANC.*

210 Following the 1979 meeting, Chief Buthelezi faced growing hostility from an increasing number of Zulu-speaking people in Natal and the KwaZulu homeland for his rejection of the ANC's strategies and, in particular, for his decision to participate in the homeland system, to work through the tribal authorities, the KLA and the black urban councils. The two organisations' differing approaches to opposing apartheid laid the basis for the bitter and bloody political conflict

that ensued.

## **The early 1980s: The beginnings of institutionalised violence within Inkatha**

- 211 By April 1980, the national campaign of students against overcrowding in schools, lack of equipment and books, and lack of student representation had spread to schools in KwaMashu, north of Durban. Pupils participating in the KwaMashu school boycott defied Inkatha's calls to return to school, and clashes developed between the pupils and Inkatha members. Chief Buthelezi described the violent action taken by Inkatha members against the boycotting pupils as "discipline" and said that Inkatha was the best instrument to sort out the problems of discipline and the problem of lack of patriotism.
- 212 The boycotting of classes in KwaMashu continued through May 1980. During May, KwaZulu Minister of Justice, the Reverend Celani J Mthethwa, urged vigilante groups to join the KZP reservists. Also in June 1980, Chief Buthelezi said that he wanted to train an army to keep order, to prevent the destruction of schools and to control riots. He said:

*I think it is time for Inkatha to establish training camps where branches and regions are schooled in the employment of anger in an orderly fashion. We need to be able to control riots... I think we need to create well-disciplined and regimented impis in every Inkatha region which can be called out for the protection of that which is so sacred to Inkatha and black South Africa.*

- 213 The Inkatha Committee endorsed this proposal at its meeting in July. In 1981, a paramilitary training camp was established at Emandleni-Matleng, near Ulundi.
- 214 Chairperson of the Inkatha Youth Brigade, Mr Musa Zondi, said that the camp was "run with a paramilitary approach". Those trained at the Emandleni-Matleng Camp wore military-style uniforms and were organised into sections, brigades and companies. In his presidential address to the Inkatha Annual General Conference in July 1982, Chief Buthelezi said:

*We have the Emandleni-Matleng Camp girding the loins of youth with the resolve of their elders and with the wisdom of ages, to move into the communities and play a devastating role with apartheid's enemies...*

- 215 In his August 1982 address to the Inkatha Youth Brigade, Chief Buthelezi announced the formation of a paramilitary force of young Africans who would “take up the struggle for liberation”.
- 216 Inkatha's fostering of trained paramilitary groups within Inkatha marked a movement in Inkatha towards the institutionalisation of violence. The provision of paramilitary training to Inkatha youths inevitably led to Inkatha supporters turning to violence and militaristic methods of dealing with their perceived enemies.
- 217 In 1983, the UDF emerged and adopted a strategy of 'ungovernability', opposing and undermining existing local government structures. The fact that, in Natal and KwaZulu, most of the local authorities were Inkatha-dominated, resulted in Inkatha being identified as the primary target. The Inkatha movement, in particular its leader, Chief Buthelezi, was insulted and ridiculed by UDF supporters. Also during 1983, a number of Durban townships were identified for incorporation into KwaZulu. A large number of residents in these townships opposed incorporation into KwaZulu. Non-Inkatha councillors withdrew from the township local councils as an act of protest and clashes subsequently occurred between those opposing incorporation (primarily UDF-aligned residents' associations) and those promoting it (Inkatha). Thus it was that the violent clashes between Inkatha and the UDF which came to the fore in 1984 centred on local government in the form of traditional authorities, urban councils or regional councils.

### ***Lamontville***

- 218 The Lamontville township, south of Durban, was one of the townships identified for incorporation into KwaZulu. A residents' association opposing both rent increases and incorporation and known as the Lamontville Rent Action Committee was formed. On 25 April 1983, Mr Harrison Msizi Dube, chairperson of the Lamontville Rent Action Committee, was shot dead. Five people were convicted of murdering Dube, including the IFP mayor of Lamontville, Mr Moonlight Gasa. The court found that Gasa had conspired to kill Dube, and that he had hired two men from the Transkei to carry out the murder. Inkatha did not publicly sanction or rebuke Gasa and his accomplices or condemn their actions in killing Dube.

### ***Hambanathi***

- 219 On 31 August 1983, the South African government announced that Hambanathi, a Port Natal Administration Board township north of Durban, was to be incorporated

into KwaZulu. In August 1984, clashes occurred between those supporting incorporation (led by Inkatha) and those opposed to incorporation (led by the Hambanathi Residents' Association, which was affiliated to the Joint Rent Action Committee (JORAC)). Inkatha supporters killed at least three UDF supporters and attacked and set alight at least thirteen Hambanathi homes, including the homes of two JORAC members. Because of the violence, more than twenty-five families had to flee the township. Consequently, the Hambanathi Residents' Association laid thirty-four charges of assault against predominantly Inkatha members. A number of Inkatha supporters were subsequently convicted on charges of arson relating to the burning of houses belonging to non-Inkatha supporters.

- 220 The anti-incorporation violence spread to other townships, such as the Chesterville township, where an Inkatha-aligned vigilante group, known as the Chesterville A-Team, emerged to counter the UDF in the township (see below).

### **Ngoye**

- 221 On 29 October 1983, five people, including four students and an Inkatha supporter, were killed and many others injured in a clash between students and a group of approximately 500 Inkatha youth brigade members at the University of Zululand ('Ngoye'), south of Empangeni. The clash was triggered by an attempt by the Inkatha leader to hold a commemoration ceremony for the death of Zulu king, Cetshwayo, on the campus, to which the students were opposed. In the clash, the large group of Inkatha supporters attacked the students' residences, breaking down doors and pulling students out from where they were hiding. The students were dragged out, assaulted and stabbed with traditional weapons.
- 222 Following the Ngoye violence, the Joint Staff Association of the University of Natal called on Chief Buthelezi to resign either from his position as president of Inkatha or as Chancellor of the University of Zululand. The *City Press* newspaper said in its editorial on 6 November 1983:

*As president of Inkatha, [Chief Buthelezi] must either accept responsibility for the actions of the bloodthirsty militants that ran wild at Ngoye and weed them out immediately, or he must admit that Inkatha militants are out of his control.*

- 223 In a memorandum written following the campus violence, Chief Buthelezi denied that the Inkatha Youth Brigade members had initiated the attack and, instead,

claimed that they were merely defending themselves after they were pelted with stones from students. Chief Buthelezi said:

*We all deeply regret the violence which occurred on Saturday. Our youth were faced with violence and would have been maimed and perhaps even killed, if they could not fend for themselves. We hope that is now abundantly clear that they can in fact do so... Inkatha youth need no protection, as the events on Saturday clearly showed. I must warn South Africa that if this kind of provocation continues which we experienced on Saturday, Inkatha youth will demonstrate their strength and prowess.*

224 Former Inkatha National Council member, Mr Walter Felgate, told the Commission regarding Inkatha's stance on the events at Ngoye on 29 October 1983:

*The idiom of the comment was, 'Now people can see that we're not a sitting duck, and we're not a lame duck and they must be careful of us'.*

### ***The A-Team, Chesterville***

225 An Inkatha-supporting and state-sponsored vigilante group known as the A-Team was set up with the help of the SAP Riot Unit, in 1983/4 in the Chesterville township, Durban. Statements made to the Commission allege that the A-Team was responsible for the perpetration of human rights abuses in the township between 1985 and 1989. These included at least ten killings, several cases of attempted killing and many incidents of arson and severe ill treatment.

226 The picture painted by witnesses who gave evidence at public hearings of the Commission in Durban was that this group established a reign of terror in Chesterville over a number of years. They took over Road 13, illegally occupying houses in that road and burning surrounding houses in order to make a safe area for themselves. They also allegedly brought in Inkatha youths from other townships to bolster their power-base. Their sole aim was to target members of youth and other UDF-linked organisations. This they did with the active complicity of the SAP, including the Riot Unit and the Security Branch.

227 In his application for amnesty, former member of the Durban Riot Unit, Mr Frank Bennetts, gave evidence of the extent of the Security Branch's involvement in and collusion with members of the A-Team. He described the A-Team as:

*a group of Inkatha supporters who were acting in their capacity, or so I believed, in assisting the police in the curbing of the growth and support of groups and organisations opposed to the government and the order of the day.*

- 228 According to Bennetts, the A-Team assisted the Riot Unit by identifying alleged perpetrators and UDF activists to be detained. They also served as informants, passing on information to the security forces. In return, the Riot Unit offered them protection by putting extra patrols into the street where they lived, and giving them escorts in and out of the township if and when they required it.
- 229 Bennetts told the Commission that the A-Team members were never detained under the emergency regulations, although there was good cause to detain them. He said that had the police arrested the A-Team members, the incidents of violence in Chesterville would have been reduced "by 99.99%". In his words, '[The A-Team] wrecked half the township'. Nevertheless, the Riot Unit openly and blatantly sided with the A-Team, perceiving the gang as a legitimate ally in their struggle against the UDF.

### ***The Umlazi cinema massacre in August 1985***

- 230 On 1 August 1985, Victoria Mxenge, an UDF executive member, was murdered at her home in Umlazi, Durban. A memorial service was held in her honour in the Umlazi Cinema building on 8 August 1985. Whilst the service was in progress, hundreds of Inkatha vigilantes armed with assegais, *knobkieries* and firearms burst into the cinema, and began randomly stabbing and shooting at the mourners. In the attack, fourteen people were killed and many others injured. Witnesses allege that the attackers included Inkatha vigilantes recruited from the adjacent shack settlements and from Lindelani, north of Durban. The soldiers and police were allegedly still present but did not act to prevent the attack. This was the worst incident yet of clashes between Inkatha and UDF. A document prepared by the Secretariat of the State Security Council in March 1989 had the following to say regarding the violence surrounding the murder of Victoria Mxenge:

*Die moord op mev Victoria Mxenge, n radikale prokureur van Umlazi, op 1 Aug 85 waarvoor die UDF die blaam op Inkatha en die SAP geplaas het, was die grootste aanleidende faktor tot ernstige gewelddadige konflik tussen die UDF en Inkatha, veral in die groter Durban-gebied. Groot skaalse onrus het tot Maart 1986 voortgeduur en selfs die noodtoestand (Junie 1986) kon nie die sporadiese gewelddadige voorvalle inhêr nie.*

- 231 Inkatha failed to condemn or distance itself from the violent actions of the above-mentioned Inkatha-aligned vigilante groupings from Lindelani and Chesterville. Another example of an Inkatha-aligned vigilante grouping is the AmaSinyora from KwaMashu (see below).
- 232 During the early 1980s, Chief Buthelezi still had high standing in the international community and amongst South African (white) businesspersons. Part of this was due to Inkatha's official and international rhetoric of non-violence. This was indeed true of Inkatha's stance towards the South African government and the white electorate. Inkatha supporters did not bomb shopping centres or defence force installations, or kill black Security Branch members. However, Inkatha members clearly employed violence against the ANC/UDF and against other extra-parliamentary opponents of the state, as did members of the UDF. The following quotes from speeches made by Chief Buthelezi at Inkatha meetings or in the KwaZulu Legislative Assembly during the early 1980s indicate an increasingly militaristic tone emerging in his addresses to his constituency:

*I want to find out whether our members think that adopting the following attitudes is consonant with non-violence or not: If someone hits you with a bare fist, must you not take off your boxing gloves and hit back at him. Is it the right thing to run away and be branded a coward?*

*If need be we will call for an eye for an eye and for a tooth for a tooth. However much we loathe revengeful politics, if that is the only way we can survive these unwarranted attacks on us, whether through rhetoric or real force, we will rather go into that kind of political action for our survival. I believe we must prepare ourselves not only to defend property and life but to go beyond that and prepare ourselves to hit back with devastating force at those who destroy our property and kill us.*

*I have stated that our commitment to peaceful change does not take away the inalienable right which every individual has to defend himself or herself... We cannot, just because we are a peaceful movement, lie down so that people can trample on us or destroy us without lifting a finger.*

*Because we are committed to non-violence it does not mean that we are prepared to lay ourselves down as sacrificial lambs to be slaughtered by those who oppose us with violence.*

## The latter 1980s: Collusion with the South African security forces

- 233 By 1985, Inkatha supporters found themselves increasingly under attack by virtue of the positions they held within local government and homeland structures. Threats of assassination against Chief Buthelezi in 1985 prompted the Inkatha leader to turn to the South African government, in particular to the SADF, for assistance to take on the ANC/UDF. Contact with the central government had of necessity to be secret given Chief Buthelezi's public stance towards the South African government. During the latter half of the 1980s, Inkatha began to draw increasingly upon the support of the South African government, and to rely more heavily on the South African and KwaZulu government's infrastructure and resources. In the process, its aggression turned away from the apartheid state and became directed at those who were advocating alternative structures and thus threatening its power-base.
- 234 The South African government not only welcomed but also actively promoted this covert alliance with Inkatha, as it fell squarely into its response to what it saw as the total revolutionary onslaught against it. Covert logistical and military support to UNITA in Angola, RENAMO in Mozambique and to the Lesotho Liberation Army (LLA) was a critical part of the South African government's counter-revolutionary strategy. Although these operations were external, the State Security Council resolved in 1985 to establish such groups internally, in addition to those it was already supporting. Inkatha was seen as being able to play the same counter-mobilisation role inside the country as their external surrogates (such as UNITA) had played, and had become a "middle force" between the South African government and its political enemies. A common feature of the external and the internal operations, was that in both cases training and weapons supply were undertaken by the SADF's DST, and by Special Forces personnel.
- 235 Furthermore, the media images projected of white policemen assaulting and shooting at black demonstrators were clearly unacceptable internationally, and there was a feeling that repression should as far as possible not be carried out by state security forces, but by black surrogate groups. Part of the government's strategy was to characterise the political conflict in the country as "black-on-black" violence.

## **Operation Marion**

236 One of the first instances of covert military assistance between Inkatha and the South African government was *Operation Marion*, the SADF Military Intelligence project set up in early 1986 in order to provide assistance to Inkatha and the KwaZulu government. During 1985, Chief Buthelezi was alerted by Military Intelligence to alleged assassination plans against him. This prompted him, in late 1985, to approach Military Intelligence with a request for various capabilities, including an offensive paramilitary capacity, in order to take on the ANC/UDF. His request was made directly to the then Director of Military Intelligence, General PH 'Tienie' Groenewald. According to Groenewald, Chief Buthelezi commented that :

*although he was a supporter of a peaceful solution, the ANC must realise that if it uses violence against KwaZulu and its people, the Zulu, who has already received fame as a soldier, is also in a position to take violent action against the ANC. He himself would like to take the struggle to the ANC in Lusaka although at present he does not have such a capacity.*

237 Flowing out of this was what has become known as the Caprivi training, the clandestine training in offensive action of some 200 Inkatha supporters conducted by the Special Forces arm of the SADF in the Caprivi Strip, South West Africa/ Namibia in 1986. Secret military intelligence documents make it clear that the project was undertaken as much to further the strategic aims of the South African government and Defence Force, as it was in response to a request from Chief Buthelezi. Planning for this project took place in circumstances of utmost secrecy, and involved the highest echelons of the State Security Council and Military Intelligence on the one hand, and Chief Buthelezi and his personal assistant, Mr MZ Khumalo, on the other. The defence force was at pains to ensure that the entire project was covert, and that the funding of the project could not be traced back to its source.

238 Training was given to three distinct groups - the VIP protection group, the contra-mobilisation group and the offensive group. Significantly, all three received offensive training. The training lasted six months and included training in the use of Soviet bloc weapons, heavy-duty weapons such as mortars and rocket-launchers, and the use of explosives, landmines and hand grenades. The trainees were taught how to carry out attacks without leaving a trace and how to avoid arrest, detention and interrogation at the hands of the police. They were also taught how to attack houses with the aim of killing all the occupants.

- 239 The trainees were controlled and supervised by a political commissar, later to become their commander, Mr Daluxolo Wordsworth Luthuli. Luthuli was a former ANC guerrilla fighter who had recently joined Inkatha after being released from a lengthy term of imprisonment on Robben Island. His appointment was authorised by Chief Buthelezi.
- 240 Luthuli was unequivocal concerning the purpose of the Caprivi training. He told the Commission that the training was aimed at equipping Inkatha supporters to kill members of the UDF/ANC. According to Luthuli and other Caprivi trainees who spoke to the Commission, this is what they were explicitly told by their SADF instructors. They knew that they were being trained as a hit squad.
- 241 The Caprivi trainees were centrally involved in the Inkatha-aligned hit squad activities in KwaZulu and Natal until the 1994 elections. The trainees continued to receive support, including a monthly salary, from the SADF until 1989 when most of them were enrolled in the KZP. Here many of them continued their hit squad operations under the guise of being official law-enforcement officers. The trainees received instructions as to targets and weaponry from Luthuli, their political commissar and commander, and from the local Inkatha leadership in the area where they were deployed. The link between Luthuli and Inkatha was maintained through Mr MZ Khumalo.
- 242 With their deployment in various parts of KwaZulu and the former Natal, the trainees were partly responsible for the dramatic escalation of the political conflict in the region, and fundamentally changed the political landscape in the former KwaZulu homeland, the repercussions of which are currently playing themselves out in this region. Their *modus operandi*, their mobility, their access to infrastructure and sophisticated weaponry exposed large numbers of people and vast areas of the province to their activities. As a result, they were responsible for facilitating the easy and quick resort to violence as a means of settling political scores and greatly enhanced the development of a culture of impunity and political intolerance that is so well established in the province at the present time.
- 243 Caprivi trainees were implicated in many of Inkatha's subsequent initiatives involving violent strategies aimed at countering the ANC/UDF. The trainees formed a large proportion of the Inkatha supporters recruited to become special constables (see below). They formed the core of Inkatha/KZP hit squads set up by Inkatha office-bearers in the early 1990s (see below). Several of them were employed as instructors in the Mlaba self-protection unit (SPU) training project

in 1993/4. They were also central to a proposed plan for a KwaZulu battalion, although these plans were never realised.

### ***Deployment***

- 244 Evidence of the activities of the Caprivi trainees in their areas of deployment is documented in the KwaZulu-Natal regional overview, found elsewhere in the Commission's report. On their return from the Caprivi, a small group of the trainees who had received specialised training in VIP protection were deployed in the KZP's VIP unit while the rest of the group were deployed to IFP offices and/or KZP stations around KwaZulu and Natal. The trainees all received a monthly salary paid to them by Military Intelligence, through Mr M Z Khumalo of Inkatha.
- 245 At its special hearing on the Caprivi training held in Durban in August 1997, the Commission heard that in October 1986, approximately fifteen to twenty Caprivi trainees were instructed by Daluxolo Luthuli to report to the police station in the township of Mpumalanga, mid-way between Durban and Pietermaritzburg.
- 246 Although they never underwent any KZP training, never filled in any KZP application forms, and were never screened or required to undergo any tests, the trainees were issued with KZP appointment certificates with the rank of detective constable. They were also issued with official police firearms, which they were allowed to take home with them.
- 247 Under the guise of being official law enforcement agents, they engaged in large-scale hit squad activity in the Pietermaritzburg and Mpumalanga areas for the next two years, directing their attacks against perceived UDF/ANC members. These activities are described in the KwaZulu-Natal regional profile (Volume Three).
- 248 The Commission heard evidence of the involvement of Caprivi trainees in the KwaMakhutha massacre on 21 January 1987 in which thirteen people, mostly women and children, were killed and several others injured in the AK-47 attack on the home of UDF activist Bheki Ntuli. A large number of people including former Minister of Defence General Magnus Malan and MZ Khumalo of the IFP, were tried for murder in 1996 in the Durban Supreme Court. Although the accused were acquitted, the Supreme Court found that Inkatha members trained by the SADF in the Caprivi were responsible for the massacre and that the two state witnesses, being members of the SADF Military Intelligence, were directly

involved in planning and execution of the operation. The court was not able to find who had provided backing for the attack.

- 249 Witnesses who did not testify in the 1996 criminal trial testified before the hearing, and the Commission has made a comprehensive finding on the Caprivi trainee project (see Volume Five). In brief, the Commission found that the South African government provided Inkatha with a hit squad, and provided training, financial and logistical management for the project. Further, the Commission found that accountability for the human rights violations that flowed from the establishment of the hit squad lay with twenty-two people from the State Security Council, Military Intelligence, Inkatha and the KZP.
- 250 Caprivi trainees were implicated in political violence elsewhere in the province. At least one Caprivi trainee, Mr Vela Mchunu, was involved in the December 1986 attempted killing of one person and the killing of three people in Mpophomeni township, outside Howick, in December 1986 when workers at the British Tyre and Rubber (BTR) Sarmcol factory went on strike in support of demands for the recognition of their union, the Metal and Allied Workers Union (MAWU). The victims were prominent members of the union. Mchunu was one of the nine Inkatha members held responsible for the killings in the formal inquest (Howick Inquest 13/88) in 1988.
- 251 The Commission heard evidence of the activities of the Caprivi trainees in Clermont, a Durban township identified for incorporation into KwaZulu in the eighties, and of the role of Mr Bhekizizwe Samuel Jamile, the local KwaZulu Legislative Assembly representative and Inkatha member, in directing Caprivi trainees in their attacks against members of the community who were opposed to incorporation. Several notable members of Clermont were attacked during this period, most of whom were associated with the Clermont Advisory Board which was officially opposed to incorporation. Caprivi trainees were involved in the killing of Mr Zazi Khuzwayo on 9 May 1987, the attempted killing of Ms Pearl Shabalala on 15 October 1987, the killing of Mr Emmanuel Norman Khuzwayo on 28 February 1988 and other attacks directed against UDF supporters.
- 252 In 1991, Jamile appeared in court facing fifteen charges, including five counts of murder, seven counts of attempted murder, and three counts of incitement to murder. In the indictment, Jamile was accused of being involved between 1987 and 1989 in the murder of UDF-associated persons opposed to the incorporation of Clermont into KwaZulu. Two Caprivi trainees, who were implicated during the

trial, Zweli Dlamini and Vela Mchunu, were hidden by the KZP until the end of the trial. Owing to the inability of the police to trace these two suspects and other witnesses, Jamile was only convicted on two counts: one of murder and one of attempted murder. Jamile was sentenced to life imprisonment but was released in terms of the First Indemnity Act of 1992.

- 253 The Commission heard that Caprivi trainees were involved in spearheading offensive strikes at UDF supporters in the township of Imbali towards the end of 1987. Daluxolo Luthuli played a central role in directing a pre-emptive attack on UDF supporters who were allegedly intent on attacking the home of Inkatha councillor, Jerome Mncwabe (now deceased). In one incident, ten people were killed in fighting between the Caprivi trainees, instructed by Luthuli, and UDF supporters.
- 254 The Commission heard evidence that 130 Caprivi trainees were part of a group of 300 Inkatha supporters who were sent for special constable training in 1988, and later attached to Riot Unit 8 and deployed in the Pietermaritzburg and Mpumalanga areas where the UDF was said to be gaining the upper hand. Many were sent to guard Inkatha officials and traditional leaders and became involved in vigilante and hit squad activities aimed directly at UDF supporters. The Caprivi trainees appointed as special constables continued to receive their salaries of R700 per month from Inkatha, while also receiving their special constable salaries from the SAP. They also took instructions both from the IFP and from their formal employer, the SAP. The Commission heard from a former member of Riot Unit 8 who had worked closely with the special constables that as a result of the Unit's close association with the Inkatha-supporting constables, members of the Unit naturally sided with Inkatha.
- 255 Elements of the SAP Riot Unit 8, at all levels, and at the level of the special constables attached to the Riot Unit, deliberately acted, by omission and commission, to assist and facilitate attacks by Inkatha supporters upon non-Inkatha residents. The KwaZulu-Natal regional profile documents testimony from former members of the Unit who said that support to Inkatha also involved providing Inkatha supporters on the ground with weapons. The most well-known case of collusion between members of the riot police (including special constables) and Inkatha supporters is the killing of eleven people at Trust Feed on 3 December 1988, an attack performed by special constables and directed by Captain Brian Mitchell of the SAP, after a meeting between some local police officers and local members of the Inkatha leadership. Members of the SAP at higher levels were responsible for obstructing the investigation into the massacre. This, too, is documented in full in Volume Three.

256 During the mid-1980s, Chief Buthelezi was secretly recruiting Inkatha supporters for the 121 Battalion (the so-called "Zulu Battalion") based at Jozini on the Natal North Coast. Military documentation indicates that:

*The Chief Minister inferred that the time was not politically favourable to take over [121 Battalion] as a KwaZulu force. A suitable date will be decided at a later stage. To make the transfer workable, future recruitment will be clandestinely cleared first with the Chief Minister or delegated representatives. The SA Army has already made financial provision for addition of another company during 1986/7. It is suggested that the selection takes place in the normal manner after the Chief Minister has been informed. After selection, the list of accepted candidates will be covertly presented to the Chief Minister, and only Inkatha members will be finally accepted.*

### **UWUSA**

257 The Inkatha-affiliated union, the United Workers' Union of South Africa (UWUSA) was launched by Inkatha in May 1986 with considerable covert funding from the SAP's Security Branch. UWUSA served to check COSATU's progress, but also generated conflict in the work place because of its aggressive pro-Inkatha and anti-sanctions stance. In June 1986, UWUSA members killed eleven COSATU-affiliated miners and injured 115 others in clashes at the Hlobane colliery, near Vryheid. Conflict continued in the months following and in May 1987, the Pietermaritzburg Supreme Court granted National Union of Mineworkers members from the colliery an interdict restraining UWUSA members from assaulting them.

### **The KwaZulu Police**

258 The KZP was created by statute in February 1981 and had jurisdiction over the largest and most populous dormitory townships in the former KwaZulu homeland. It was disbanded in 1994, with many of its members being incorporated into the newly established South African Police Services.

259 From its inception, the role of the KZP was controversial, and allegations of political bias in favour of Inkatha, and later the IFP, were levelled against it up to the date of its disbandment in 1994.

260 The official policy of the KZP, stated in 1990 by the public relations officer of the force was that its members "may not belong to any political party." Whilst force

members may not have been active members of the Inkatha, evidence submitted to the Commission shows that the KZP was a highly politicised, biased and partial police force, and was openly supportive of the IFP.

- 261 From the outset, Inkatha president Chief Mangosuthu Buthelezi was the Minister of Police for the KwaZulu Government. Furthermore, during the most critical period of political conflict in the province, from 1989 to 1992, the commissioner of the KZP was Major General J H ('Jac') Buchner, a former officer in the SAP Security Branch. Buchner was described by former police captain Dirk Coetzee as "one of South Africa's top security policemen", who had "established himself as a brilliant and ruthless opponent of the ANC - as interrogator, state witness, logistics expert and planner of raids on neighbouring states". Amongst other things, Buchner had been responsible for the recruitment and training of *askaris* (or former ANC guerrillas captured and induced to work for the South African security forces).
- 262 A full report on the role of the KZP is not possible in this chapter, but examples of the KZP's active participation in serious political violence are given by way of window cases below.

***Political bias, incompetence and general misconduct***

- 263 In June 1992, the Durban branches of the Legal Resources Centre (LRC) and the Human Rights Commission (HRC) published a report entitled *Obstacle to Peace: the Role of the KwaZulu Police in the Natal Conflict*. In the report, the HRC and LRC used court records, *affidavits*, witness statements and other documents to describe numerous abuses by the KZP, which contributed to the conflict in Natal. Among the abuses documented were the following :
- a Murder and assault of persons perceived to be political opponents of Inkatha;
  - b Abduction of ANC-aligned or non-Inkatha activists;
  - c Participation or collusion with vigilante groups in the intimidation and attack of individuals accused of not supporting Inkatha;
  - d Failure to intervene to prevent attacks by Inkatha members carried out in the presence of the KZP;

- e Maltreatment and torture of detainees;
- f Firebombing of homes;
- g Disruption of funerals, memorial services and meetings of non-Inkatha groups;
- h Contravention of court orders forbidding harassment of individuals or communities;
- i Supply of weapons to notorious gang members;
- j Failure to render medical assistance to critically injured persons;
- k Failure to respond to calls for assistance or to investigate incidents involving Inkatha supporters;
- l Action outside the boundaries of KwaZulu and failure to co-operate with the SAP;
- m Failure to keep proper records, to admit that detainees or bodies are being held, or to co-operate with lawyers seeking to represent clients in accordance with the terms of the law.

264 There was no official response from the KwaZulu government or police to these allegations, other than in the submissions made on their behalf to the Goldstone Commission's enquiry into violence in Natal, one year after the report was originally published. In only six incidents mentioned in the *Obstacle to Peace* report did the submissions offer information of material developments that had not been covered (two of the six related to payments of damages by the KZP to complainants on the grounds that the complaints had been substantiated). In most cases, the submissions denied allegations, or stated that records were lacking or cases pending.

265 A study of violent incidents between January and June 1991, carried out by the Centre of Social and Development Studies of the University of Natal and the Human Sciences Research Council, reported that the KZP played an aggravating and negative role in 55 per cent of the events at which members of the force were present. The KwaZulu government countered allegations of this type in its submission to the Goldstone Commission by stating that there were complaints against the KZP in only 5 per cent of the communities in which it was the police force. However, human rights organisations attributed this to the reluctance of

those subject to mistreatment to complain to the same police force whose members had mistreated them, and to the lack of independent lawyers to assist potential plaintiffs.

- 266 Further KZP misconduct has emerged in the form of the issuing of false police appointment certificates to Caprivi trainees by the former deputy commissioner of the KZP, Major General Siphon Mathe. When the South African Police Investigation Task Unit (ITU) presented a case for prosecution to Natal Attorney-General, Tim McNally, he admitted that Mathe did issue the certificates fraudulently, but said that the case was not serious enough to warrant a prosecution.
- 267 On at least twelve separate occasions between 1988 and 1992, the Supreme Court in Natal issued urgent orders restraining members of the KZP from assaulting or carrying out other unlawful acts against township residents. In one case, SAP Detective Sergeant Joseph Kabanyane and others interdicted the KZP from assaulting, threatening and harassing not only the applicants themselves, but also any other resident of KwaMakhutha township. Evidence submitted to the Court indicated that large numbers of KwaZulu police officers were travelling around KwaMakhutha township in vehicles and on foot, shooting indiscriminately with heavy calibre weapons at any visible township resident. No investigation followed the granting of the court order, and in his replying *affidavit*, the commissioner of the KZP merely denied that his members had been acting unlawfully.
- 268 The Commission heard evidence of the active participation of members of the KZP in what has been described as the 'Esikhawini hit squad' which was responsible for a number of hit squad killings in Esikhawini, near Richards Bay, and surrounding areas between 1991 and August 1993. The origins and activities of the Esikhawini hit squad, as well as a review of the violations perpetrated by its members are to be found in the KwaZulu-Natal regional profile in Volume Three.
- 269 One of the founding members of the hit squad was Mr Brian Gcina Mkhize [AM 4599/97], a Caprivi trainee who subsequently joined the KZP and was posted to the Esikhawini Riot Unit in 1990. Together with Daluxolo Luthuli and KZP Captain Leonard Langeni, at the time the officer commanding the KwaZulu Legislative Assembly Protection Unit, and others, Mkhize attended a meeting in Ulundi where the political violence between supporters of the ANC and Inkatha in the Esikhawini area was discussed. Mkhize told the Commission that at this meeting he was told that "the time had arrived to use the skills acquired at the Caprivi". He said that it was made clear to him that he was to take unlawful action against ANC

supporters in Esikhawini. He was further told to gather reliable people to assist him. KZP Detective Sergeant Romeo Mbuso Mbambo [AM 4598/97] was one of those conscripted to the hit squad. KZP Captain Leonard Langeni was kept informed of the operations that flowed from the initial planning meetings of the hit squad, and supplied ongoing direction and logistical support to the operatives. Between them, the KZP and IFP members of this hit squad have applied for amnesty for over 100 killings. Instruction for the killings were received from senior IFP and KZP members. The activities of the hit squad are dealt with in more detail elsewhere in the Commission's report.

270 A number of other KZP members gained particular notoriety for killing people perceived to be ANC/UDF sympathisers and appeared to be immune from prosecution. Two examples of such police officers are Detective Constable Siphwe Mvuyane from Umlazi, who on his own admission killed approximately 50 people, and Constable Khethani Shange from KwaMashu, who was jailed for several murders. Their involvement in serious human rights abuses has been extensively documented in other publications.

271 In 1993, the Wallis sub-committee of the Goldstone Commission was mandated to enquire into the role of the KZP in the political conflict in KwaZulu-Natal. The committee found that, for the most part, investigations by the KZP were "characterised by neglect, delay, disregard of elementary procedures and a failure to bring the offenders to book" (paragraph 47). In a further indictment of the KZP, the Deputy Attorney-General of Natal told the Wallis Committee that the standard of investigation of murder cases in the greater Durban area by the KZP was poor. Charges against the KZP included vague and incomplete witness statements with no attempt to corroborate their accounts or follow up on issues raised in the statements, no proper examination of scene of crime, failure to hold identification parades, loss of evidence and the failure of investigating officers to bring accused, witnesses or exhibits to court on request.

272 The Goldstone Commission's second interim report, dated 29 April 1992, stated that:

*The widely held view by a large number of people in KwaZulu and neighbouring areas that the KwaZulu Police are a private army of the Inkatha Freedom Party is a matter of great concern in relation to the curbing of violence in those areas. No less disturbing is evidence that has been given concerning unlawful activities by senior members of the KwaZulu Police. (para 3.2.4)*

- 273 Investigations by the Commission and other bodies have shown that high-ranking officers of the KZP were involved in covering up crimes committed by Inkatha and KZP members. Cover-up practices by KZP officers ranged from neglecting basic investigative procedures to deliberately tampering with evidence and concealing suspects and key witnesses.
- 274 The role of the KZP in covering up the crimes of Inkatha-aligned persons was demonstrated in the Trust Feed case. In this case, certain senior KZP and Inkatha officials helped conceal the four special constables who were implicated in the murder. Almost immediately after the massacre in December 1988, KZP Captain Leonard Langeni took the four special constables into hiding at the Mkhuze Camp, which fell under his command. The KwaZulu Department of Nature Conservation owned the camp. During this time the special constables continued to receive their police salaries, paid to them by Langeni. Later they were taken to the KZP barracks in Ulundi, and then to the homes of various Inkatha-supporting chiefs. In 1990, they were assisted in joining the KZP, despite the fact that all four were still being sought by the SAP concerning the massacre at Trust Feed.
- 275 Members of the KZP were also involved in the concealment of former KZP Special Constable Vela Mchunu, implicated in the December 1986 murder of three members of the Metal and Allied Workers Union (MAWU) from Mphophomeni. In order to prevent Mchunu from testifying at the inquest, KZP Captain Leonard Langeni and Chief Buthelezi's personal assistant, Mr MZ Khumalo, arranged for Mchunu to be hidden for a period at the Mkhuze camp. Mchunu said that both Langeni and Khumalo knew that he had killed people and that he felt that their helping to conceal him indicated their approval of his actions. In 1990, Mchunu was implicated during the murder trial of Samuel Jamile, from Clermont, and was again taken into hiding (see above). In March 1991, after the completion of the Jamile trial, Mchunu was issued with a KZP appointment certificate under the name Alfred Masango.
- 276 Other police officers and Inkatha members who were suspects in crimes were hidden from the SAP at the Mkhuze camp. Daluxolo Luthuli was hidden at the Mkhuze camp during 1988 following his release on bail in connection with the possession of an AK-47 that was used in an attack on a UDF stronghold in Mpumalanga. Caprivi trainee Bhekisisa Alex 'Sosha' Khumalo [AM 4027/96] was also hidden for a year at the Mkhuze camp following his release on bail on a charge of attempted murder. Mr Nyoni Israel Hlongwane [AM 4600/97], active in the Esikhawini hit squad, was taken into hiding at the Mkhuze camp when he was

being sought by police in connection with rape, murder and attempted murder charges. When the SAP approached the KZP for assistance in arresting Hlongwane, none was offered. The other people implicated in the incident were arrested and charged and one of them convicted. Another Caprivi trainee and special constable, Mr Zweli David Dlamini, was hidden at Mkhuze camp for over a year after he was involved in a shoot-out with SADF members in Imbali in December 1987. Dlamini told the Commission that Mr MZ Khumalo and Captain Langeni arranged for him to go into hiding. In 1990, at Langeni's recommendation, Dlamini was accepted as a member of the KZP, despite the fact that warrants had been issued against him for attempted murder.

- 277 The vast majority of cases of alleged KZP involvement in gross human rights violations reported to the Commission occurred post-February 1990. The victims were almost exclusively people perceived to be sympathetic towards the ANC. The exception was a handful of KZP members who were eliminated by their own colleagues after they refused to cover up Inkatha or KZP criminal activity.
- 278 A number of KZP stations gained certain notoriety for severe misconduct and partisan policing. These included Umlazi, KwaMashu, KwaMakhutha, Madadeni, Sundumbili and Esikhawini.

### **1990s: The IFP-ANC war for supremacy in KwaZulu, Natal and the PWV**

- 279 The role of the IFP in the political violence in the early nineties is dealt with under the relevant sections of the Commission's report. In brief, the IFP was found to be the foremost perpetrator of gross human rights violations in KwaZulu and Natal during this period. Approximately 9 000 gross human rights violations were perpetrated by Inkatha in KwaZulu and Natal from 1990 to May 1994. This constituted almost fifty per cent of all violations reported to the Commission's Durban office for this period and over one-third of the total number of gross human rights violations reported for the thirty-four-year period of the Commission's mandate.
- 280 The Commission has made a finding that members and supporters of the IFP were responsible, together with sections and members of the state's security forces, for committing gross violations of human rights in the event which has come to be known as the Seven Day War which took place in the greater Edendale area outside Pietermaritzburg in the seven days from Sunday, 25 March 1990. In

the event, over 100 people were killed, some 3000 houses were destroyed by fire and approximately 30 000 people fled their homes because of the violence. The vast majority of the people killed and injured were from the non-Inkatha areas, and the vast majority of the property damaged burned and looted belonged to non-Inkatha supporters.

- 281 The Commission heard that hostels in the provinces of KwaZulu/Natal and the Transvaal, particularly in the PWV (Pretoria/Witwatersrand/Vereeniging) area, became strongholds of the IFP in the early nineties, and that these hostels became 'no-go' areas for non-Inkatha residents of adjacent communities. In turn, IFP hostel-dwellers were increasingly alienated in these communities and were frequently attacked by youths from these communities. However, IFP-supporting hostel-dwellers were responsible for launching several large-scale attacks on adjacent townships and informal settlements in these provinces. Examples are to be found in attacks in Bruntville, Mooi River, in KwaZulu/ Natal on 8 November 1990 (killing sixteen people) and on 3 and 4 December (killing eighteen people). The overwhelming majority of these victims were non-IFP township residents. Hundreds of people died in conflict between IFP-supporting hostel-dwellers in the PWV area, and in attacks launched by hostel-dwellers on surrounding communities. Examples are found in the Sebokeng massacres of 22 July 1990 and 3 September 1990, the Alexandra night vigil massacre of March 1991, the Boipatong massacre of June 1992 and the Thokoza massacre of May 1993.
- 282 The Commission has made a finding that IFP supporters were conscripted into hit squads and that the activities of these hit squads became widespread in KwaZulu and Natal during the 1990s. From information received by the Commission, it would appear that the hit squad operations flowing from the Caprivi training and other political networks were predominantly supportive of the IFP, drawing in officials of the KwaZulu government and KZP as well as senior politicians and leaders of the party.
- 283 As such, hit squad members had access to KwaZulu government resources, such as vehicles, arms and ammunition. A measure of protection from prosecution was made possible through the collusion of the KZP as well as instruments of the state security forces. Further, Inkatha officials conspired with senior KZP officials to set up hit squads to eliminate ANC/SDU elements. The activities of the hit squads operating in the Esikhawini area near Richards Bay, the New Hanover area of the Natal Midlands, and the activities of a hit squad known as the Black Cats in Wesselton and Ermelo in the Transvaal are documented in other sections of the Commission's report.

- 284 The Commission heard evidence of the involvement of IFP supporters in the train violence in the PWV region between 1990 and 1993. Approximately 572 people died in more than 600 incidents of train violence.
- 285 Inkatha supporters were also responsible for the commission of gross human rights violations in the province of KwaZulu/Natal in the run-up to the 1994 elections, when the IFP engaged in a campaign to disrupt the electoral process. During this period, Inkatha received arms and ammunition from right-wing organisations as well as sections of the security forces and embarked upon paramilitary training projects in which IFP supporters were trained in weapons handling and paramilitary tactics. This campaign continued until 29 April, just six days before the elections, when the IFP announced that it would contest the elections. The Commission found that approximately 3 000 gross human rights violations were perpetrated by Inkatha in KwaZulu and Natal from July 1993 to May 1994. This constituted more than 55 per cent of all violations reported to the Commission's Durban office for this period.
- 286 At the same time, the Commission has found that Inkatha supporters, members and leaders were the target of sustained violent attack in many areas of KwaZulu and the former Natal during period of the late 1980s and early 1990s as relations between the ANC and Inkatha deteriorated steadily following the 1979 meeting of the two organisations in London.
- 287 Evidence before the Commission dealing with those instances when members and supporters of the IFP were victims of aggression by members of the UDF/ANC is found in the *Liberation Movements* chapter of this volume. Cases are also dealt with in the KwaZulu/Natal regional profile.
- 288 The IFP submitted to the Commission a document listing 420 cases where IFP party office-bearers had been killed, allegedly by members and supporters of the UDF/ANC. Cases documented occurred between August 1985 and August 1996. The Commission's Durban office conducted an intensive investigation into the 289 listed cases falling within the boundaries of the Commission's mandate. The results of the investigation are documented in the *Liberation Movements* chapter.

## ■ KWANDEBELE

### KwaNdebele independence

- 289 In light of the unrest that eventually followed, it is ironic to note that Pretoria's homeland planners were initially loath to create a separate homeland for the Ndebele. In terms of the 1959 Promotion of Bantu Self-Government Act, the Ndebele were not recognised as a 'national unit' worthy of their own homeland. For many years, apartheid's ethnic strategists hoped that the Ndebele would simply assimilate into Bophuthatswana or Lebowa where a large number of Ndebeles already lived. In 1979, however, the South Ndebele territorial authority was granted legislative assembly status. Two years later KwaNdebele became self-governing. Although the South African government frequently justified its abrupt change in policy by referring to requests for recognition from Ndebele traditionalists, the real reasons lay in South Africa's changing political economy and emerging strategic concerns. The large number of Ndebeles forced off white-owned farms because of mechanisation and the sudden exodus of Ndebeles fleeing ethnic harassment in Bophuthatswana had created an acute demographic problem for Pretoria's planners. KwaNdebele's establishment was designed to control groups displaced by these processes.
- 290 By the early 1980s, however, officials within the Department of Co-operation and Development (DCAD) realised that KwaNdebele presented the government with new strategic possibilities in terms of the larger homeland project. KwaNdebele's eager and compliant cabinet offered Pretoria's planners an opportunity to resuscitate the government's policy on independence. Following Ciskei's independence in 1981, plans to grant independence to the remaining self-governing homelands had either stalled or had been blocked by various means. The government in part blamed the South African Black Alliance, a loose grouping of black political parties chaired (and in effect led) by Inkatha's president Mangosuthu Buthelezi, for slowing down the homelands' rush to independence. Bureaucrats at the DCAD hoped that KwaNdebele's acceptance of independence might weaken the Alliance and encourage other homelands to follow suit.
- 291 In May 1982, the KwaNdebele Legislative Assembly passed a motion calling on the cabinet to pursue independence.
- 292 The political conflict over independence and incorporation that engulfed the KwaNdebele area from mid-1985 until 1988 degenerated into what was, in effect,

a civil war. Human rights violations – committed by a variety of individuals and groups on all sides of the conflict – were numerous and widespread. Scores of people were killed, not only by the security forces deployed to repress the unrest, but also by erstwhile neighbours, fellow students, business colleagues, and even family members. In a matter of months, KwaNdebele's limited infrastructure was razed to the ground. Schools sat empty, shops and offices were gutted and entire communities lived in fear. By the winter of 1986, KwaNdebele had been irrevocably changed.

### ***Imbokodo***

293 At the very centre of this maelstrom was a vigilante organisation known as the Imbokodo. Led by the homeland's political and economic elite, the fate of the Imbokodo – or “the grinding stone” – in many ways encapsulates the tragedy that occurred in KwaNdebele. In what effectively constituted a ‘reign of terror’, Imbokodo members carried out daring and brutal attacks in which hundreds of ordinary residents were viciously assaulted and publicly humiliated. The resentment and anger that followed operations such as the New Year's Day raid and the Tweefontein massacre radicalised a previously apolitical population and was a significant, if not the most important, cause of the unrest. However, once the conflict had begun, “comrades” ruthlessly and methodically attacked suspected Imbokodo members and their families. Even those with the most tenuous links to the vigilante organisation or to the homeland government were at mortal risk. Scores of suspects were summarily killed, often by the infamous ‘necklace’.

294 In internecine conflicts in which combatants do not wear uniforms and political loyalties are assumed rather than formalised, many people become both perpetrator and victim. This was often the case in KwaNdebele. Vigilantes identified ‘comrades’ simply based on their age. Comrades targeted ‘vigilantes’ by their occupations. In the ensuing war, few were safe.

295 Over 250 statements were made to the Commission regarding the conflict in KwaNdebele and Moutse in the mid-1980s. Collectively, the statements report almost 700 gross violations of human rights. In those statements that name a perpetrator (involving 421 alleged violations), the Imbokodo is listed as the responsible organisation in over half of the incidents. This includes allegations of Imbokodo involvement in seventeen deaths. ‘Comrades’ or ANC members are similarly identified as the alleged perpetrators in 14 per cent of the statements. Although the percentage of total gross human rights violations attributed to the

latter group is dramatically lower, the statements attribute twenty-four deaths to the comrades. Amongst residents who approached the Commission, at least thirty-four victims had ties to the Imbokodo or to the former KwaNdebele government. Together, their statements document twenty murders, all of which involved the burning of the deceased's body. At least nineteen of the deponents further claimed that their residential and/or business properties were completely destroyed in arson attacks.

- 296 Despite the significant role that Imbokodo members played in the conflict, both as perpetrators and as victims, relatively little has been written about the vigilante organisation. In contemporaneous accounts of the conflict, the Imbokodo was depicted largely as a Mafia-type hit squad formed in 1986 which operated under the personal command of Mr SS Skosana, the first chief minister, and Mr Piet Ntuli, the feared minister of internal affairs. The bulk of the organisation's membership – with estimates ranging widely from as low as 300 to as high as 900 people – reportedly consisted of KwaNdebele politicians, businesspersons, taxi-owners and some traditional leaders. From the start of the 1986 unrest, the Imbokodo was further rumoured to enjoy the approval and even the active support of the central government as well as national and local security forces. In general, then, the Imbokodo has been seen as a vigilante organisation specifically formed with the support of the South African government to assert the dominance of the KwaNdebele elite and to achieve the political goals of independence and incorporation.
- 297 Although this description captures the essential nature of the Imbokodo organisation as it operated in 1986, it also overlooks several significant factors in the group's development. Many of these issues have been brought to the Commission's attention in evidence submitted to the Commission and in testimony led at the Commission's special event hearing conducted in Moutse in December 1996. In summary form, the following points should be noted.
- 298 First, forms of vigilante activity in the KwaNdebele area predate the unrest of the mid-1980s by at least a decade. SS Skosana, elected the first president of the Imbokodo when it was officially constituted in 1986, has traced the organisation's roots to a "cultural society" formed in 1976 "when there were riots and schools were burned". Throughout the intervening decade, a number of vigilante attacks were carried out against perceived political opponents of the KwaNdebele government and its various tribal authorities. In addition, numerous tactics, including roadblocks, were used to identify and "discipline" various "agitators" especially "outsiders" – generally perceived as politicised youth from the Rand – operating in the homeland. Vigilantism thus has a long, indigenous history in the area.

- 299 Second, many of these activities were conducted with the blessing if not the active participation of the Ndzundza royal kraal. Despite their emergence as leading opponents of the Imbokodo in 1986, members of the royal family were involved in earlier forms of vigilante activity. In fact, individuals participating in early vigilante operations emphasised that they were “called by the king” when such activities were deemed necessary. With this history in mind, Imbokodo members have claimed that their organisation was constituted at the royal kraal and derived its authority from the king himself.
- 300 Third, vigilantes and members of the Ndzundza tribal authority had long employed corporal punishment as a means of maintaining order in the area and punishing those deemed guilty of breaching the peace. A variety of criminal, civil and even a few political cases were heard by the traditional court sitting at the offices of the Ndzundza tribal authority. Those convicted of offences were regularly sentenced to a number of lashes with a *sjambok*. In 1986 when Imbokodo members relied on the whip to “discipline” opponents of incorporation and independence, they again claimed that they were only following “traditional Ndebele ways.”
- 301 Despite these continuities with the past, the evidence before the Commission also reveals important differences between the activities of the Imbokodo and earlier forms of vigilantism. First, whereas early vigilante activity generally focused on specific perceived ‘agitators’, Imbokodo raids targeted entire communities, leading to widespread and indiscriminate assaults on residents. Second, although early vigilante activity enjoyed the express approval of the royal family and as a result was accepted as legitimate by a large sector of the population, the actions of the Imbokodo were denounced by the royal family and were clearly unacceptable to the vast majority of KwaNdebele residents. In the changed circumstances of the mid-1980s, vigilantism became a source of conflict rather than a means of diffusing it. While at one time tribal police officers were seen as community protectors, Imbokodo members were essentially viewed as a political army. Finally, although tribal courts operated according to a known and widely accepted procedure involving the presentation and evaluation of evidence and testimony, Imbokodo assaults offered no such defence to the accused. Residents abducted by vigilantes were summarily assaulted in mass beatings carried out in various government-owned buildings. Such occasions resembled torture sessions more than court proceedings.
- 302 Perhaps the greatest tragedy of the conflict lay in the South African government's ambiguous approach to the Imbokodo. Although not directly established or

controlled by the South African government, politicians and policy-makers in Pretoria failed to act against the Imbokodo even when their officials on the ground encouraged them to do so.

## **The incorporation dispute**

303 The KwaNdebele Legislative Assembly passed a motion calling on the cabinet to pursue independence in May 1982, following Ciskei 's independence the previous year. However, the most significant impediment to KwaNdebele independence was the area's meagre development. KwaNdebele lacked basic infrastructure. It had few roads and no hospitals. In order to boost the area's viability before independence, the South African government planned to incorporate two historically non-Ndebele areas, Ekangala and Moutse, into KwaNdebele. In 1983, the Department of Co-operation and Development ( DCAD) convinced the South African government that Moutse's incorporation was economically and politically necessary to ensure KwaNdebele's independence.

### ***Ekangala***

304 On February 9, 1985, Mr Gerrit Viljoen, then the Minister of Co-operation and Development, announced that the nearly 5 000 residents of Ekangala, a "de-centralisation" township near Bronkhorstspuit, would be incorporated into KwaNdebele. The announcement initiated a wave of popular resistance amongst residents, most of whom had moved to the area from overcrowded areas of the East Rand. The Ekangala Action Committee (EAC) took the lead in organising a campaign of mass resistance. The EAC turned its attention to fighting plans for incorporation. The KwaNdebele government responded by intensifying the reign of terror against the action committee. Imbokodo vigilantes assaulted and terrorised the people of Ekangala in night raids, using pangas, sjamboks and clubs. Their activities included breaking doors and windows, beating people unconscious and abducting them in boots of motor vehicles to appear before the "tribal court". A common feature of the assaults was that people were told to get out of Ekangala. A young schoolboy was allegedly shot and killed. At least three other supporters of the EAC were allegedly beaten, including a mother and her daughter. Several others were arrested.

305 After this, repression in the township fell to vigilantes loyal to the KwaNdebele administration. In fact, many of the raids appear to have been planned by senior homeland politicians. KwaNdebele cabinet minister FK Mahlangu was known to

have participated in the nocturnal raids of balaclava-clad vigilantes that terrorised the township from late March onwards. The house of Mr Peter Kose, the widely respected vice-chairman of the EAC, was attacked and all its doors and windows broken. Subsequently his daughter and other children of EAC officials were expelled from school. By the end of July 1985, Kose had been abducted three times, the last time in front of witnesses who watched in horror as his abductors swung him around by his heels until his head bounced along the ground. After he lost consciousness, he was bundled into the boot of a waiting car and taken to a vigilante's house for further torture. The police, acting on a complaint from Kose's wife, later rescued the battered community leader. However, Kose was subsequently jailed on an assault charge filed by his abductors. Only after legal intervention were the charges dropped and Kose released.

- 306 While Kose's case illustrates the extreme measures to which the vigilantes were willing to go, he was by no means alone in suffering at the hands of KwaNdebele's intimidators. By the end of the year, *The Weekly Mail* reported that nearly one-third of the township's residents had fled the vigilante's reign of terror. Those who remained demanded resettlement to the East Rand, regardless of the overcrowding that had prompted their original move to Ekangala. Despite evidence implicating the vigilantes in the ongoing violence in the area, South African officials failed to act against the Imbokodo's excesses.

### **Moutse**

- 307 Moutse is home to one of the region's longest-established communities. Members of the Bantoane, the largest chieftaincy, have lived in the area since the latter half of the eighteenth century. Although their ancestors are Setswana speakers from what is today Botswana, the Bantoane have resided in the area long enough to claim, albeit without proof, that their present boundaries were personally laid down by Paul Kruger. Throughout this century, a number of other ethnic groups have settled in Moutse. According to the 1980 census, 58 per cent of the population was Sotho, 38 per cent was Ndebele and 3 per cent was Shangaan/Tsonga. Because of the area's early settlement, 53 per cent of the land was held under individual or communal freehold tenure. The rest of the area was Trust land. By the mid-1980s, the 66 000-hectare region contained forty-three villages with approximately 120 000 residents. Under separate development, three tribal and three community authorities had been designated and jointly formed a regional authority. The Bantoane (later renamed the Moutse) Regional Authority was a constituent part of Lebowa when the territorial authority was established in 1962.

From the beginning, Moutse had always been included in the government's plans for the Northern Sotho 'national unit'.

308 However, on the recommendations of the 1975 select committee for Bantu Affairs, the government considered incorporating Moutse into the soon to be established Ndebele homeland. Given Moutse's history and its ethnic composition, many analysts condemned the proposal as a violation of apartheid's ethnic ideal. Internal DCAD memoranda reveal that the department realised that their plans for Moutse represented a significant change of emphasis. Nevertheless, officials justified Moutse's incorporation based on a number of administrative, economic and developmental considerations. For its part, the 1975 select committee was motivated by a number of concerns. First, the incorporation of Moutse would have greatly expanded the area of the small KwaNdebele homeland. Second, the enlarged homeland would have remained a contiguous area, a goal frequently mentioned by apartheid planners but rarely achieved. Third, KwaNdebele's land area and population size would be boosted without the costs and negative publicity accompanying physical removals. Finally, given Moutse's combination of trust land and African freehold, the area's incorporation would boost KwaNdebele's size without the state having to purchase white farms or modify the amount of land occupied by Africans in terms of the limits set by the 1936 Land Act. In 1980, the central government excised Moutse from Lebowa, the first step towards acting on the select committee's recommendation.

309 Following Moutse's excision from Lebowa, the South African government made periodic announcements on their plans for the historically Northern Sotho area. In ongoing negotiations between Moutse leaders, the Lebowa cabinet and officials of the central government, it had clearly been established that the South African government would offer Moutse to KwaNdebele in order to boost the homeland's viability prior to independence. Throughout this period, however, Moutse's traditional leaders made it abundantly clear to representatives of the South African government, including PW Botha and Ministers Koornhof and Heunis, that they were opposed to independence. Moutse's chiefs and homeland politicians further warned that an attempt forcefully to implement incorporation plans would inevitably lead to bloody resistance.

310 Messrs Mmusi Moses Mathebe, Paledi Cecil Mathebe and Solomon Moseme Malefahlo and many others from Moutse were assaulted by Imbokodo vigilantes after a raid at the kraal of Chief Elliot Mathebe, the Kgobokoane chief who opposed incorporation. The intention of the attack was to kidnap the chief, the

living embodiment of the tribe, as an assertion of the power of Imbokodo, and to instil terror in the resisting members of the Moutse population. The assault on the three men (one of whom, Mmusi Mathebe, was initially thought by the attackers to be the chief) continued until neither attacker had the strength to raise his weapon. Exhausted by their efforts, the vigilantes then took Mmusi Mathebe and others to another room where the floor had been covered in a slippery soap solution. Here the men were made to run in circles, like circus animals, while their captors waited for one to slip and fall. Once down, the unlucky individual was again brutally assaulted until he regained his feet. Approximately twenty minutes later, the vigilantes apparently tired of the game and took Mmusi Mathebe, Paledi and Malefahlo who were then bleeding into an adjoining room full of prisoners. Here, the three men spent the night propped against walls already red with blood. The following day, vigilantes simply dropped the injured men along the road separating Moutse from KwaNdebele, fearing that their car might be damaged if they ventured out of the homeland.

- 311 Vigilante attacks on dissenters were not limited to residents of areas marked for incorporation. By December 1985, the Imbokodo were also attacking KwaNdebele residents suspected of resisting independence or opposing the homeland cabinet's authority. Members of the Imbokodo viciously assaulted residents of the southern village of Kwaggafontein, especially supporters of prominent local politician Klaas Makhosana Mahlangu.
- 312 Mahlangu had played a significant, if somewhat controversial, role in Ndebele politics. His position as a community leader was further enhanced by his dual claims to traditional power. In the southern KwaNdebele village of Kwaggafontein where he lived, he was known for his sympathetic understanding of the largely resettled population that he sought to lead. As many of his neighbours had recently fled to KwaNdebele from Winterveld and other areas of Bophuthatswana, Mahlangu was particularly aware of local antagonism towards the concept of homeland independence. Consequently, Mahlangu had long been recognised as a leading sceptic of Pretoria's plans for the homeland. While not critical of the idea of a Ndebele homeland *per se*, Mahlangu spoke resolutely against attempts to forcibly incorporate non-Ndebele areas or to accept independence. As early as 1977, he was assaulted and harassed by supporters of the KwaNdebele executive for publicly opposing political developments in the homeland. In late 1985, the KwaNdebele cabinet again sought to silence Mahlangu – and his growing number of supporters – using vigilante intimidation.

- 313 On 19 December 1985, Mahlangu, his wife and his mother were abducted by Imbokodo vigilantes from Kwaggafontein. They were taken to Emagezeni, a place of torture. Fortunately for Mahlangu, the station commander at Kwaggafontein police station intervened to save him and his family from physical attack. Following his release into police custody, he was allowed refuge at the police station until a policeman could safely drive him out of the area. Mahlangu fled KwaNdebele.
- 314 Other Kwaggafontein residents were not so lucky. They were beaten with sjamboks (whips), *knobkieries* (clubs) and pickhandles. They were forced to go into the house where there was soapy water. Mr Senzani Mateu Morake [JB02793] is today disabled because of Imbokodo vigilantes. Mr Boy Simon Mahlangu [JB2914] permanently lost the hearing in his right ear. Several other Kwaggafontein residents reported similar attacks to the Commission.
- 315 Despite obvious signs of growing mass resistance, the South African government proceeded with plans for incorporation and independence while simultaneously failing to act against the illegal excesses of the Imbokodo vigilantes.
- 316 Officials of the South African government received information that could have warned them of the violence to come. The EAC sent a memorandum to both the East Rand Administration Board and to the Department of Constitutional Development and Planning (DCDP), which was signed by over a thousand residents and which outlined the unrest and resistance which had emerged in the township. The area's highest ranking security officer, Captain Chris Kendall, allegedly warned the homeland politicians that the activities of Imbokodo only served to heighten the unrest and alienate residents. He also told the ministers that the EAC was not a radical organisation and that its members could be counted on to resolve the issue peacefully if given the right conditions. The KwaNdebele cabinet ignored Kendall's advice. Kendall, who had previously enjoyed a warm relationship with members of the cabinet (he had once been their shooting instructor at Bronkhorstspuit) quickly fell into disfavour with the KwaNdebele government.
- 317 Following the assassination of Piet Ntuli, the cabinet declared Kendall *persona non grata* and successfully demanded that the SAP transfer him from the area. Although the KwaNdebele cabinet's distrust of Kendall was understandable, the South African government's attitude towards him was less clear. Despite his position as the area's highest-ranking security officer, Kendall's perspective on the conflict does not seem to have informed Pretoria's approach to the situation. In this and other instances, politics – namely, the need to satisfy the wishes of the

KwaNdebele cabinet in order to achieve Pretoria's own objectives – appear to have taken precedence over the security evaluations of the state's operatives on the ground.

- 318 With respect to Moutse, South African officials received even more direct and clear warnings on the possible repercussions of their policies. On September 25, 1985, Minister Chris Heunis announced final consolidation plans for Lebowa that confirmed Moutse's excision. Within the week, officials from Pretoria visited Chief Gibson Mathebe of the Bantoane, Moutse's largest chieftaincy, in an attempt to secure his co-operation with the area's incorporation into KwaNdebele. Mathebe warned the government "in emphatic and unambiguous terms" of the "disastrous consequences" which would result from the forced transfer of the area.
- 319 In the face of opposition from Moutse's leaders and despite predictions of violence, the central government nevertheless proceeded with Moutse's transfer. On 5 December, Heunis issued the last in a long line of public statements confirming Moutse's official incorporation. The date for the transfer was set for the last day of the year. As compensation, the Minister offered to resettle residents who were unhappy with the incorporation at an alternative site being developed at Immerpan, approximately one hundred kilometres from Moutse.
- 320 On at least two occasions in October and December 1985, Major Daan Malan, Dennilton station commander in Moutse, discovered large groups of armed Ndebele vigilantes roaming around the Moutse area. When confronted by Malan, the group, led by Chief Minister SS Skosana and several other KwaNdebele cabinet members, said that they were patrolling the area to ensure that the inhabitants supported the imminent incorporation. Fearing a potential conflict, Malan ordered the vigilantes out of the area. In turn, the cabinet lodged an official complaint against Malan with his superior, Brigadier van Niekerk. The district commander backed up his officer, however, informing the ministers that they did not yet enjoy any jurisdiction in the area. Van Niekerk further warned Skosana that any operations in Moutse involving force would constitute a public violence offence. On December 16, 1985, when vigilantes were discovered in Moutse for the second time, Van Niekerk went to meet with Chief Minister Skosana personally in a bid to convince him to withdraw from the area. Van Niekerk has recalled that Skosana was furious, asserting that the police had done nothing to ensure that Moutse residents would accept their incorporation into KwaNdebele. The chief minister threatened that he and his own men would act since the police seemed unwilling or unable to do so. Again warning the vigilantes that their actions could result in

criminal charges, Van Niekerk finally succeeded in persuading the vigilantes to withdraw and abandon their plans. They were not, however, deterred for long (see below).

- 321 Despite the frank and clearly stated objections of Brigadier van Niekerk and Gerrie van der Merwe, the South African government transferred police functions to KwaNdebele as scheduled. As with the situation in Ekangala, the central government again followed the dictates of politics rather than the recommendations of its officials on the ground.
- 322 On 1 January 1986, a large number of Imbokodo members (and KwaNdebele men forcibly enlisted for the day) attacked the Moutse villages of Moteti and Kgobokoane. In their effort to repel the invasion, Moutse residents killed a number of vigilantes. These included four Imbokodo members suspected of trying to abduct the Bantoane chief at the royal kraal in Kwarrielaagte, Moutse. Approximately 360 Moutse residents were abducted from their homes and taken to the community hall in Siyabuswa where they were subjected to up to thirty-six hours of torture and ritual humiliation. While chanting Imbokodo slogans, the victims were forced to perform physical exercises until they collapsed. They were subsequently stripped naked and publicly sjambokked on a concrete floor covered with soapy water. Victims have testified that senior KwaNdebele politicians including Chief Minister SS Skosana and Minister of the Interior Piet Ntuli directed the beatings in the community hall. No one was ever convicted for his role in the attack.
- 323 In the days following the abductions, police patrolled the Moutse area in an attempt to disperse community gatherings and diffuse resistance. At one such meeting in Keerom, two policemen allegedly fired into a crowd, killing one resident and injuring two more. The enraged crowd chased the two policemen, eventually cornering and killing them. The police responded to their colleagues' deaths with five days of house-to-house searches. Residents have alleged that the police assaulted them and looted their property in the process.
- 324 On April 28, clashes between students and vigilantes ensued after Imbokodo members had surrounded the Mandlethu High school in Vlaklaagte no.1. The police eventually intervened to separate the two groups. After the Imbokodo were escorted from the area, the students returned home peacefully. That night, however, the Imbokodo returned and engaged in a house-to-house raid in the village. Those of school-going age were especially targeted. A number of youths were loaded into cars and *bakkies* (vans) and taken to Emagezini, a small industrial

complex in Kwaggafontein, where they were assaulted with a variety of weapons. Many were severely wounded.

- 325 Jacob Skosana, a father of eight, was the only adult taken to Emagezini. Before the day's events, Skosana had not been active in the unrest. However, after rumours reached him that one of his daughters had been taken from school by the vigilantes, Skosana allegedly confronted various Imbokodo members about his daughter's whereabouts. That night he was abducted from his home by a group of men. Vlaklaagte youth leaders subsequently testified that they saw Skosana, already badly beaten, at Emagezini. Early the next morning, Skosana's dead body was dumped back in the yard of his home and surrounded by fire so that it could not be retrieved immediately by his family. When the body was recovered, it had allegedly been mutilated. News of the incident spread quickly through the village and eventually through all of KwaNdebele. Skosana's burial was the homeland's first political funeral.
- 326 Although officially limited to fifty mourners, Skosana's funeral drew thousands. When the police arrived, reportedly with SADF back-up, they ordered the assembled crowd to disperse immediately. Shortly thereafter, they fired tear gas, birdshot and rubber bullets at the mourners, creating panic in the crowd. Ms Sara Mthimunye (19) was run over by a bus whose driver had been overcome by the tear gas. Many others were injured in the mêlée. That night, comrades began burning the businesses of suspected Imbokodo members and MPs in the legislative assembly.
- 327 On 7 May 1986, PW Botha announced that KwaNdebele would take independence on 11 December 1986. When press reports reached KwaNdebele, residents approached the Ndzundza royal kraal and requested the king to call a public gathering with the KwaNdebele cabinet. The meeting was held on May 12 and was attended by an estimated 20 000 residents, the area's chiefs and two representatives of the homeland cabinet (who were advised to travel to the meeting in a Casspir). At the meeting, three demands were presented to the government representatives: the disbanding of Imbokodo; the cancellation of independence; the resignation of members of the KwaNdebele cabinet and legislative assembly for acting without a popular mandate. After the cabinet promised to prepare a response for a report-back meeting scheduled for May 14, the crowd dispersed peacefully.
- 328 The next day Jacob Skosana was buried in Vlaklaagte No.1. Late the same afternoon, the local magistrate, JN Theron, prohibited the report-back meeting at the royal kraal scheduled for the next day. A huge crowd assembled the follow-

ing morning nevertheless. Most of the estimated 25 000 that turned up were unaware of the magistrate's prohibitions. Commuters were stopped by youths at barricades on the Pretoria road and redirected to the royal kraal. Putco later reported that 'comrades' had commandeered its entire KwaNdebele fleet of some 300 buses. While the assembled crowds were still waiting for the KwaNdebele cabinet to arrive, security forces dispersed the meeting with tear-gas and rubber bullets fired from a hovering helicopter and several patrolling Casspirs. Participants have testified that no warnings or instructions were given to the crowd before the security forces acted. Chaos ensued. A careering bus, whose driver and passengers had jumped from the vehicle when it had filled with teargas, fatally struck a child in the street. The bodies of two other men were later found at the royal kraal.

- 329 In the midst of the confusion, a number of youths were abducted by Imbokodo members and taken to a makeshift detention camp in the Vaalbank area. Fifty-four youths were held there without food or water and were subjected to periodic assaults by their Imbokodo guards. Allegedly, the youths' stomachs were trampled on, their genitals squeezed in vice-grips and their feet burnt with hot coals. On May 19, one of the youths, Johannes Ramahlale, managed to escape and report the matter to the police, who raided the camp the next day and released the young 'comrades'.
- 330 In the days following the dispersed meeting at the royal kraal, conflict spread across KwaNdebele. 'Comrades', Imbokodo and security forces engaged in running skirmishes throughout the homeland. In addition to direct conflict, students, teachers and civil servants conducted successful stay-aways in the following weeks in protest of the cabinet's policies and the detention of various resistance leaders. The homeland remained a "no go" area until independence was cancelled some three months later.
- 331 Following the dispersal of the 14 May mass meeting and the attacks on Imbokodo members' properties that ensued, a virtual civil war spread across KwaNdebele. The Imbokodo responded to attacks on their members by organising counter-attacks on their former villagers. These retaliatory raids targeted especially the youth, whom the vigilantes blamed for the attacks carried out against their own properties. The attack on Tweefontein on 12 June typifies such raids. Witnesses have described how Imbokodo members travelled in convoy through the village, firing indiscriminately at youth they encountered. Four young men were killed in the 12 June attack alone.

- 332 As the conflict intensified over the next several months, KwaNdebele was irrevocably changed. A priest, Father Sean, recalled months of “rioting, burning and looting” in which one could “see shops and houses ablaze” daily. In one week in May alone, youth allegedly burnt a reported thirty-nine businesses, nine homes and nine vehicles, all of which belonged to suspected supporters of the KwaNdebele government. By the end of July, 70 per cent of the businesses in the homeland had been destroyed. One observer noted that virtually an entire class of traders had been liquidated. The few remaining businessmen openly co-operated with the ascendant youth organisations in order to ensure their continued survival. In practice, this often entailed giving away large amounts of stock in the hope of avoiding arson or widespread looting. As the conflict deepened and violence intensified, strong-arm tactics prevailed on all sides. Following mass abductions of youths, the Imbokodo allegedly engaged in torture sessions at Emagezini and at Klopper's Dam.
- 333 This period of cyclical attacks and counter-attacks introduced an important dynamic into the area's pattern of human rights violations. In short, the line between victims and perpetrators blurred, as comrades and vigilantes frequently assumed both roles. The youth, relentlessly pursued by the Imbokodo for months, initiated their own campaign against suspected vigilantes, frequently resulting in the most brutal of murders. For their part, vigilantes who had recently wielded immense power in their communities – including a *de facto* monopoly on force – were suddenly forced out of their homes in fear of their lives. Many of those who survived lost all of their worldly possessions in a matter of hours. Members of the cabinet, MPs in the legislative assembly and some of the wealthiest businessmen were forced to seek refuge in hastily constructed shanties in Verena. Overnight they had been exiled to the southern edge of a homeland they ostensibly still ruled.
- 334 As the Imbokodo relocated to Verena, daily confrontations between vigilantes and residents were replaced by more infrequent – but equally violent – raids and counter-attacks. One sequence of events in the southern Mkobola district of KwaNdebele highlights the prevailing dynamic.
- 335 On June 11, comrades carried out a planned attack on a Vlakraagte business complex owned by Piet Ntuli, the notorious cabinet minister and vigilante leader. The comrades' raid appears to have been part of the ongoing attempt to rid the homeland of the Imbokodo. Although warned of the imminent attack by a local priest, at least one security guard was killed during the comrades' assault. Imbokodo retaliation was swift.

- 336 The day after the attack on Ntuli's shop, Imbokodo members raided Tweefontein, a large collection of villages in the Vlakklaagte area. Eyewitnesses have reported that the Imbokodo drove in convoy through the area, firing indiscriminately at youths running through the streets. At least four young men were fatally wounded. A number of residents were assaulted with sjamboks and *knobkieries*. Others were abducted and loaded onto a lorry accompanying the convoy.
- 337 Although "the burning" of KwaNdebele reached its peak in May and June 1986, violence and unrest continued. The KwaNdebele cabinet remained committed to the goals of incorporation and independence while the Ndzundza royal family and the Moutse chiefs had successfully marshalled popular resistance to such plans. Although embattled, the Imbokodo retained sufficient strength to intimidate and attack the government's opponents. The youth, for their part, had grown increasingly assertive, more effectively organised and much more violent in their approach. However, despite the control that comrades asserted in their immediate communities, they could not in fact overthrow the homeland government or "militarily" defeat the Imbokodo. The result was a bloody stalemate. At the end of July, South African security forces intervened in the conflict to alter the course of events dramatically with a single operation.
- 338 On 19 July 1986, members of the South African security forces assassinated Minister Piet Ntuli when a car bomb attached to his government vehicle was detonated on a Siyabuswa road. As Minister of Internal Affairs, Ntuli was known to personally issue business and taxi licenses, as well as citizenship cards. By selectively granting essential documents, Ntuli had carefully cultivated a constituency of businessmen and politicians personally indebted to him and dependent on his continued favour. Combined with his reputation as the "strongman" of the Imbokodo vigilantes, Ntuli was widely perceived as the real power within SS Skosana's cabinet and the driving force within the KwaNdebele government. Ntuli was a staunch supporter of both Moutse's incorporation into KwaNdebele and the drive for homeland independence. He also sponsored the casino proposal favoured by the KwaNdebele legislative assembly and was further tipped to succeed Skosana, already gravely ill with diabetes, as the first president of an independent KwaNdebele.
- 339 A number of security force operatives applied for amnesty for participation in or knowledge of the operation. These include: Brigadier Jack Cronjé (former divisional commander of the Northern Transvaal Security Branch); his subordinates Captain Jacques Hechter and Captain Jacob van Jaarsveld; Captain Chris Kendall

(Security Branch commander at Bronkhorstspuit); General Joep Joubert (commander general of SADF Special Forces); and Sergeant Deon Gouws and Warrant Officer Stephanus A Oosthuizen (both of the SAP uniform branch). In light of the fact that amnesty proceedings were ongoing at the time of reporting, it is not possible to discuss the actual operation in any great detail.

340 From the second half of 1986, the KwaNdebele Police (KNP) made extensive use of emergency regulations to detain a large number of KwaNdebele and Moutse residents. The Legal Resources Centre, which represented a number of detainees and closely monitored developments on the ground, has estimated that KwaNdebele at one stage had the highest detention *per capita* figure in the Republic. Even high-ranking officers in the SAP security branch objected to the detention practices of the KNP. For example, a security branch major who operated in KwaNdebele told the Parsons Commission that more than 2 000 residents had been detained in the homeland in the period August 1986 to 1989. Although he felt that unrest had almost completely dissipated after Ntuli's death, he noted with alarm the KNP's increasing use of emergency detentions. For example, the major reported that in mid-January 1988, the KNP had 191 emergency detainees still in custody, a figure exceeded only by two other police divisions in South Africa. Whether or not these specific assertions are accurate, it is certainly clear that emergency regulations were widely used by the KNP. It is equally apparent that detention provisions were frequently abused for political gain.

341 In KwaNdebele, two families have made statements regarding relatives who disappeared in strikingly similar circumstances. On February 11, 1987, Mr Jim Msebenzi Mahlangu, a 51-year-old headman, was detained by police at his home in Tweefontein. On 6 February 1987, Mr George Shabangu was arrested in Matchiding, allegedly in relation to an armed robbery, a claim that was not substantiated by any evidence placed before the Commission. Both individuals were subsequently reported to have escaped from custody (during this period, the police frequently used this explanation as a tactic to evade legal responsibility and accountability for deceased detainees). Over a decade later, neither has been seen or heard from again. Even their families have given up hope that they are still alive. No one applied for amnesty for either incident. Nevertheless, Commission investigations made some progress in unravelling the mysteries surrounding their disappearances and a report on one of the cases was sent to the Attorney-General for consideration. Both disappearances implicate the KwaNdebele Police in the probable death of detained activists.